

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – FRIDAY 27 May 2022

9.30 AM – CONFERENCE ROOM – PBNI HEADQUARTERS

445th MEETING – 3rd OF THE THIRTEENTH TERM OF OFFICE

ATTENDANCE

Mr M Murray, Chair
Ms M Brunt
Dr J Byrne
Mr K Donaghy
Mr J Johnston
Dr M Keady
Ms A Lloyd-Stevens
Ms C Magee
Ms B Mongan
Ms E Patterson

Deirdre Gilchrist – Boardroom Apprentice

OFFICIALS

Ms A Stewart, Chief Executive
Ms G Montgomery, A/Director of Operations
Dr G O’Hare, A/Director of Rehabilitation
Ms G McGreevy, Head of Communications
Mr P King, Head of Finance & Estates
Ms C Hyndman, Deputy Head of HR
Dr D Brown, DP Statistician (Items 13.3 and 13.4)
Mr M Cox, Board Secretary
Mrs W Rodgers, Secretariat (Minutes)

Guest

Ms Lorraine Montgomery, Department of Justice (Presentation)

The meeting opened with the Board Chair welcoming Ms Lorraine Montgomery, DOJ Representative, to the meeting who presented on ‘Setting the Scene’ from the Department of Justice.

Ms Montgomery took the meeting through the Roles of the Department of Justice and how Probation fits into its work; she set out why sponsorship and governance are important; Raising awareness of the respective roles and responsibilities of the Department, Board and the PBNI Senior Management Team and finally Ms Montgomery set out the key principles and features of the sponsorship framework.

Discussion ensued on pro-active relations with management, joint working and challenging discussions with openness and transparency. Also discussed was the financial and political situation and the attrition of staff. The importance of working with the Health Department was emphasized particularly for mental health and addiction

The Board Chair thanked Ms Montgomery for her useful and informative presentation and the Board looks forward to working closely with the Department colleagues.

1. WELCOME, OPENING REMARKS AND CONFLICTS OF INTEREST

The Board Chair welcomed everyone to the meeting and thanked members and officials for attending in person. He made reference to Ms Montgomery's presentation and recorded his thanks to her. Members were advised that there would be a short closed session at the end of the formal meeting.

There were no conflicts of interest advised. A quorum was confirmed.

2. APOLOGIES FOR ABSENCE

Apologies were recorded from Mr B Ingram, Member; Mr N Bodger, Member and Mrs C Sweeney, Head of HR & OD. Mr Barnes has currently stepped aside as a Board Member.

3. MINUTES OF THE BOARD MEETING HELD ON THE 22 April 2022 (M05/22)

The minutes of the Board Meeting held on Friday 22 April 2022 were approved as a true and accurate record of the meeting.

The minutes were approved by the Board.

4. MATTERS ARISING FROM THE MINUTES (PAPER 45/22)

The Board Chair advised that there were seven actions recorded from the meeting held on 22 April 2022. Members were informed that all items had been either completed or noted. The Board Chair provided a summary of each action. It was also noted that there were no other outstanding actions.

The Board noted the paper.

5. BOARD CHAIR'S UPDATE

The Board Chair provided members with an update of his meetings and events attended since the last Board Meeting.

Members were advised that the Remuneration Committee met on 6 May 2022 with an external consultant to discuss outstanding issues from the previous Board. The Board Chair attended the Townhall event on 11 May when Mr King, Head of Finance & Estates, provided staff with information on the current financial situation. A meeting was held with the NIPSA Representative who was complimentary about the approach of the Senior Team and Chief Executive. The Board Chair advised that he had had an introductory meeting with Ronnie Armour, Director General, NIPS & Director, Reducing Offending. Mr Armour advised that he valued the partnership with Probation and how the work of both organisations were linked. Mr Armour had agreed to attend PBNI's Corporate Planning Event in June and the Board Chair welcomed his attendance and input. The Board Chair attended the Graduation of Students completing their social work qualification

and on secondment to PBNI. He was pleased to report that there was positive feedback on Probation from the students.

A programme of office and team visits is being put together and members will be invited to select the offices / teams they wish to visit. There will be a rolling plan of visits and this will be the first phase.

The Corporate Planning Event will be held on 10 June 2022 when the objective of the meeting is to look at the challenges over the next three years. The Board Chair provided details of the format for the day.

The Board noted the update.

6. CHIEF EXECUTIVE'S UPDATE (PAPER 46/22)

The Chief Executive provided a paper by way of an update on meetings, visits and key issues since the last Board meeting highlighting a number of points.

Internal and External engagements continue with a number of key meetings. She met with the staff of Woodlands Juvenile Justice Centre; there was a further meeting Ronnie Armour; and she delivered a key note speech on the work of Probation at the Belfast and Lisburn Women's Aid Conference. The Chief Executive advised that she had been part of the selection panel for the post of Deputy Director of Probation Service, for the Irish Probation Service, and an appointment has been made.

The Chief Executive provided an updated on a previously advised data incident with the outcome of the ICO investigation together with the actions taken to help prevent such an incident occurring again. Staff of grade 7 and above have attended mandatory training.

The Members were briefed on the workforce challenges, pay modernisation and the Senior Leadership Team Review. The Chief Executive provided information on the Social Work Workforce Implementation Board 2022-2025 and advised that Ms Montgomery, A/Director of Operations, was representing PBNI.

The Chief Executive provided details of ongoing induction for Board Members with a number of presentations being prepared for Board meetings up until October 2022. Team visits and other opportunities will be developed to complement the induction day and aid an understanding of the work of Probation.

Discussion ensued on staff attrition and what this means for the remaining staff. There was also discussion on the effect of sick absence and the rise in absenteeism being a concern. The CRC are to look at sick absence and pay modernisation to better understand the risks.

Action: Chief Executive to bring a paper to PPC and then on to Board on what it means to the Organisation when there is deviation to the Standards (Chief Executive)

There was discussion on making connections and working alongside the communities with staff proactively engaging with the communities in a meaningful way.

There was further discussion on vacancies and the impact on the budget if the 2021/22 baseline is maintained how many posts that equates to.

The Board noted the update.

7. CORRESPONDENCE (PAPER 47/22)

There were two items of correspondence to note.

7.1 Significant failings in youth work charity child protection approach – news report

7.2 Letter from the Minister of Justice to Board Chair – approval of the 2022/23 Business Plan

Members were advised that the news article (item 7.1) relates to a historical issue in 2019 but was being brought to the Board for information.

The Board noted the correspondence.

8. UPDATE ON CJINI RECOMMENDATIONS AND PROGRESS (PAPER 48/22)

The A/Director of Operations presented the paper to the Board. It was a lengthy paper but provided context and background for new members. There were 11 recommendations with Probation being responsible for 10. Each measurable action has been completed. The A/Director of Operations took members through each recommendation, focusing on a number of areas.

SR(4) Quality Practice; is key to the quality of work and the Area Managers are monitoring work and training on 'risk management'. SP(5) Flexible Working with a focus on hybrid working, a pilot is being run for 6 months

The Members were taken through the Operational Recommendations and provided with an update for each recommendation.

Interim practice guidance was discussed and members were advised that PBNI will be working with CJINI to provide context for their next inspection later in the year. Information on the outworking has been achieved but Probation Service Officers need to be appointed so the recommendation is fully achieved. The Workload Measurement Tool for OR(6) has taken longer than expected to bring in as there are challenges from the Unions and staff must have confidence in the tool.

Discussion followed on Section 75 returns from service users. Serious Further Offences and levels of engagement so staff do not think of it as a blame culture rather a learning tool. In response to a member's question it was advised that the CJINI Report is owned by the Minister of Justice and that there is a governance meeting in two weeks for the first update on progress. The legal issues of sharing data with other agencies was discussed, in particular on mental health and sharing information with hostels. Members also discussed the Mobility Policy.

The Board noted the paper.

9. MANAGEMENT INFORMATION PAPER UPDATE (PAPER 49/21)

The Board Chair invited the Officials to summarise the Report for members.

The Head of Finance & Estates advised on the key highlights of the budget 2022/23. He advised of the contingency planning for PBNI resource and capital spend, in the absence of a formal budget being agreed. He confirmed that new projects are not allowed to be commenced.

An update was provided on Estates, PBNI has enacted the break clause for the Dungannon office and detail was provided on relocation of staff. Work continues on acquiring an Enniskillen site. The Estate Strategy for 2023 onwards is being worked upon with an aim of identifying potential actions and projects which can enable the more effective and efficient use of property assets. The Head of Finance & Estates advised on the process of enacting the lease break for the Dungannon office.

The Head of Finance & Estates provided an update on legal cases as noted in the paper.

The Deputy Head of HR provided a summary of the Human Resources update highlighting a number of areas. Discussion on Pay Modernisation continues. The HR/Payroll Integrated System is now in phase 2 of the implementation plan. An update on Learning and Development is as laid out in the paper.

The Deputy Head of HR provided information on the current recruitment exercises and the challenges faced. Discussion ensued on the issues of recruiting and retaining staff.

The A/Director of Operations advised members that in quarter 1 of the Risk Register, there were five risks recorded and she took the meeting through the risks as notified in the presented paper. An update was provided on the Criminal Justice Inspection and Practice Standards

There were no Serious Further Offences to report on since the last Board Meeting.

The A/Director of Rehabilitation advised that PBNI continues to operate within Phase 3 of the Covid Recovery Plan. PBNI continues to contribute to the 3 work streams from the RQIA Review of Vulnerable Prisoners. PBNI co-chair the Transition to the Community Group which is due to report in October 2022. Members were given an update on the Domestic Homicide Reviews and the status of the cases. There have been nine cases since December 2020. An update on women offenders was provided with women accounting for 11.6% of the caseload. The high numbers of both men and women on remand is a cause for concern. A visit was undertaken to Manchester to view Women's Problem Solving Courts and to discuss the initiative, this initiative appears to fit in well with PBNI's work. The extension for completion of Court Reports has proved successful for staff and the easement of pressure. It is proposed to make it a permanent arrangement to establish the six week time line

The Head of Communications provided details of internal and external communications, highlighting a number of events. The virtual 'Townhall' events are proving popular with staff and are well attended; it gives an opportunity to brief staff on current projects and issues. The Chief Executive continues her visits to offices and teams. There have been a number of external communications with a number of social media campaigns and events being held.

Members were advised of seven low risk data incidents from January to date. In response to a question from a member, members were advised of the types of incidents that have taken place. The Chief Executive had already advised members of the outcome of the ICO investigation under agenda item no 6.0 of this meeting.

The Board noted the paper.

10. BOARD SECRETARY'S BUSINESS

10.1 Board Work Plan 2022/23 (Paper 50/22)

The Board Secretary advised that the work plan covered the financial year 2022-2023 and provided information on the work of Committees and Board. The Work Plan ensures that the Committees and Board have forward notice of their work going forward and the Plan works on the principal of no surprises

The Board noted the paper.

11. COMMITTEE CHAIR'S UPDATE – AUDIT & RISK ASSURANCE COMMITTEE (ARAC)

In the absence of the Committee Chair, the Board Chair invited the Board Secretary to provide a summary of the Committee meeting held on 6 May 2022. The Chief Executive presented the Stewardship Statement to the Committee to provide assurance that the Declaration to Support the Annual Governance Statement had been signed. There were updates from both the Internal and External Auditors. The Head of Internal Audit provided the Committee with information on staffing of her department but provided assurance that at this time there was not an issue on conducting audits for PBNI. The Head of Communications brought a draft Whistleblowing Policy to the Committee for its comment. The Committee discussed the Policy and provided some feedback on input and timelines. The Head of Communication thanked the Committee for its input and noted the actions suggested. The Policy will be taken to PPC for scrutiny and then to Board for approval. The Quarter 4 2021/22 and Quarter 1 2022/23 Risk Registers were discussed and are being brought to Board for noting and approval. The Audit Control log was noted.

The main business was the Annual Report and Accounts and after discussion and clarification the Committee approved the Report to progress to audit stage in the process. The Pension Valuation paper was noted. There were no incidents of suspected or actual incidents of fraud or losses to report in the period. The Committee noted its work plan for 2022-23.

The Board noted the update.

11.1 Draft Annual Report and Accounts (Paper 51/22)

The Head of Finance & Estates provided a summary of the Annual Report and Accounts. He advised that there was no significant changes to the format. There were some additional sections added such as pay ratios and details of the work of the Remuneration Committee. There were no issues with the Governance Statement and there were no new significant internal control issues. The outstanding recommendation from last year on the Case Management System was audited this year as it has been replaced by the new ECMS, this received a 'satisfactory' assurance thus leading to the recommendation being closed. The accounts show no significant change across the year. There will be changes working through next year ie leases and asset holdings. The Report will be presented to the ARAC on 17 June 2022 and then to Board for final approval.

The Board approved the Draft Annual Accounts.

11.2 Pension Valuations and Assumptions (Paper 52/22)

The Head of Finance & Estates highlighted that the decrease in pension liability for this year was due to the increase in the scheme's assets and the change in financial assumptions. It was also noted that the discount rate was down. Members were informed that the CPI's assumption was that the downturn is a short-term issue and will not have a significant impact over the long-term.

The Board noted the paper.

11.3 Stewardship Statement (Paper 53/22)

The Head of Finance & Estates advised that the Stewardship Statement provides assurance that it has been signed. There was one historical exception noted. A retrospective Business Case is being submitted to correct this matter.

The Board noted the paper.

11.4 Letter of Understanding with External Auditors (Paper 54/22)

The Head of Finance & Estates asked the Board to note the updating of Terms and Conditions between PBNI and the NIAO. This was a standard letter to note that the newly appointed Chief Executive.

The Board noted the paper.

11.5 Q4 PBNI Risk Register 2021/22 (Paper 55/22)

The Board was requested to note the Q4 Risk Register

The Board noted the paper.

11.6 Q1 Provisional / Draft PBNI Risk Register 2022/23 (Paper 56/22)

The A/Director of Operations advised members of the revised Risk Register which had been developed using the 'Orange Book' guidance. Members were taken through the risks and advised that the risks, actions and controls are more concise and measurable.

Discussion ensued with members providing comment on priorities. The A/Director of Operations thanked members for their input and noted the comments made. The Risk Register will be amended further and will be taken to ARAC for further scrutiny.

The Board approved the paper.

11.7 Review of the PBNI Audit Plan 2022/23 (Paper 57/22)

The A/Director of Operations informed the Board that ARAC had discussed the paper in detail at its meeting on 6 May 2022. The paper provides information on the scheduled internal audits for 2022-23.

The Board noted the paper.

12. COMMITTEE CHAIR'S UPDATE - CORPORATE RESOURCES COMMITTEE (CRC)

Mr Johnston, Committee Chair, advised the Board that the first meeting of the CRC, of this tenure, will take place on the 10 June 2022. To date he was not aware for any concerns or emerging issues to report.

The Board noted the update.

12.1 Financial Outturn Report – (Verbal)

The Head of Finance and Estates provided a verbal update on expenditure to date. He advised that, as there was not an allocated budget in place, he could not accurately match expenditure against budget. He will provide a paper when the budget has been allocated.

The Board noted the update.

13. COMMITTEE CHAIR'S UPDATE - POLICY AND PRACTICE COMMITTEE (PPC)

Dr Byrne, Committee Chair, provided the Board with a summary of the Committee meeting held on 20 May 2022. He advised that there is one paper being brought for approval and three papers for noting to the Board

The Committee discussed the role of the Committee and its vision over the next three year term which offers an opportunity to have conversations and promote the role and work of Probation to stakeholders through internal and external events. It also offered an opportunity to share good practice with others. Data and research provided a good debate at the meeting and it was agreed that data would provide a better platform to inform and influence policy.

The Board noted the update.

13.1 Q4 Business Plan 2021/22 (Paper 59/22)

The A/Director of Rehabilitation presented the Business Plan Q4 2021/22 to the Committee. Six key Strategic Priorities had been set for the business year. There were 5 outcomes rated as 'green' and 1 rated as 'amber'. Dr O'Hare wished to record her thanks to staff for achieving this outcome. Following discussion at the PPC, the Committee had agreed to recommend approval to the Q4 Business Plan 2021/22 to the Board,

The Board approved the Q4 Business Plan 2021/22.

13.2 Business Plan 2022/23 (Paper 60/22)

The A/Director of Rehabilitation presented the Business Plan 2022/23. Members were informed that the Minister of Justice had now approved the Plan. It was noted that this was the final year of the current Corporate Plan. The Board was asked to note the paper.

The Board noted the Business Plan 2022/23.

13.3 Q4 2021/22 and Annual Caseload Report (papers 61/22 and 62/22)

The Board Chair welcomed Dr Brown, DP Statistician, to the meeting and introduced her to the Board Members. Dr Brown explained the methodology used to formulate reports and the timetable for their production.

It was noted that the caseload was returning to the pre-covid levels, Dr Brown also advised that covid had made forecasting challenging but looking at the PSNI statistics it can be estimated what caseload will come to Probation.

Dr Brown highlighted a number of statistics: the age group of offenders has increased to the 30 – 39 age group; there has been an increase in female offenders and their types of crime was discussed. There has been a significant increase in Domestic Violence. There has been a notable increase in Victim registrations which is a positive outcome. The statistics show a shift in trends and this helps to plan interventions to take account of the changing nature of crime. The Board discussed the papers and thanked Dr Brown for her papers.

The Board noted the papers.

14. OTHER BUSINESS

There was no other business discussed or reported. The Board Chair reminded members of the Corporate Planning Event on 10 June 2022.

The meeting ended at 12.50 pm.

Mr Max Murray CBE
Board Chair

Date