

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – FRIDAY 24 FEBRUARY 2023

10.00 AM – Conference Room, PBNI HQ

453rd MEETING – 11th OF THE THIRTEENTH TERM OF OFFICE

ATTENDANCE

Mr M Murray, Chair
Ms E Patterson, Deputy Chair
Ms M Brunt
Mr K Donaghy
Mr B Ingram
Mr J Johnston
Dr M Keady
Ms A Lloyd-Stevens
Mrs C Magee
Ms B Mongan
Mr J Byrne (Items 1 – 10)
Ms L Crothers

OFFICIALS

Ms A Stewart, Chief Executive
Ms G Montgomery, Director of Operations (CC)
Mr S Hamilton, Director of Operations (PPPP)
Mr P King, Head of Finance & Estates (Items 1 – 10)
Ms G McGreevy, Head of Communications
Mrs C Sweeney, Head of HR & OD
Mrs A Abraham, Business Support Manager

1. WELCOME, OPENING REMARKS AND CONFLICTS OF INTEREST

The Board Chair welcomed everyone to the meeting. Members and Officials were asked to observe a minute's silence, before Board business, in respect of the recent death of Geraldine Braniff, who had served for over 40 years as an Administrative Officer from the West Belfast team. The Board Chair also requested the meeting observed a minute's silence, at 11 am, for the victims in Ukraine.

The Board Chair set out the schedule for the day.

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

2. APOLOGIES FOR ABSENCE

Apologies were recorded from Mr Bodger.

3. MINUTES OF THE BOARD MEETING HELD ON 24 JANUARY 2023 (M01/23)

The minutes of the Board Meeting held on Tuesday 24 January 2023 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 07/23)

The Board Chair advised that there were two actions from January's Board Meeting. Action 1 had been completed. Action 2 – Well-being presentation to be brought to the Board – is not yet complete. It was agreed to defer the presentation to a Board meeting after the PBNI Trauma themed conference on 28 March 2023. The Head of Communications informed Members that invitations to the conference would be sent during the incoming week.

Action: The Head of Human Resources to bring Well-being presentation to a future Board.

There are no other outstanding actions.

The Board noted the paper.

5. BOARD CHAIR'S UPDATE

The Board Chair Informed Members that Geraldine O'Hare, former Acting Director of Rehabilitation, had submitted her resignation. Members were also asked to note the resignation of Wendy Rodgers, PS Secretariat, due to personal reasons, and wished her well on behalf of the Board.

The 2022 Board member appraisals have almost been completed by the Board Chair.

Shortlisting for the role of Board Secretary had taken place and interviews are taking place on Tuesday 28 February 2023.

The Board Chair confirmed he had an introductory meeting with Emer Loughran, newly appointed Assistant Director – Urban and is meeting today with Melissa Spence, newly appointed Assistant Director – Prisons.

The Board Chair confirmed the Deputy Chair is attending on his behalf with the Chief Executive the Department of Justice (DOJ) Partnership Forum meeting on 23 March 2023.

The Board Chair referred to the schedule of meetings for the year. Four theme days are planned, with the first one in May. It was agreed that the first session should focus on the Corporate Plan area – Our People and how the Board could support staff. The Board Chair asked Members to consider suitable themes for further discussion at the March Board meeting.

The Board noted the update.

6. CHIEF EXECUTIVE'S UPDATE (PAPER 8/23)

The Chief Executive updated the Board on key engagements and issues since the last Board meeting and asked Members to refer to the Paper.

The Chief Executive attended the Quarterly Area Managers' meeting on Wednesday 22 February. In the morning session, 2 Area Managers led a workshop to examine the recommendations of a UK Serious Case Review and to consider the learning for PBNI. The afternoon session was joined by Corporate Managers and focussed on PBNI's Business Plan 2023-24 and developing team Business Plans for each of the 8 Directorates.

The Chief Executive informed Members that following up on an issue from a previous meeting a meeting had been arranged with Grainia Long, Chief Executive of the Northern Ireland Housing Executive on 31 March.

The Director of Operations (PPPP) confirmed that the newly appointed Principal Psychologist was undertaking a review of Psychology and Programmes and the recommendations would be considered in due course.

The Chief Executive advised that there has been no confirmation of the 2023-24 PBNI budget resulting in uncertainty on resource issues, delivery of corporate plan actions and potential impacts on headcount. Probation Officer recruitment is ongoing however appointments will need to be cognisant of the uncertainty of the future budget position. Whilst recruitment has not been paused, each post that becomes vacant will only be filled with her approval. There may also be implications for the funding of programmes and projects. Consideration may have to be given to transferring staff to core PBNI work if the budget is reduced or withdrawn.

Mr Byrne referred to the Emerging Issues in the Paper regarding the budget implications. He asked Members to consider how the Board could assist in managing the public view of PBNI if programmes and projects ceased, given those decisions are imposed upon PBNI by the budget situation. The Chief Executive agreed with the view on potential reputational issues and is cognisant of the need to consider the communications issues together with the Board and the Head of Communications once the budget position is known.

The Board noted the update.

7. CORRESPONDENCE (PAPER 9/23)

There were three items of correspondence to note.

7.1 Letter received from Mark Goodfellow on a Code of Conduct for Board Members

Action: The Code of Conduct to be circulated to Members and published on the Board's website.

7.2 Period Products (Free Provision) Act (NI) 2022 – Consultation Exercise – received by the Chief Executive

The Chief Executive informed the Board that PBNI had been identified as one of the Public Services bodies for the provision of period products and explained that this initiative is at an early stage. The Chief Executive was supportive of the proposal, however, in response

to the DOJ would reflect the need to consider the resource implications and potential equality issues arising from having staff located within other Agencies that DOJ were not intending to specify within Regulations.

7.3 Letter received by the Chief Executive from NIPSA on Notice of Ballot on Industrial Action

The Chief Executive asked the Board to note the potential for industrial action and informed Members that Senior Managers had recently undertaken scenario planning for such action at a Business Continuity meeting in January 2023.

The Board noted the Correspondence.

BOARD BUSINESS

8. MANAGEMENT OF INFORMATION REPORT (PAPER 10/23)

FINANCE AND ESTATES UPDATE

Mr King referred the Board to the ongoing work in relation to 2023-34 budget scenarios. A return has been commissioned to provide additional detail in respect of the statutory scalable and discretionary services identified as part of the Department of Finance (DoF) budget exercise. The focus is on quantifying savings achievable and the impact if programmes or projects are paused or ceased. Mr King advised that public consultation was not required to close core projects, rather an equality assessment and a need to look at referral services in other local organisations. Mr Johnston suggested the Corporate Resources Committee consider this in greater detail and bring to the Board.

HUMAN RESOURCES AND LEARNING & ORGANISATIONAL DEVELOPMENT UPDATE

Mrs Sweeney confirmed that the Pay Modernisation Outline Business Case (OBC) had been submitted to the DOJ Permanent Secretary in November 2022 and PBNI has since responded to a number of queries. Consultation with the unions is continuing with 3 ½ days of meetings taking place w/c 27 February 2023 to discuss issues regarding the job evaluation process, job evaluation training and the modernisation of desktop evaluation, drafting terms of transition to new pay framework, drafting Terms and Conditions for incoming staff and policy on pay for new starts. Staff will be updated via a Town Hall meeting on 20 March 2023. Recent Probation Officer recruitment had a good response. Ms Montgomery advised that the Health Trusts were continuing to recruit, currently appointing agency or bank staff permanently and offering students posts on completion of training. Mr Byrne stated that Ulster University had commended PBNI on their assistance to students at careers fairs and in student placements.

Mrs Sweeney referred Members to the policies, noted in the paper, currently being reviewed, or developed.

Mrs Sweeney confirmed the new ITrent onboarding module is now being used for recruitment and new starts and a pilot group has commenced for annual leave requests/approvals.

DIRECTORS' UPDATES

Ms Montgomery informed Members that no update on the timeframe for the follow up inspection on probation practice has been provided by the Criminal Justice Inspectorate but it is likely to be in Q4 2022-23. PBNI continues to focus on the actions from the 2020 inspection.

PBNI has received the inspection report on approved premises, the Northern Ireland Audit office report on adult reoffending and a draft report on the thematic inspection on leadership development and well-being support in the Criminal Justice system in Northern Ireland, for factual accuracy checks.

Teams continue to use the approved deviations from Practice Standards when they reach 20% of staffing levels for over 4 weeks.

There was one serious further offence (SFO) since the January Board meeting. Though the supervising team was deviating from Practice Standards at the time of the SFO, there was no impact on the case as the Probation Officer maintained the levels of contact since the imposition of the Order in April 2022.

The Short Adjudgement Report pilot commenced on 6 February 2023 and has been well received by the Judiciary. External quality assurance mechanisms will be used prior to considering permanent introduction of the short report, after the pilot ends in July 2023.

Mr Hamilton advised that discussions had taken place at the recent Policy & Practice Committee (PPC) regarding the best use of Probation Services Officers grade of staff. Staff reviews will be discussed at a future PPC.

Mr Hamilton informed Members that he currently Co-Chairs the Forensic Care Management Network with a representative from Health, which provides for good linkages across the Health sector.

The Prisons Service Level Agreement is currently being reviewed. Open Days in prisons are planned to encourage Probation Officers to transfer to prison environment to address current vacancies in that area.

COMMUNICATIONS UPDATE

Ms McGreevy advised there had been 8 virtual Town Hall events during the year. At the latest 2 events, staff have been informed of progress on Pay Modernisation and the current situation regarding the budget for 2023-24. An internal staff survey concludes at the end of March. The agenda for the "Trauma themed" staff development day in March will shortly be circulated. In December, the Communications team surveyed PBNI's stakeholders re awareness of PBNI's work and findings are included in the Paper. The Communications team has continued to report on social media, highlighting a range of issues including EU Victims of Crime day, Hate Crime Awareness and PBNI's partnership work through the public protection arrangements.

In February, the Assistant Directors and Heads of Department attended training to raise awareness of data protection and their responsibilities as Information Asset Owners.

A PRONI review is taking place in March to review PBNI files. The outcome of the review will support assurance to the Chief Executive in her role as Senior Information Responsible Officer (SIRO) and in reporting to the Department.

The Board noted the Paper.

Action: CRC to convene a special meeting to consider the 2023/24 PBNI Budget.

9. PBNI CORPORATE PLAN 2023-2026 (PAPER 11/23)

The Chairman congratulated Ms McGreevy, the Communications Unit and designers on the work on the Corporate Plan 2023-26.

9.1 OUTCOMES FRAMEWORK AND BUSINESS PLAN (PAPER 20/23)

The Outcomes Framework and Business Plan had been reviewed and amended, following the Board Away Day in January 2023. Mr Hamilton advised that an Action on Trauma would be inserted against Outcome 1 or 2. It was confirmed that quarterly reporting against the Business Plan would continue through the Board. The Board agreed to submit the Corporate Plan and annual Business Plan to the DOJ for approval. However, members noted that the plan may need to be revisited subject to the 2023/24 budget.

Action: The Board agreed to submit the Corporate Plan and annual Business Plan to the DOJ for approval.

10. BOARD SECRETARY'S BUSINESS

10.1 SCHEME OF DELEGATION (PAPER 12/23)

The Scheme of Delegation, approved by the Board in February 2022, is subject to annual review. It was agreed that the Scheme was an important guide for decision making for both Board and PBNI management. A member asked for Board Powers to be re-named as Board responsibilities and for the sequencing of numbering to be updated.

Discussion took place on whether annual review or 3 year review would be applied going forward. The Board Secretary would be asked to review the Scheme of Delegation and the timescale for review would also be considered as part of this. Other guidance, for example Committees' Terms of Reference need to be reviewed and come back to the Board for approval.

Action: New Board Secretary to review the Scheme of Delegation and the length of time for review and bring back to a future Board.

The Board approved the Paper but requested review and resubmission to a future meeting, following the input of a new Board Secretary.

10.2 BOARD WORK PLAN 2023-24 (PAPER 13/23)

The Board Chairman referred Members and Officials to the Board Workplan 2023-24. Going forward, to maximise time for discussion at meetings, it was hoped that papers

which had been through Committees would be uploaded on Decision Time as currently but taken by exception, with only papers for approval being discussed in detail.

The Board noted the Paper.

AUDIT AND RISK ASSURANCE COMMITTEE (ARAC)

11. COMMITTEE CHAIR'S UPDATE (Verbal)

11.1 UPDATE FROM THE MEETING HELD ON 3 FEBRUARY 2023

Mr Ingram, new Committee Chair, commended the work of Mr Bodger, the previous ARAC Committee Chair and wished him well on his transfer to the CRC Committee. The Chair gave a comprehensive report on the ARAC meeting held on 3 February 2023. Training for ARAC members and external and internal auditors in March 2023. Reviews are planned of the Committee Terms of reference, to identify any skills gaps. Mr King had confirmed work was ongoing on the Annual Report & Accounts. There have been changes to NIAO's approach to auditing, working on new Standards which will require more extensive desk assessment procedures and engagement with PBNI staff but will also result in increased fees. Mr King will provide more detail on the proposed audit changes. The Committee asked Auditors to be mindful of additional pressures placed on staff. The Committee was updated on Risk Management, the Register, fraud, losses, complaints and data breaches. PBNI is continuing to raise awareness on Data Protection Management.

The Board noted the paper.

11.2 Q4 RISK REGISTER 2022/23 (PAPER 14/23)

Ms Montgomery referred Members to the Q4 2022/23 report and the (hard copy) Q4 risk register.

Action 1: Going forward, hard copies of the Risk Registers are to be provided for ease of reading

The Board approved the Paper

CORPORATE RESOURCES COMMITTEE (CRC)

12. COMMITTEE CHAIR'S UPDATE FROM MEETING HELD ON 20 JANUARY 2023

The Chair updated the Board on the meeting held on 20 January 2023. PBNI had been updated on a range of items - Pay Modernisation, staff well-being, integration of ECMS and Causeway, a new model for Problem Solving Justice including ECOs and Estates.

The Board noted the update.

12.1 Financial Outturn (Paper 15/23)

Mr King advised that the paper had been discussed at CRC. There has been some slippage in overspend but In Year overspend would be rectified in the reprofiling of the budget.

Overall PBNI is on track to break even. Going forward, the capital budget is under the least pressure as currently no large scale projects have been planned.

Mr King had updated the Board regarding the 2023-24 Budget under Agenda item 8.

The Board noted the paper.

POLICY & PRACTICE COMMITTEE (PPC)

13. COMMITTEE CHAIR'S UPDATE FROM THE MEETING HELD ON 10 FEBRUARY 2023 (Verbal)

Ms Mongan, Deputy Committee Chair, in the Chair's absence, provided an update on the meeting held on 10 February 2023. During the incoming year, the Committee Terms of Reference will be reviewed, consideration will be given to a name/title change of the Committee and a review of Policy approval process.

The Board noted the update.

13.1 Q3 BUSINESS PLAN 2022/23 (PAPER 15/23)

The Q3 Business Plan had been reviewed by the PPC Committee at its meeting held on 10 February 2023 and a new format for the Business Plan template was approved. The PPC Committee recommended the paper be submitted to the February Board for approval.

The Board approved the Paper.

13.2 Q3 2022/23 CASELOAD STATISTICS (PAPER 16/23)

The Board noted the Paper.

13.3 IMPACT OF ACTIONS TO REDUCE CASELOAD PRESSURES (PAPER 17/23)

The Board noted the Paper.

13.4 RESEARCH PAPER (PAPER 18/23)

The Board noted the Paper.

14. OTHER BUSINESS

Ms Brunt asked what impact Public Sector Policies had on sustainability and the environment. It was agreed to discuss at the next meeting.

Action: Impact of Public Sector Policies on Sustainability and the Environment to be on the March Board meeting agenda.

The Board Chair thanked members and officials for attending. The next Board meeting will be on 24 March 2023, PBNI Conference Room, 4th Floor at 9.30 am.

The meeting ended at 12.45 pm

Mr Max Murray CBE
Board Chair

Date