

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – FRIDAY 24 November 2023

9.30 am – Conference Room, PBNI HQ

ATTENDANCE

BOARD MEMBERS

Mr M Murray, Chair
Ms E Patterson, Deputy Chair
Ms M Brunt (via MS Teams)
Mr J Johnston
Ms A Lloyd-Stevens (to Item 10)
Mrs C Magee
Ms B Mongan
Mr J Byrne (to Item 9)
Mr K Donaghy (to Item 10)

OFFICIALS

Mrs A Stewart, Chief Executive
Ms G Montgomery, Director of Operations
Mr S Hamilton, Director of Operations
Mr P King, Head of Finance & Estates
Ms G McGreevy, Head of Communications
Mrs C Sweeney, Head of HR and L&OD
Ms J Fitzsimons, Board Secretary
Mrs A Abraham, Business Support Manager

1. WELCOME, OPENING REMARKS AND CONFLICTS OF INTEREST

The Board Chair welcomed everyone to the meeting and set out the schedule for the day. A quorum was confirmed. One conflict of interest from Ms Brunt was noted in respect of agenda item 8 - the section on Equality & Diversity within the Management Information Paper.

The Board Chair welcomed Mrs Beverley Wall, Director of Reducing Offending & Director General, NI Prison Service and congratulated her on her recent appointment to this role. Mrs Wall gave a comprehensive presentation, an overview of current position within the three prison establishments and her proposal to review the Prisoner Development Model.

2. APOLOGIES FOR ABSENCE

Apologies were recorded from Mr Ingram and Mr Bodger.

3. MINUTES OF THE BOARD MEETING – FRIDAY 27 OCTOBER 2023 (PAPER)

The minutes of the Board Meeting held on Friday 27 October 2023 were approved as a true record.

The minutes were approved by the Board.

4. MATTERS ARISING FROM THE MINUTES (PAPER)

There were three actions from the previous meeting, all ongoing.

Action: Mrs Sweeney to bring a paper capturing the views of leavers to the December Board Meeting

The Board noted the paper.

5. BOARD CHAIR'S REPORT (VERBAL)

The Board Chair updated Members on several meetings since the October 2023 Board meeting. He had met with Mark Goodfellow, Acting Director and Jeff McGuinness, Safer Communities with a view to expediting their commitment to approving the Pay Modernisation OBC.

The Board noted the update.

6. CHIEF EXECUTIVE'S REPORT (PAPER)

Ms Stewart referred Members to the paper highlighting internal and external engagements and ongoing and emerging issues.

The Senior Management Team had a development day on Friday 17 November. David Sterling (Chief Executive's Forum Chair) provided an input on leading in a time of change. His presentation is included in the Board Papers.

Ms Stewart confirmed that PBNI is participating in the Prison Population Oversight Forum, established by the DoJ Permanent Secretary and will provide input to the NIPS Review of the Prisoner Development Model.

Other meetings during the month included a meeting with the Chief Inspector of Criminal Justice Inspection, Jacqui Durkin, and an engagement event at Hydebank organised by NIPS and Prison Fellowship for women who had completed the Prison Fellowship Sycamore Tree. Ms Stewart had attended the Confederation for European Probation (CEP) 10th annual conference for Director Generals of Probation, in Kiel Germany from 6-8 November. Despite Brexit, PBNI will attend bi-annually as a networking opportunity.

PBNI will host the bi-annual PPAG seminar on 1 December 2023 in the Ulster University and attend the a dinner hosted by Laurence Simms, Irish Secretariat on 30 November 2023.

During the month, Ms Stewart visited the Substance Misuse Court with staff from the team which was an opportunity to see first-hand how it operated in practice. She also attended a briefing with the Equality Commission to discuss PBNI's Equality Annual Progress Report.

Pay Modernisation

A series of meetings and engagements had taken place with senior DoJ officials on the pay modernisation OBC. Following a meeting with the DoJ Departmental Solicitor, PBNI had been asked to re-submit the OBC, addressing the issues discussed on affordability and repercussiveness. The updated OBC is tabled at today's meeting under agenda item no 9, for approval.

The Board noted the update.

7. CORRESPONDENCE (PAPER)

There were three items of correspondence to note.

7.1 Permanent Secretary, DoJ to Chief Executive on Prison Population Oversight Group

Members noted the establishment of the Prison Population Oversight Group and noted the Terms of Reference attached. Ms Stewart will attend the inaugural meeting on 29 November 2023.

7.2 Director General NIPS to Chief Executive on Review of Prisoner Development Model

The Board welcomed the review of the Prisoner Development Model and noted that Ms Stewart had responded positively to the letter from the Director General, NIPS.

7.3 Permanent Secretary, DoJ to the Board Chair on Recruitment, Retention and Attrition Rate of PBNI Staff

The Chair asked Members to note the letter from the Permanent Secretary, acknowledging the Chair's correspondence of 30 September and 9 October.

The Board noted the correspondence.

BOARD BUSINESS

8. MANAGEMENT OF INFORMATION REPORT (PAPER)

FINANCE AND ESTATES UPDATE

Mr King advised that the In-Year Funding section of the paper would be covered later in the agenda, item no 14.4. PBNI had provided a return to the DoJ of possible future planning pressures and their associated consequences along with a proposed 10 year Capital Plan. Pressures were measured against the PBNI opening budget, adjusted for the agreed transfer for SMC and set out in the table on page 2-3 of the paper.

Estates

PBNI representatives attended a meeting during the week with Land & Property Services in respect of current market and office accommodation availability within Belfast, which will help inform options available to PBNI in the review of Belfast offices and specifically in relation to HQ and Duncairn, where leases end in Autumn 2024.

Legal Issues

There had been no new legal cases since the October 2023 Board meeting. One industrial relations case has been listed for Judicial Mediation in February 2024, with a current recommendation from counsel to seek approval to settle.

HUMAN RESOURCES AND LEARNING & ORGANISATIONAL DEVELOPMENT UPDATE

Staff

Mrs Sweeney highlighted the key points in this section of the Paper. The number of vacancies over all grades, leavers and appointments were detailed. The roll out of the new HR system ITrent will commence from January 2024.

Reviews are planned for Administrative Officer support in PBNI (to be completed by February 2024) and Probation Services Officers in ISU.

The On-boarding Induction Programme commencing January 2024 will include all staff who took up post since the January 2023 programme.

Group sessions for Probation staff working with high risk service users, led by Inspire, are now in place with the first session on 14 November 2023 being positively received.

Equality and Diversity

The PBNI Equality Scheme has been updated as noted in the Paper. SLT met with the Equality Commission (ECNI) on 2 November 2023 and received constructive feedback on PBNI's Annual Equality Progress Report. ECNI have offered to work with PBNI on a screening exercise on ECOs, provide links to their training materials and assist in a future Audit of Inequalities. Progress has been made in the collation of service user data, which has increased by 20% since July 2023. PBNI will attend a meeting of the Justice Network Equality Group in January 2024, to discuss the approach of other justice organisations to gathering and using Section 75 equality information of their service users.

Policy Development and Review

Three Policies and Procedures have been reviewed and are on the agenda at item 14, for approval.

DIRECTORS' UPDATES

Ms Montgomery highlighted the key points in the Paper.

In preparation for the CJINI follow up inspection of Probation Practice, PBNI held it's first meeting of the CJINI Preparation Task and Finish Group on 16 November 2024. The Board will be updated in the coming months.

Following the NIAO Adult Re-offending Report, an action plan has been drafted, for discussion at the next ARAC meeting.

Teams continue to use approved deviations, including North Belfast, North West, Rural South and North Antrim. Emer Loughran is leading on the revision of Practice Standards, for implementation in early January 2024.

The use of short adjournment reports continues to increase. The completion time has been extended from two to three weeks. The Board will be updated on the pilot in due course.

There were no serious further offences to report since the last Board meeting.

Prisons/PCNI

Mr Hamilton advised that PBNI continues to maintain and build on relationships with and PCNI. PBNI will contribute to the upcoming review of the Prisoner Development Model. He also updated Members on recent training provided by PBNI to the annual plenary for new and existing Parole Commissioners.

Funded Services

Following the provision of additional funding for the Community and Voluntary Sector, services delivered by Ascertainment, NIACRO and Barnardo's are now fully operational. A review of parenting services under the revised ECO model and a proposed funding strategy will be tabled for discussion at a future PPC meeting, for Board approval.

Corporate Plan and Business Plan Performance

The Quarter 2 Business Plan 2023-24 progress has been updated against the Corporate Plan Outcomes Framework and will be considered at PPC in December 2023. There are currently no immediate issues of concern.

CORPORATE RISKS

An update on Risk Management was brought to the last ARAC meeting on 10 November. There have been no revisions to the Q3 Strategic Risk Register (SRR) 2023/24. Members requested that the Q3 SRR be made available on Decision Time for the next Board meeting.

Action: The Board Secretary to provide a copy of the Q3 Strategic Risk Register 2023/24 on Decision Time at the next meeting.

COMMUNICATIONS UPDATE

Ms McGreevy referred Members to the Communications sections of the Paper in relation to Internal and External Engagements and Communications. A Data Incidents Audit, led by DoJ officials, was undertaken in November, looking at incidents involving HR and Public Protection/Risk Teams. The findings will be reported to the Board in due course. The number of complaints received has increased from 2022, mainly from the prison establishments. The Staff Survey is on the agenda at item 10.

Action: Ms McGreevy to set up a Task and Finish Communications Group to include Board Members and Senior Managers to look at both internal and external messaging.

The Board noted the Paper.

9. PAY MODERNISATION UPDATE (PAPER)

The Board Chair referred to previous correspondence to and from the Permanent Secretary and various informal meetings with DoJ representatives and Board Members.

Mrs Sweeney advised the changes to the OBC, made in consultation with a senior management and unions group over three workshops (7, 9 and 10 November 2024). This review explored options to reduce the overall cost in relation to Option 3 – Agenda for Change (AfC) and Option 5 – a PBNI bespoke Pay Framework informed by NJC Pay Points. The group also considered:

- whether PBNI sought to achieve a single pay framework or not, and if a single pay framework was a goal, what would the transition arrangements be under Option 3 or 5;
- whether Option 3 – AfC could be successfully implemented without reference to AfC Terms and Conditions; and if there was any potential for repercussiveness;
- whether Option 5 – PBNI bespoke pay framework was appropriate and was there any potential for repercussiveness;
- that the pay modernisation agenda would require the removal of the Essential Car User Allowance.

Mrs Sweeney advised that Option 3 – AfC was a very rigid model for large scale organisations e.g. Health Board and PBNI would have to create their own grades/scales for Probation Officers and Area Managers and Community Service Supervisors. The AfC job evaluation process was quite complex. Option 5 – NJC had better starting salaries, a simpler job evaluation process, would offer PBNI staff opportunities to develop career pathways and Terms & Conditions would not need amended. The group favoured Option 5. It was noted that due to the possible removal of the Essential Car User Allowance, there may be an impact on service delivery and changes to the staff travel policy would be required.

Affordability was the main factor contributing to the potential for repercussiveness or for pay modernisation to be viewed as contentious. Mr King stated that any proposal in the OBC had to be affordable within the current in year budget and remain so or as close to it in year one. He outlined some changes to the OBC that had been made including transitioning to the next highest point in the new pay scales; moving NICS employees over to NJC from April 2023 instead of from April 2022 with the Probation staff, which would represent savings and removing the Essential Car User Allowance from Probation staff, which would represent savings of approx. £400k.

Mr King explained that the DoJ plan to involve the DoJ economists in relation to affordability issues, not the Departmental Solicitors.

Members suggested the narrative in the OBC be strengthened in terms of the risk to public safety, if the OBC was declined and forced PBNI to reduce the social work element of its service. Ms Stewart confirmed that there would be clear internal messaging to staff to clarify any misunderstandings, as soon as the OBC was submitted. There was some concern about the impact on staff moral if the OBC was not approved, in which case a feedback mechanism would need to be introduced.

It was agreed that a response from the Board Chair to the Permanent Secretary was not necessary as he would be in attendance at the Board meeting on 15 December 2023.

The Board recommended the Updated Pay Modernisation OBC be proof-read, amended and submitted to the DoJ by Monday 27 November 2023.

10. STAFF ENGAGEMENT SURVEY (PAPER)

Ms McGreevy referred Members to the results of the Engagement Survey 2023. There had been a high completion rate of 48%. The large proportion of negative results demonstrated the current disappointment felt by staff in relation to the delay in Pay Modernisation. The results of the survey will be communicated in a Town Hall event in early December, to talk through priorities and next steps.

The Board noted the Paper.

11. INDEPENDENT REVIEW OF CHILDREN'S SOCIAL CARE SERVICES CONSULTATION (PAPER)

Ms Montgomery asked Members to note PBNI's response to this consultation.

The Board noted the Paper.

12. BOARD SECRETARY'S BUSINESS

12.1 Board Work Plan 2023-24 (PAPER)

The Board noted the Paper.

AUDIT AND RISK ASSURANCE COMMITTEE (ARAC)

13. COMMITTEE CHAIR'S UPDATE (VERBAL)

Ms Patterson provided an update on the ARAC meeting held on Friday 10 November 2023 on behalf of the Committee Chair. She confirmed that the ARAC Terms of Reference, the Q3 Strategic Risk Registers 2023/24 and the Departmental IT Risk Register had been reviewed with no issues.

The Board noted the update.

CORPORATE RESOURCES COMMITTEE (CRC)

14. COMMITTEE CHAIR'S UPDATE (VERBAL)

The Committee Chair provided an update on the CRC meeting held on Friday 3 November 2023. The committee had reviewed sick absence data and noted the main reason for absence was work-related stress.

Action: Mrs Sweeney to bring Terms of Reference Paper on a Review of Absence to the December 2023 Board meeting

The Committee Chair confirmed that the three policies and procedures, items 14.1, 14.2 and 14.3 had been endorsed by the Committee at the November 2023 meeting.

14.1 Recruitment and Selection Policy and Procedure (Paper)

The Board approved the Paper.

14.2 Voluntary Transfer and Mobility Policy and Procedure (Paper)

The Board approved the Paper.

14.3 Pay on Appointment Policy and Procedure (Paper)

The Board approved the Paper.

14.4 Financial Outturn Report - September 2023 (Paper)

Mr King advised that the return submitted to the Department, showed that there may be no need for the £325k additional funding confirmed by DoJ relating to changes in ECO delivery and referred Members to the detail in the paper. It was agreed that PBNI write to the Department advising of this position.

The Board noted the Paper.

14.5 CRC Papers for Information (Paper)

The Board noted the Papers, in particular the DoJ Future Years Information Gathering Exercise.

POLICY & PRACTICE COMMITTEE (PPC)

15. COMMITTEE CHAIR'S UPDATE (VERBAL)

The PPC last met in September 2023 and therefore there was nothing to report.

16. ANY OTHER BUSINESS

There was no other business.

The Board Chair thanked members and officials for attending. The next Board meeting will be on Friday 15 December 2023, PBNI Conference Room, 4th Floor Headquarters at 9.30 am.

The meeting ended at 1.20 pm.

Mr Max Murray CBE
Board Chair

Date