

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – FRIDAY 15 DECEMBER 2023

9.30 am – Conference Room, PBNI HQ

ATTENDANCE

BOARD MEMBERS

Mr M Murray, Chair
Ms E Patterson, Deputy Chair
Ms M Brunt
Mr J Johnston
Ms A Lloyd-Stevens (from Item 8)
Mrs C Magee
Ms B Mongan
Mr J Byrne (by Webex, Items 1 to 9 and 13)
Mr K Donaghy
Mr B Ingram
Mr N Bodger (by Webex)

OFFICIALS

Mrs A Stewart, Chief Executive
Ms G Montgomery, Director of Operations
Mr S Hamilton, Director of Operations
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. The meeting would finish at 11.30 am as Richard Pengelly, DoJ Permanent Secretary, would be joining. A quorum was confirmed.

2. APOLOGIES FOR ABSENCE

Apologies were recorded from Mr King and Ms McGreevy.

3. MINUTES OF THE BOARD MEETING – FRIDAY 24 NOVEMBER 2023 (PAPER)

The minutes of the Board Meeting held on Friday 24 November 2023 were approved as a true record, subject to an amendment on Page 6, Committee Chair's update.

The minutes were approved by the Board.

4. MATTERS ARISING FROM THE MINUTES (PAPER)

There were four actions from the previous meeting. All had been completed.

The Board noted the paper.

5. BOARD CHAIR'S REPORT (Paper)

The Board Chair referred Members to the paper and discussion ensued in respect of the three visits to staff teams which had taken place. Members were encouraged by the positivity and commitment of staff and felt that morale was high despite the lack of progress on pay modernisation, change to programme delivery and the possibility of staff transfers. The Board Chair asked the Chief Executive to consider the issues detailed in the paper and to discuss with Executive colleagues what, if any, further action should be taken.

The Board noted the update.

6. CHIEF EXECUTIVE'S REPORT (PAPER)

Members had noted the report and had no questions for the Chief Executive.

The Board noted the Paper.

BOARD BUSINESS

7. MANAGEMENT INFORMATION REPORT (PAPER)

The Chief Executive advised that there had been few developments since the November 2023 Board meeting.

As agreed at the previous meeting, PBNI had formally surrendered to the Department £325k to assist with centralised pressures. The DoF had formally commissioned an information gathering exercise to inform the setting of the 2024-25 Budget, asking Business Areas to model two scenarios: a 2% reduction and a 5% reduction and to include the impact of these cuts. Business Areas were also asked to consider and describe any potential wider efficiencies/savings that might be possible.

The Board Chair noted the positive work in relation to service user groups including a victims group. Ms Montgomery advised that victims registration continued to increase and consideration would need to be given to the resources in the Victims Unit if that trend continues. Members had noted from team visits that staff would like to return to the previous programme delivery arrangements. Mr Hamilton advised that this would not be the case as delivery to low-risk service users was neither affordable nor, as shown through research, effective. Resources would continue to be focussed on higher-risk cases, with a shift in language from Programmes to Interventions Pathways, as groupwork programmes are only one mode of intervention.

The Chief Executive informed Members of the negativity and sense of despondency from staff at the Townhall meeting on 6 December 2023 and also at the subsequent JNCC union meeting on 14 December 2023. If pay modernisation does not proceed, she felt that Probation grade staff were likely to leave PBNI in large numbers. The Trusts currently have 300+ vacancies. In response to questions about contingency planning if the Pay Modernisation OBC was not approved, the Chief Executive advised that the Senior Leadership team would be looking at various options for example taking Probation Officers out of prisons, ceasing the provision of LAPPPs charring arrangements and further authorisation of deviations from standards in order to ensure PBNI could manage the risk to public safety. The Board expressed serious concerns at the impact of such measures on public safety.

The Board noted the Paper.

8. PAY MODERNISATION UPDATE (VERBAL)

Mrs Sweeney provided a verbal update. The revised Pay Modernisation OBC had been submitted to the DoJ on 27 November 2023. Queries from the DoJ, mainly on affordability in future years, received on 12 December 2023 had been responded to on 14 December 2023. She advised that, if the OBC was approved, pay modernisation in 2022-23 and 2023-24 would be affordable and also in 2024-25, with the shortfall of £180k in the budget met through vacancy management. Beyond that it was difficult to predict, in the absence of any information on possible baseline budgets. Relocation of staff to fill vacancies and office closures/ reduction in opening hours as part of the Estates Strategy, are some of the measures which may assist in operating within budget.

The Board Chair informed Members that Jeff McGuinness, DoJ was positive about the strength of the OBC when he attended the CCWG meeting held on 7 December 2023.

The Board noted with concern that the decision of the PSNI Chief Constable to proceed with a 7% pay increase for staff despite being beyond the PSNI budget was not helpful to PBNI and further added to staff concerns that they were less valued.

The Board noted the update.

9. DEVIATION FROM STANDARDS (PAPER)

During discussions on Deviation from Standards at the PPC Meeting on 8 December 2023, the Committee Chair requested a paper be brought to the December Board meeting outlining the impact 60% deviation would have on service provision. Ms Montgomery confirmed that there are no teams currently operating at 60% deviation although this had been the case in the past. She explained that Deviations from Standards are based on case studies, research and decisions are bench marked against other Probation Services. The Board discussed the implications of such decisions and noted with concern the impact on service delivery and the implications for public safety. Mitigating the need for deviations was also discussed. The ARAC Committee Chair confirmed that Deviations would continue to be monitored as a Risk on Operational and Strategic Risk Registers. Ms Montgomery also advised Members that Deviation from Standards would continue to be reported to the Board through the Management of Information paper.

The Board noted the Paper.

10. BOARD SECRETARY'S BUSINESS

The Board Chair informed Members of the news that Gloria McKenna, Probation Officer, had been awarded a Butler Trust Award and would be presented with same by Princess Anne in 2024.

Action: The Board Chair to write a letter of congratulations to Ms McKenna.

10.1 Board Work Plan 2023-24 (Paper)

The Deputy Board Chair requested that an update from the Communications Task and Finish Group be added to the Board Work Plan for the next Board meeting.

Action: Board Secretary to add Communications Task and Finish Group update to Board Work Plan for the next Board meeting.

The Board noted the Paper.

AUDIT AND RISK ASSURANCE COMMITTEE (ARAC)

11. COMMITTEE CHAIR'S UPDATE (VERBAL)

The Committee Chair confirmed there was no further update following the ARAC meeting held on Friday 10 November 2023 as the Board had been updated at the November 2023 Board meeting.

CORPORATE RESOURCES COMMITTEE (CRC)

12. COMMITTEE CHAIR'S UPDATE (VERBAL)

The Committee Chair advised that matters arising from the CRC meeting held on Friday 3 November 2023 had been included in today's agenda.

The Board noted the update.

12.1 CRC Sick Absence Review – Terms of Reference (Paper)

The Chief Executive and Mrs Sweeney had drafted the CRC Sick Absence Review Terms of Reference for Board approval as agreed by the CRC Chair. It was suggested that Wellbeing themes within the paper be broadened. A CRC Sick Absence Review workshop will take place on 1 February 2024 to

include a review of TOIL/flexi, well-being programmes, team-based psychology support and consider the service provided by Inspire. The findings of the Thematic Review will result in a report to the Board containing evidence-based findings and recommendations. These will ultimately inform the development of measures to limit or mitigate the impact of sickness absence on service delivery and overall staff well-being.

Action: The Board Secretary to invite all Board Members to attend the CRC Sick Absence Review Workshop

The Board approved the paper.

12.2 PBNI Leavers – capturing views (Verbal)

Mrs Sweeney provided a verbal report on PBNI leavers. Currently, 46% of all PBNI staff leaving had less than 4 years' service and 56% of Probation Officers leaving had less than 4 years' service. It has been difficult to capture the reasons for leaving as not everyone wants to complete Exit Questionnaires. It was suggested that once it is known someone is leaving, Managers or Deputy Head of HR, could follow up questionnaires or feedback from Area Managers or perhaps develop a short on-line survey. It was agreed a clearer picture of reasons for exit was required.

The Board noted the update.

Action: Mrs Sweeney to bring a paper on PBNI Leavers – capturing views to the next Board meeting

12.3 Financial Outturn Report - November 2023 (Paper)

There had been no significant changes since the previous Board meeting. PBNI is still anticipating a break-even position at the end of the financial year.

The Board noted the Paper.

POLICY & PRACTICE COMMITTEE (PPC)

13. COMMITTEE CHAIR'S UPDATE (VERBAL)

The PPC Deputy Chair, Bria Mongan updated Members on the PPC meeting held on 8 December 2023 on behalf of the Committee Chair.

Mr Byrne passed on thanks to the Principal Psychologist from PPC Members regarding the ongoing progress in embedding psychology into probation practice.

The Board noted the Update.

13.1 Q2 Business Plan 2023-24 (Paper)

The Board discussed and approved the Business Plan 2023-24 Quarter 2 Report which had been endorsed by the PPC Committee on 8 December 2023.

There was a discussion on reporting on PBNI overall performance during 2023/24. Mr Hamilton advised that it would be more tangible to bring a paper to the May 2024 Board meeting when the Business Plan 2023/24 had been completed.

Action: Mr Hamilton to bring a paper to the May 2024 Board meeting on overall PBNI performance during 2023/24

The Board approved the paper.

13.2 CVS Funding Strategy (Paper)

Mr Hamilton presented the CVS Funding Strategy to members outlining proposed priorities for the Corporate Planning period 2023-26. He explained that he would bring a more detailed paper to the January 2024 Board meeting in relation to the application of the funding priorities in terms of reviewing existing contracts.

Action: Mr Hamilton to bring a paper to the January 2024 Board meeting regarding the application of funding priorities as outlined in the CVS Funding Strategy

The Board approved the paper.

13.3 Q2 2023-24 Caseload Statistics (Paper)

Mr Hamilton informed Members of a new part-time DP Statistician who had commenced with PBNI on 4 December 2023.

Discussion ensued around the age profile of service users specifically in the 30-39 age category and the possibility of undertaking research in this area. Mr Hamilton agreed to bring this to the PBNI Research / Governance Group for consideration.

The Board noted the paper.

13.4 Board Themed Meeting – ‘Our Partnerships’

The PPC – led themed Board meeting focusing on Strategic Priority ‘Our Partnerships’ was discussed at the PPC meeting in December 2023. The Committee Chair confirmed that it was agreed that Judge Keown and a PSNI representative from the Public Protection Branch would be invited to attend a themed meeting on 23 February 2024 at Ulster University. However, due to Judge Keown being unavailable in the mornings, the Committee Chair was asked to ascertain a new date in February 2024 during an afternoon and advise the Board Secretary.

It was also agreed that the Board should continue with Themed meetings in 2024/25.

Action: The Board Secretary to liaise with the PPC Committee Chair regarding a new date for the themed Board meeting focusing on ‘Our Partnerships’

The Board noted the update.

14. ANY OTHER BUSINESS

During the meeting, the Board Secretary took a call from the Permanent Secretary’s PS with apologies from Mr Pengelly for the 11.30 am meeting, due to other work commitments.

Action: The Board Secretary to arrange an urgent meeting with Mr Pengelly in the first or second week of January 2024

The Board Chair thanked members and officials for attending. The next Board meeting will be on Friday 26 January 2024, PBNI Conference Room, 4th Floor Headquarters at 9.30 am.

The meeting ended at 11.40 pm.

Mr Max Murray CBE
Board Chair

Date