

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – Friday 23 February 2024

9.30 am – Conference Room, PBNI HQ

ATTENDANCE

BOARD MEMBERS

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

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 (from Item 8)
Ms G McGreevy, Head of Communications
Mrs C Sweeney, Head of HR and L&OD (from Item 8)
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. There were no conflicts of interest.

2. APOLOGIES FOR ABSENCE

Apologies were recorded from Mr Bodger.

3. MINUTES OF THE BOARD MEETING – FRIDAY 26 JANUARY 2024 (PAPER)

The minutes of the Board Meeting held on Friday 26 January 2024 were approved as a true record.

The minutes were approved by the Board.

4. MATTERS ARISING FROM THE MINUTES (PAPER)

There was one action in respect of Pay Modernisation from the previous meeting. This had been completed and is on the Agenda, at Item 10.

The Board noted the paper.

5. BOARD CHAIR'S REPORT (PAPER)

The Board Chair referred Members to the report and highlighted key events and work since the previous meeting. The Corporate Resources Committee held a workshop focussing on sick absence. Members had visited the ISU Rural Team and the Simon Community Edward Street Hostel on 24 January 2024. Staff were very positive and had noticed a change in the culture and openness of the organisation.

The annual PBNI Accountability meeting with Richard Pengelly, DoJ Permanent Secretary and Jeff McGuinness, DoJ Sponsor Department took place on 14 February 2024. No significant issues were raised. The Permanent Secretary is keen to enhance his knowledge of the work of Probation through team engagement meetings. He acknowledged the difficult decisions which the Chief Executive had taken during the year due to budget cuts and recognised the challenges in the incoming year. Consideration will be given to appointing the Chief Executive to the Criminal Justice Board.

The Board noted the paper.

6. CHIEF EXECUTIVE'S REPORT (PAPER)

The Chief Executive referred Members to the key highlights in the paper. In February 2024 she had attended the annual meeting between senior officials in the Irish Probation Service and PBNI. A new approach to the next edition of the Irish Probation Journal has been agreed to mark the 21st anniversary of its publication, with a selection of existing articles across the 20 editions. A North/South ministerial meeting is planned for 11 April 2024. The Chief Executive will update the Board thereafter.

The Senior Leadership Team hosted the annual Business Planning session with middle managers on 24 January 2024. Feedback from the session has informed the first draft of the 2024-25 Business Plan, on the Agenda at item 9.

A discussion took place around the Period Products (Free Provision) Act (NI) 2022. There will be cost implications for PBNI. PBNI awaits a response from the Department together with a written statement before it can respond to the consultation and implement the scheme in May 2024.

The Transforming Justice draft Inspection report had been provided to PBNI for factual accuracy check, though there are no specific recommendations for PBNI.

A return in relation to the CJINI follow up inspection of Probation Practice will be submitted by 19 March 2024. Ms Montgomery confirmed that good progress had been made on some of the recommendations but is expecting a mixed outcome, given the impact of Covid on normal practice and staff turnaround and resourcing issues. The Follow up Review will be discussed with Middle Managers at the next Quarterly Area Manager Meeting again on 7 March 2024.

Action: A copy of the submission to CJINI on the follow up inspection of Probation Practice to be circulated to Board Members

A new Staff Engagement Forum has been established and already staff from all grades, corporate and operational, have expressed interest in joining this group.

In respect of the Symposium re Domestic Homicide Review Process on 29 February 2024, Mr Hamilton explained the structure of this process and confirmed he would be attending on behalf of PBNI.

The Board noted the paper.

7. CORRESPONDENCE (PAPER)

There were five items of correspondence to note.

7.1 Correspondence from the DoJ – Enhanced Combination Orders

The Chief Executive had helpfully included copies of previous correspondence, by way of a reminder. Members noted Mr McGuinness' response to PBNI's concerns raised over Enhanced Combination Orders, confirming that this funding is now baselined into the PBNI budget and that the responsibility for the policy and its operation will not sit with the Department but rest with PBNI. It was agreed that evaluation of the revised ECO model would help inform the way forward. Mr Hamilton pointed out the time lag which will impact on the size of the cohort for the evaluation.

It was agreed that no response was required at this stage.

7.2 Correspondence from the Board Chair to the Justice Minister – Congratulations on new appointment

Members noted the response from the Justice Minister to the Board Chair following her re-election as Justice Minister. The Justice Minister will meet with the Board Chair, Deputy Chair and PBNI Officials on 19 March 2024. This also coincides with World Social Work Day and the Butler Trust Award Ceremony in London, which the Chief Executive is attending.

7.3 Correspondence from the Director General NIPS to Prison Population Oversight Group Members – Opportunities to Reduce Prison Population/Remand

Members were asked to note the submission by PBNI in response to the Prison Population Oversight Group which had been requested in advance of its meeting on 26 February 2024. Currently only NIPS, PBNI and the Courts Service had responded. Mr Ingram commented that it was a good exercise if inputs were made by all participating bodies.

Mr Hamilton confirmed that a paper is currently being drafted for the next Policy and Practice Committee meeting in relation to wider statistical trends in all the key CJ agencies. .

7.4 Correspondence from CJINI to the Chief Executive on follow up Review of PBNI Probation Practice CJINI Inspection

Members noted confirmation of the commencement of the follow up Review, being led by Rachel Lindsay, CJINI Lead Inspector and the submission deadline of 19 March 2024 on PBNI's progress on the recommendations.

7.5 Correspondence from the Head of Financial Services, DoJ, to the Chief Executive – PBNI 2023-24 Revised Budget Allocation

Members noted the confirmation of the revised PBNI 2023-24 budget. The Department had not yet informed PBNI of the 2024-25 budget.

The Board noted the correspondence.

BOARD BUSINESS

8. MANAGEMENT UPDATE (VERBAL)

The Directors provided operational updates on Programmes and Deviations from Standards. Mr Hamilton informed Members that PPRP unadjudicated programmes had been introduced for moderate risk domestic abuse perpetrators.

Ms Montgomery advised that 4 teams were working up to 40% deviations from Standards.

There was one serious further offence to report since the last Board meeting.

Ms Montgomery and Mrs Sweeney took questions regarding the percentage of newly qualified staff in teams, the current attrition rate and the experience of applicants in the current operational recruitment process. Detailed data will be provided in the next Quarterly Management Update Paper.

The Board noted the update.

9. DRAFT PBNI BUSINESS PLAN 2024-25 (PAPER)

Mr Hamilton talked Members through the newly formatted draft Year 2 PBNI Business Plan 2024-25 Framework, which supports the evaluation and delivery of the Corporate Plan 2023-26. The plan had been developed following feedback from all middle managers at the Business Planning event in January 2024 and builds on actions and measures that commenced in Year 1. The indicators of success and measurable actions outlined in the plan are used to help quantify the progress towards PBNI's outcomes. Using this Framework, the Board will easily be able to assess impact using an evidence-based approach. The plan is quite "survey heavy" but it was acknowledged that this is the only way of reporting on some of the outcomes from a qualitative perspective.

Mr Byrne acknowledged the work involved in developing this more meaningful plan and commended Mr Hamilton accordingly. Ms Patterson suggested the addition of a single page outlining what targets PBNI is working to in relation to various areas, for example, serious further offences, estates strategy. Mr Johnston suggested when reporting on the plan going forward that it should correlate with the Strategic Risk Register in terms of key actions and controls. Mr Hamilton agreed to consider these suggestions and confirmed that the final plan would be brought to the March 2024 Board, with a caveat around budget allocation. The Board endorsed plan will then be forwarded to the Justice Minister for approval.

The Board noted the paper.

10. PAY MODERNISATION – NEXT STEPS (PAPER)

Members were referred to the Pay Modernisation – Next Steps detailed in the paper. Mr King advised that, following approval of the Pay Modernisation Business Case by the DoJ, it had been submitted to the DoF for approval. The DoF had sent some contextual queries on 21 February 2024, which PBNI will respond to early in the week commencing 26 February 2024. It is hopeful that final approval will be received by the end of March 2024.

Mrs Sweeney outlined the programme of work and timetable (19 February to 15 March 2024) for the Pay Modernisation Working Group. Senior staff and trade union representatives had undertaken job evaluation training and in the first week had reviewed the Pay Agreement including pay scales and variations in T&Cs.

Ms Stewart confirmed that staff had been made aware of the DoJ approval and would be updated on DoF approval. At that point, the consultation process can begin. It is estimated that staff consultation will take 3 to 4 weeks and will include Management and Trade Unions visiting a range of offices and the offer of one-to-one sessions to address individual staff queries. The Trade Unions will ballot their members and it is expected to be supported. The Board Chair and the Chief Executive will be kept updated on the progress of the Pay Modernisation Implementation Programme.

The Board noted the Paper.

11. BOARD SECRETARY'S BUSINESS

11.1 Board Work Plan 2023-24 (PAPER)

The Board Secretary referred Members to the 2023-24 Board Work Plan and confirmed the 2024-25 Board Work Plan, in an updated format, would be brought to the April meeting. Members were informed that the March 2024 meeting would have limited Board business due to the themed agenda. Members were reminded to submit expenses before the financial year end.

Action: Board Secretary to bring the Board Work Plan 2024-25 to the April 2024 Board Meeting

The Board noted the Paper.

AUDIT AND RISK ASSURANCE COMMITTEE (ARAC)

12. COMMITTEE CHAIR'S UPDATE (PAPER)

The Committee Chair had provided an update paper on the ARAC meeting held on 2 February 2024. The meeting was not quorate but agreed to proceed on a discussion basis only. The main topics included ARAC Annual Self-Assessment, ARAC Terms of Reference, Internal Audit Plan 2023-24, External Audit Strategy, the Draft Q4 Strategic Risk Register 2023-24 and Data Protection. A new template had been used for the ARAC annual self-assessment. A significant finding of the self-assessment was that it would be beneficial for ARAC to co-opt an independent member with financial management experience and accountancy qualifications.

The Board noted the Paper.

12.1 Risk Management Quarterly Report 2023-24 and Q4 Strategic Risk Register 2023-24 (Paper)

The Board Secretary referred Members to the quarterly report. She explained that in the draft Q4 Strategic Risk Register (SRR) Risk 6 'Reputational/Financial – PBNI fails to live within budget allocation and manage risk of offending' has been removed. The rationale for this is that this is no longer a significant risk as PBNI is now in Q4 and has made changes to live within the allocated budget. The risk has been de-escalated from the SRR to Finance's Departmental Risk Register. There had also been several minor changes to the draft Q4 SRR, mainly in terms of the changing position regarding staffing, pay modernisation, budget and Standards deviation.

The Horizon scanning section had been reviewed and updated. The Q4 register would be the basis for the draft Q1 Strategic Risk Register 2024-25 and would be brought to a future Board meeting.

The Board approved the Q4 Strategic Risk Register 2023-24.

12.2 Data Protection Healthchecks (Paper)

Ms McGreevy took Members through the paper. As agreed by ARAC, an independent assessment of a number of key areas was required to check PBNI's compliance with data protection law and PBNI's policies and procedures. The DoJ's Chief Information Officer, Tom Clyde, carried out the assessment. Two healthchecks were conducted in November 2023 of Human Resources and Risk. Both received a 'green' RAG status with a number of recommendations noted in the paper. Ms McGreevy explained PBNI's Data Protection structure and the roles of the Chief Executive as SIRO, Assistant Directors/Heads of Department as Information Asset Owners and Kyle Tweedie, SO as Records Manager / Data Protection Officer in Communications Unit. A retention and disposal schedule and work plan including staff training is in place for 2024-25.

Mr Ingram commended Ms McGreevy and the staff in the Communications Unit for their ongoing commitment to data protection work.

The Board approved the Paper.

CORPORATE RESOURCES COMMITTEE (CRC)

13. COMMITTEE CHAIR'S UPDATE (VERBAL)

The Committee Chair provided an update including the sick absence review workshop which had taken place on 1 February 2024 and thanked Mrs Sweeney for providing the information and data. The workshop concluded that sick absence in relation to work related stress could be improved with the enhancement of the Area Manager role, a closer relationship with Occupational Health professionals and the involvement of PBNI's Psychology team to improve PBNI's Mental Health First Aid Scheme.

The Board noted the update.

13.1 Financial Outturn Report – January 2024 (Paper)

Mr King confirmed there had been no changes since the previous financial outturn report.

The Board noted the Paper.

POLICY & PRACTICE COMMITTEE (PPC)

14. COMMITTEE CHAIR'S UPDATE (VERBAL)

The Committee Chair advised that there was no update since the last meeting. Further to his resignation from the Board, Mr Byrne thanked officials and Members for their participation in Policy and Practice work and noted the transformation in the organisation in the last 3 years and in particular, the progress on the Business Plan. The Board Chair thanked Mr Byrne for his commitment to the work of the Board and PPC during his time with PBNI.

The Board noted the Update.

15. ANY OTHER BUSINESS

The Board Chair confirmed that the Review of Board Effectiveness will be commencing, using the existing ALB template. The Board Secretary will send to Members for completion by mid-March and the findings will be for discussion at the Board Development Day later in April. A Schedule for the Day is being drafted with a possible visit from the Justice Minister and a Board Effectiveness session and a workshop with a guest speaker to look at risk.

Action: The Board Secretary to circulate the Board Effectiveness template for Members' completion

The Board Chair thanked members and officials for attending. The next Board (Themed) meeting will be held in Ulster University on Thursday 14 March 2024 at 1.30pm for urgent Board business followed by the themed event at 2pm.

The meeting ended at 12.30 pm.

Mr Max Murray CBE
Board Chair

Date