

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – Friday 26 April 2024

9.30 am – Conference Room, PBNI HQ

ATTENDANCE

BOARD MEMBERS

Mr M Murray, Chair
Ms E Patterson, Deputy Chair
Ms M Brunt (Webex)
Mr K Donaghy
Mr B Ingram
Mr J Johnston
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
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

GUESTS

Mark Goodfellow, Director, DoJ (Item 1)
Jeff McGuinness, Deputy Director, DoJ (Item 1)

1. WELCOME, OPENING REMARKS AND CONFLICTS OF INTEREST

The Board Chair welcomed everyone to the meeting and set out the schedule for the day. He referred to the cancellation of the Board Development Day earlier in April and that two of the sessions to be held - Board Effectiveness Survey Results and Board Future Operating Model - have been added to the Board Agenda. A quorum was confirmed. There were no conflicts of interest.

All in attendance were asked to mark their respect, with a minute's silence, for the work and commitment to the Board of Mr Bodger, who sadly passed away in April. Mr Bodger had been a Board Member for 5 ½ years and had held the posts of Deputy Chair and Chair of the Audit and Risk Assessment Committee.

The Board Chair welcomed Mr Goodfellow and Mr McGuinness to the meeting to discuss ministerial priorities. He thanked them for their support with the Pay Modernisation Outline Business Case, which had been approved by the Department of Finance on 25 April 2024. The Board Chair thanked Ms Stewart for her leadership, Mrs Sweeney and Mr King for their work and the commitment of the HR and Finance teams. He acknowledged the work and support provided by the Senior Management Team and Union Representatives during the process. Ms Stewart thanked the DoJ for their support. It was agreed that staff would be updated by the Chief Executive and an acknowledgement sent by the Board Chair after the meeting.

Mr Goodfellow thanked the Board Chair for the invitation to the Board meeting and expressed condolences to Mrs Bodger.

Mr Goodfellow updated members on the draft budget and highlighted funding pressures on the Department explaining that to date no level of detail has been provided. He gave an overview of the Minister's priorities going forward which included: Speeding up Justice - avoidable delay and the focus on rehabilitation; transformation around courts and prisons; Minister's Legislative Programme; and the Hate Crime Bill. He also explained that the DoJ had identified three priorities in the coming years: Budget; Increasing awareness and understanding of Justice across NI; and Strategic Alignment of services provided to Offenders and Victims.

A discussion with Members followed which included the impact of increasing prison numbers on probation, the challenges of operating with a reduced budget and the need to monitor impact of changes to delivery of Enhanced Combination Orders as well as extending to other court areas.

The Board Chair thanked Mr Goodfellow and Mr McGuinness for attending the meeting.

2. APOLOGIES FOR ABSENCE

Apologies were recorded from Mrs Lloyd-Stevens.

3. MINUTES OF THE BOARD MEETING – FRIDAY 14 MARCH 2024 (PAPER)

The minutes of the Board Meeting held on Friday 14 March 2024 were approved as a true record.

The Board approved the Paper.

4. MATTERS ARISING FROM THE MINUTES (PAPER)

There was one action from the previous meeting in respect of Pay Modernisation and the Communications plan which is ongoing. Ms McGreevy provided an update on the meetings with unions, an information video and messages to be circulated to staff and the proposed Pay Modernisation Roadshows in weeks commencing 6 May and 13 May 2024. The Communications Plan had been circulated to unions the previous week.

Action: Ms McGreevy to circulate the Pay Modernisation Communications Plan to Members after the Board meeting.

The Board noted the paper.

5. BOARD CHAIR'S REPORT (PAPER)

The Board Chair referred Members to the report and highlighted key events, in particular the meeting with the Minister he attended with Ms Stewart on 27 March 2024.

The Board noted the paper.

6. CHIEF EXECUTIVE'S UPDATE (PAPER)

The Chief Executive referred Members to the key highlights in the paper.

Internal Engagement

The first meeting of the Staff Engagement Forum took place at the end of March 2024 and was facilitated by Hugh Campbell, Ulster University. It was a positive meeting with 33 volunteers across a range of areas and grades. A small group of the representatives from the first meeting are in the process of drawing up the terms of reference and arrangements for the next meeting. Over the incoming months, a series of Board team visits across the organisation have been planned. New staff to PBNI and staff recently relocated to HQ have been invited to a coffee morning where they can meet each other and senior managers informally.

External Engagement

Ms Stewart referred Members to the various engagement events in the paper. It was noted that PBNI was mentioned regularly by other organisations in Radio Ulster's Sunday Sequence.

Key Issues

Regarding the CJINI follow up inspection, the fieldwork was ongoing and a draft report for factual accuracy is likely to be provided by CJINI at the end of May or early June 2024.

The PBNI Business Plan 2024-25, approved by the Board at the March 2024 meeting, had not yet been submitted to the Department for Ministerial approval, pending confirmation of the final budget position. Departmental officials are content with this.

A full report on the implications for PBNI in relation to the Extern cyber incident will be provided when the work to assess impact has been completed. PBNI has shut down all electronic communications with Extern until further notice and are meeting Extern officials on Monday 29 April 2024 for an update.

PBNI received guidance on 24 April 2024 on the provision and procurement of Period Products and have been asked to implement the arrangements in May 2024.

The Board noted the paper.

7. CORRESPONDENCE (PAPER)

There were seven items of correspondence to note.

7.1 Correspondence from Richard Pengelly, Permanent Secretary DOJ to Chief Executive – Annual Report and Accounts 2023-24 (7 March 2024)

In his letter, the Permanent Secretary advised that the Department had met the summer recess deadline for laying the Department's Accounts in the House of Commons and Assembly. This was a significant achievement, with Justice being one of only five Northern Ireland departments that met the deadline for 2022-23. He requested that NDPB Finance Teams continue to engage with FSD so that deadlines are met in respect of providing information for the DOJ accounts.

7.2 Correspondence from Richard Logan, Finance Director DOJ to Chief Executive – Budget 2024/25 (28 March 2024)

The correspondence from the Department confirmed interim arrangements that PBNI, in the absence of a confirmed budget, should discuss with the Department before stopping or starting any services/projects.

7.3 Correspondence from Caroline Perry on behalf of the Justice Committee to Chief Executive – Request for information (27 March 2024)

The correspondence from the Justice Committee requested PBNI's attendance at the Justice Committee on 14 March 2024 and requesting information to be provided in advance. A copy of Ms Stewart's response dated 22 April 2024.

7.4 Correspondence from Amanda Stewart, Chief Executive to Jacqui Durkin, Chief Inspector CJINI – Probation Practice Follow Up Review – Written Submission (5 April 2024)

Ms Stewart asked that Members note the written submission in respect of the Probation Practice Follow Up Review provided to CJINI on 5 April 2024.

7.5 Correspondence from Jeff McGuinness, DOJ Sponsor Branch to NDPBs – Delegated Limits (8 April 2024)

Members were asked to note the increase in Delegated Limits for 2024-25.

7.6 Correspondence from Helen McKenzie, Director of Operations SBNI, to Chief Executive – Response on Section 12 Audit (16 April 2024)

Members were asked to note the SBNI's thanks to PBNI in respect of the information provided for the SBNI Section 12 Audit.

7.7 Correspondence from Amanda Stewart, Chief Executive to Hugh Widdis, new Permanent Secretary DoJ (22 April 2024)

Members were asked to note Ms Stewart's letter welcoming Mr Widdis as Permanent Secretary, DoJ.

The Board noted the correspondence.

BOARD BUSINESS

8. MANAGEMENT INFORMATION (PAPER)

Members were asked to note the key areas in the Paper.

Finance

Mr King advised that there had been no further correspondence in relation to the 2024-25 Budget.

Sustainability

Under the new Climate Change (Reporting Bodies) Regulations (Northern Ireland) 2024, PBNI has been identified as a specific body and as such will have reporting duties placed upon it. The regulations will come into effect in early May 2024 with the first report due to be submitted to DAERA by October 2025. This will be a significant piece of work for PBNI in collecting data for the submission.

Estates

The Estates team continues to work with LPS to explore accommodation options for HQ within the city centre. To date, no suitable premises has been identified.

Legal Issues

Mr King advised that the costs in the long running case against PBNI had not been resolved, but the CSO had been asked to expedite this matter. The costs for the ongoing industrial tribunal claim will be agreed on the date of judicial mediation (10 May 2024).

Human Resources

Mrs Sweeney referred Members to the HR Monthly Report (March 2024). Attrition rates are lowering, sick absence is higher than in March 2024 but lower than December 2023 and January 2024. The roll out of I-Trent for annual leave recording and reporting continues. Two Probation Officers commenced the NI Practice Teacher Training Programme in September 2023 and are each supervising a social work student on placement from January to June 2024. Applications for the Open University Social Work course are now open. Feedback from the current candidates have been positive.

Directors' Updates

Ms Montgomery reported that the self-assessment reports on the ten recommendations for the CJINI Follow Up Review had been submitted on 5 April 2024. CJINI interviews with the Committee Chairs Working Group (CCWG) and staff had taken place on weeks commencing 15 April and 22 April 2024.

In respect of Deviations from Practice Standard, Ms Montgomery advised that the situation with Rural teams varied but at the time of writing the update, four of the five teams were deviating up to 40% from Standards. Two of the five Urban teams are deviating up to 20%.

There had been three serious further offences to report since the previous Management Information Paper in January 2024. Two were in relation to non-fatal strangulation and one for an offence of sexual activity with a child. Deviations in the responsible teams had no bearing on the overall management of the cases.

Mr Johnston suggested that a paper on Deviations over the last 3 years would be helpful for the Policy and Practice Committee to understand the trends, hot spots and changes in practice.

Mr Hamilton confirmed that he continues to meet regularly with the Chief Parole Commissioner and that no issues had been raised by the PCNI in the last quarter. Positive feedback had been received in terms of Probation Officer preparation and performance at hearings.

Alderwood House has now closed and staff in the ISU Programmes team have relocated to HQ. The transition was not easy in terms of change management but the relocation will result in greater integration of case management and groupwork interventions in high risk cases going forward.

Mr Hamilton advised he would be attending the 40th anniversary of Thompson House, Presbyterian Church approved premises, later that day.

The PBNI Business Plan 2023/24 End of Year performance will be presented at the May 2024 Board meeting, for consideration and review.

Communications

Ms McGreevy updated Members on the progress of PBNI's video explaining the work of Probation which is being produced by a social enterprise video company 'Slackpress'. The video will be launched at an event in May for staff and stakeholders and will be sent to MPs, MLAs, Councillors and other stakeholders.

Doubleband has informed PBNI that it has been commissioned by BBC NI to produce a documentary on Probation in Northern Ireland. The Board will be provided with further information when available.

Members were asked to note the update on Complaints 2023-24, Data Incidents and Subject Access Requests. Members discussed the upward trend in the number of complaints.

Corporate Risks

Ms Fitzsimons confirmed that the Strategic Risk Register 2024-25 would be presented at the Audit and Risk Assessment (ARAC) meeting in May 2024. At the start of the May Board meeting there will be a presentation on Risk Management in the Public Sector and ARAC Chair, Mr Ingram, will facilitate a discussion on Board Risk Appetite.

The Board noted the Paper.

9. BUDGET 2024-25 UPDATE (PAPER)

Mr King confirmed that to date, there was no confirmed budget 2024-25. He referred Members to the detail in the paper. In respect of pressures around pay revalorisation, Mr King advised that PBNI was in

a better position in terms of pay awards than other justice organisations. The Board discussed the implications of a further delay in approving the budget and hoped to avoid a reoccurrence of last financial year,

The Board noted the Paper.

10. PAY MODERNISATION UPDATE (VERBAL)

Mrs Sweeney updated Members on the Communication Plan and the Implementation Plan involving Finance, Human Resources and the Communications teams. She confirmed a meeting with unions would take place later that day. Staff would receive confirmation of the Pay Agreement on Monday 29 April 2024 with information on transition arrangements, pay scales and banding. To date no contentious issues had arisen. She confirmed that we were engaged with the Labour Relations Agency to manage the agreement process through a conciliation document with individual staff.

The Board noted the update.

11. BOARD SECRETARY'S BUSINESS

11.1 Board Effectiveness Survey – Results (PAPER)

Ms Fitzsimons provided Members with a summary of the main points from the PBNI Board Performance Self Assessment exercise 2023/24. She confirmed that the questionnaire was completed and returned by 9 of 11 members which represents a return rate of about 82%. A composite return was also submitted by SLT. The returns also included several comments alongside scorings which will help to identify any appropriate actions. In summary, Members were content that:

- The Board displayed a good level of governance throughout the year.
- A good relationship has been developed between the Board and Senior Management.
- Senior Management's comments broadly matched those from Members.
- The information provided to Members was of high quality.
- Overall the Board displays a good mix of skills and knowledge.

Areas for attention included:

- The need to develop improved working/liason relationships with Sponsor Branch; and
- The need for the Board to promote the work of PBNI across Justice and across Departments.

The Board noted the Paper.

11.2 Board Future Operating Model (VERBAL)

Ms Patterson thanked Ms Fitzsimons for her work on the self-assessment exercise. She then facilitated a discussion on the results of the questionnaire and how findings could improve the way the Board operates.

As identified in the exercise it was agreed that there was potential to build on the relationship with Sponsor Branch, a need to further develop partnerships with key stakeholders and to monitor the impact the reduced membership could have on Board effectiveness.

Ms Fitzsimons stated that the new arrangements for the Policy and Practice and Corporate Resources Committee's taking place on the same day would continue pending the appointment of new Members.

The Board noted the discussion.

11.3 Board Submission for PBNI Annual Report 2023-24 (PAPER)

Ms Fitzsimons referred Members to the Paper. In relation to the Register of Board Members' Interests 2023-24, Members were asked to check the detail and advise of any amendments required.

Mr Johnson and Ms Brunt asked for minor amendments to be made.

The Board noted the Paper.

11.4 Board/Committee Work Plans 2023-24 (PAPER)

Ms Fitzsimons advised that the Board and Committee Work Plans had been changed to a Word format. Members were asked to review and advise of any items to be added. The document will continue to be a working document throughout the year.

The Board noted the Paper.

AUDIT AND RISK ASSURANCE COMMITTEE (ARAC)

12. COMMITTEE CHAIR'S UPDATE (PAPER)

The Committee Chair had no matters to report.

The Board noted the Update.

12.1 Revised ARAC Terms of Reference (PAPER)

Ms Fitzsimons advised Members that the ARAC TOR had been significantly revised and considered by ARAC at its November 2023 meeting. The Committee recommended that the revised ARAC TOR be brought to the Board for approval following an agreement with the Board Chair on membership numbers and the possibility of co-opting a non-executive with a financial background / skills from across Departments. The Board Chair agreed that membership would remain at 4 with a quorum of 3 and that co-opting a member should be explored. This is currently being progressed by the Head of Finance and Estates.

The Board approved the Paper.

CORPORATE RESOURCES COMMITTEE (CRC)

13. COMMITTEE CHAIR'S UPDATE (VERBAL)

The Committee Chair had no matters to report.

The Board noted the update.

13.1 Financial Outturn Report – March 2024 (PAPER)

Mr King advised that the Finance Team was continuing to finalise journals. An underspend of approximately £383k (1.7%) is expected.

The Board noted the Paper.

POLICY & PRACTICE COMMITTEE (PPC)

14. COMMITTEE CHAIR'S UPDATE (VERBAL)

Ms Mongan, the new Committee Chair, had no matters to report.

The Board noted the Update.

14.1 Business Plan Q3 2023-24 (PAPER)

The Committee Chair referred Members to the Business Plan Q3 2023-24 Update. It was noted that one action had a Red Rating. This is in relation to the first action vis a vis the OBC for Pay Modernisation as at the end of Q3. At its last meeting, the Committee recommended that the paper be sent to the April Board meeting for approval.

The Board approved the Paper.

14.2 Criminal Justice Trends (PAPER)

The Paper provided a summary of statistical trends across the Northern Ireland criminal justice system over the last five years.

The Board noted the Paper.

15. ANY OTHER BUSINESS

It was agreed that Annual Business Plan quarterly performance would now go directly to the Board for approval and not through PPC.

The meeting ended at 12.25 pm.

DATE OF NEXT MEETING – FRIDAY 24 MAY 2024, 9.30 AM - PBNI HQ CONFERENCE ROOM

Mr Max Murray CBE
Board Chair

Date