

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – FRIDAY 21 JUNE 2024

9.30 am – Conference Room, PBNI Headquarters

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
Ms 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
Ms J Fitzsimons, Board Secretary
Mrs A Abraham, Business Support Manager (minutes)

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 Donaghy, Mr Ingram and Ms Sweeney.

3. MINUTES OF THE BOARD MEETING – FRIDAY 24 MAY 2024 (PAPER)

The minutes of the Board Meeting held on Friday 24 May 2024 were approved as a true record.

The Board approved the paper.

4. MATTERS ARISING FROM THE MINUTES (PAPER)

There were three actions from the previous meeting, two of which are on today's agenda. In respect of the third action, the Board Chair requested that any outstanding Data Protection on-line training be completed by the August 2024 Board meeting.

The Board noted the paper.

5. BOARD CHAIR'S REPORT (VERBAL)

The Board Chair updated Members on events and issues since the May meeting.

The Board Chair and Deputy Chair attended the PBNI Retired Associates Charity Event in Malone House on 29 May 2024. Ms McGreevy, who hosted the event, advised that £5,500 had been raised for Motor Neuron Disease.

The Board Chair and Board Secretary recently met with NIPSA representative, Joe McClenaghan, this being the annual engagement meeting with the union. It was a positive meeting with discussions around reviewing facility time, grade drift in relation to the PSO role and union consultation. Mr McClenaghan was particularly complementary about the Executive Team in relation to the progression of Pay Modernisation.

The Board Chair met with the new DoJ Permanent Secretary, Hugh Widdis, at PBNI Headquarters. Issues discussed included the Board's relationship with the Department, previous difficulties with engagement meetings and PBNI's public profile and its role within the criminal justice family. Mr Widdis confirmed he would be available for any future meetings and was looking forward to meeting the full Board after the summer.

The Board Chair and Deputy Chair met with Mark Goodfellow and Jeff McGuinness alongside the Chief Executive on 10 June 2024. Ms Patterson provided an update on discussions which included the budget including DoJ pressures, recruitment of POs, the impact of high sickness levels, progress on pay modernisation, the transformation fund in relation to ECOs and PFG.

The Board Chair attended a meeting of the Public Sector Chairs' Forum. There was discussion on the budget and availability of transformation monies.

A Board visit to the PBNI team based in Maghaberry took place on Tuesday 11 June 2024 and was attended by Ms Lloyd-Stevens and Ms Brunt. Ms Lloyd-Stevens provided an update to Members and was very positive about the engagement with staff. Issues raised included the format of Parole Commissioners' oral hearings (face to face or online) and the pre-release work around sudden release of prisoners who had been on remand. It was felt that a review of Parole Commissioners' Rules would be beneficial as some of what is seen by staff as duplication is required by the Rules. Mr Hamilton confirmed he would be updating the Chief Commissioner, Paul Mageean, in respect of the current staffing issues within the PBNI Maghaberry team.

The Board Chair encouraged Members to attend the visit to the ISU team in Headquarters, planned for 13 August 2024.

Members were updated on the Board Chair's communication with Neil Bodger's widow. A tribute page to Mr Bodger has been set up with donations to the RNLI. The Board Chair had left comments on the page on behalf of the Board.

The Board noted the update.

6. CHIEF EXECUTIVE'S UPDATE (PAPER)

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

Internal Engagement

Visits had taken place to most of the Belfast teams and visits to Rural teams should be completed by the end of the summer. Issues raised were around the delay in the recruitment of Probation Officers, pressures on submitting reports to court due to staff vacancies, annual leave, levels of sickness and other absences such as maternity leave and limited capacity for back-fill. Middle Managers had been updated regarding the 2024-25 budget. Staff remain positive about pay modernisation, with an expectation that payments will be made during July and August.

External Engagement

Ms Stewart referred Members to her paper detailing external engagements during the month.

Pay Modernisation

Ms Stewart summarised the current position on pay modernisation detailed in the paper including engagement with Trade Unions and the CSO. Further detail is provided in agenda item 10. The Board will be provided with an update prior to the August 2024 Board meeting.

Public Sector Transformation Funding

As detailed in the paper, Ms Stewart outlined a bid to the Department of Finance Transformation Fund. The DoJ Permanent Secretary had agreed for the Prison Population bid to be expanded to include a bid to roll-out Enhanced Combination Orders (ECOs). How and to what extent ECOs can be rolled out will be dependent on the success of this and other Departmental funding bids.

CJINI Inspections

Ms Stewart confirmed that PBNI had received the draft report on the CJINI Follow Up Review of the Probation Practice Inspection, for factual accuracy check. The Chief Inspector commended PBNI on its approach to this inspection. Due to minimal factual accuracy comments, a further draft report will not be required and the final Inspection Report will be published over the summer.

The Board noted the paper.

7. CORRESPONDENCE (PAPER)

There was one item of correspondence to note.

7.1 Correspondence from the Northern Ireland Prison Service, Head of Licensing, Legislation & Public Protection re the Prison Media Bill

Ms Stewart stated that this correspondence was by way of information in respect of tidying up legislation around the definition of a “prison worker”.

The Board noted the correspondence.

BOARD BUSINESS

8. BUDGET 2024-25 UPDATE (PAPER)

Mr King took Members through the detail in the Balanced Budget paper. The PBNI 2024-25 budget baseline allocation had been confirmed as £20.805k with an additional allocation of £298k and a capital budget of £3.225k. The resource budget does not include funding in relation to the Aspire and Engage programmes which will be received separately. It was noted that the budget is still draft, subject to DoJ screening.

The Senior Leadership Team had endorsed the following key areas: recruitment will be increased to allow for the maximisation of Probation Officers (minimum 6 over establishment); non-pay budgets will remain predominately flat, with the exception of training; no change to allocations for the Community and Voluntary Sector; proposals for new capital spend to be worked up and agreed by Finance Department; and an equality screening and rural needs analysis will be undertaken to allow the budget position to be finalised.

The Board approved the approach set out with regard to the budget position for the 2024-25 year.

The Board approved the Paper.

9. ANNUAL BUSINESS PLAN 2024-25 REVISIONS (PAPER)

Mr Hamilton presented the paper on the Annual Business Plan 2024-25 which had been revised from the March 2024 Board meeting, now that the 2024-25 Budget had been confirmed. The structure of the plan with four Outcome Areas had not changed. The indicator in respect of the Prisoner Development Model in Outcome 4 had been removed as this is outside of PBNI’s control. An equality screening section had been appended.

The Board Chair commended Mr Hamilton and senior management colleagues on the work on the revised plan.

The Board approved the revised Annual Business Plan 2024-25, following confirmation of the 2024-25 Budget.

10. PAY MODERNISATION UPDATE (VERBAL)

Further to discussion at Item 6, Ms Stewart updated Members on ongoing communications and meetings with NIPSA, NAPO and the Crown Solicitor's Office on the process for agreeing the new pay framework. Ms Stewart confirmed PBNI's position as:

1. Its preferred method of implementing the pay agreement is via a collective agreement.
2. If anyone wished to remain on their current pay scales, their contracts would be honoured.
3. Implementation of the pay agreement does not represent any compromise or bar on the right to bring any future employment claim by a staff member(s), (without prejudice to the Board's right to defend same). This has been the consistent and clear message of the Board throughout consultation.
4. The Board wish this agreement to be implemented as soon as possible.

Ms Stewart advised that following further and ongoing discussion with Trade Union representatives and the respective legal teams that both NIPSA and NAPO had agreed to ballot their members. Subject to the outcome of the ballot, PBNI officials were preparing to implement the new pay framework in July/August 2024.

Ms Stewart also advised that both Trade Unions had also indicated that they were giving consideration to lodging cases for age discrimination for affected members on pay scales which are longer than 5 points.

The Board noted the update.

11. BOARD SECRETARY'S BUSINESS

11.1 Board Work Plan 2024-25 (PAPER)

The Board Chair advised that proposals for a Board Themed meeting would be discussed at the CCWG meeting following the Board meeting today. Members were asked to advise the Board Secretary of any additions or amendments to the 2024-25 Board Work Plan.

The Board noted the paper.

AUDIT AND RISK ASSURANCE COMMITTEE (ARAC)

12. COMMITTEE CHAIR'S UPDATE (Paper)

In the absence of the Committee Chair, Ms Patterson talked Members through the key items covered in the Committee meeting held on 7 June 2024.

The Board noted the Paper.

12.1 Draft Strategic Risk Register 2024-25 Q2 (PAPER)

Ms Fitzsimons advised Members that the draft Strategic Risk Register Q2 had been brought to the ARAC June meeting for consideration with a recommendation that it be brought to the Board for approval. She explained that there had been no changes made to the SRR since Q1 and that scoring for Risk 1 may change with the implementation of Pay Modernisation. A discussion on Risk 1 followed and Mr Johnston

raised the point that the both the inherent and residual scores were higher compared to this time last year despite the Pay Modernisation OBC now being approved. The issue of inexperienced staff, Learning and Development and the high level of sick absence was also discussed. It was also confirmed that findings of the CRC Sick Absence Review will be brought to a future Board meeting for consideration. Mr Johnston also suggested that mitigations be added in relation to reducing sick absence when the SSR is being developed for Q3.

There was also a discussion around removing Risk 4 on Business Continuity due to the low scorings. Ms McGreevy stated that PBNI was mindful of the risk of cyber attacks and had the appropriate controls in place in respect Business Continuity. It was agreed that ARAC would revisit Risk 4 at the next meeting.

Ms Fitzsimons confirmed that Horizon Scanning had been reviewed by SLT and considered by ARAC and that no revisions had been made. Ms Stewart suggested that potential equal pay claims in relation to the implementation of Pay Modernisation may need to be added to the Horizon Scanning.

The Board approved the Paper.

12.2 Draft Annual Report and Accounts 2023-24 (PAPER)

Mr King advised that there had been no significant changes made to the version last presented to the Board. Following the insertion of a graphic, the Chief Executive will sign the Report on Monday 24 June 2024 and the Accounts will be sent to the Minister for approval before laying down in the Assembly. Mr King advised no accounts could be laid down during or before the Assembly election on 4 July 2024. The Board Chair thanked Mr King and his team for their work on the Annual Report and Accounts 2023-34 over recent months.

The Board approved the Paper.

12.3 Report To Those Charged With Governance

Mr King advised Members that the letter from the Northern Ireland Audit Office to the Chief Executive on the Draft Report to those Charged with Governance for the year ended 31 March 2024 confirmed there were no significant findings. He also referred Members to Appendix One of the report - 'Letter of Representation'.

Members noted the paper.

CORPORATE RESOURCES COMMITTEE (CRC)

13. COMMITTEE CHAIR'S UPDATE (PAPER)

The Committee Chair gave a summary of the update paper in respect of the meeting held on 14 June 2024. Discussion had taken place around measures to reduce sick absence, including training for middle managers and performance management. The Committee welcomed the new scheduling of CRC and PPC meetings on the same day which was previously agreed due to reduced Board Membership.

The Board noted the update.

13.1 Draft CRC Terms of Reference (PAPER)

The Committee Chair confirmed Members had discussed the revised CRC Terms of Reference and recommended that the Board approve the revised TOR at its June meeting.

The Board approved the Paper.

13.2 Financial Outturn Report – May 2024 (PAPER)

Mr King talked through the key points of the paper and confirmed that the Aspire and Fresh Start funding would be included in the next outturn report, once monies had been received.

The Board noted the Paper.

13.3 Sick Absence End of Year Report 2023-24 (PAPER)

The Paper had been discussed and noted at the CRC meeting held on 14 June 2024.

The Board noted the Paper.

13.4 Sickness Absence Review Update (PAPER)

Ms Stewart referred Members to the paper prepared by the Head of HR and L & OD. It was noted that sick absence had increased and that PBNl's need to focus on Pay Modernisation has impacted on fully addressing this issue. A workshop is being held in September for middle managers on performance management, strengthening attendance and managing absence. HR department had met with Occupational Health and considered ways of assisting staff to return to work with Inspire individual and group sessions. The Board will be updated later in the year.

The Board noted the Paper.

POLICY & PRACTICE COMMITTEE (PPC)

14. COMMITTEE CHAIR'S UPDATE (PAPER)

The Committee Chair gave an update on the meeting held on 14 June 2024 and referred Members to the Paper.

The Board noted the Paper.

14.1 PPC Terms of Reference (PAPER)

The revised PPC Terms of Reference were discussed at the meeting and the Committee recommended that the Board approve the revised TOR at its June meeting.

The Board approved the Paper.

14.2 Social Media Policy and Procedures (PAPER)

The Social Media Policy and Procedures had been recommended for Board approval at its meeting held on 14 June 2024. In response to a query from Members, Ms McGreevy explained that the Policy covers use of Social Media for Board Members and staff alike, both in a work and personal capacity. She confirmed that use of Whatsapp was not applicable and this had been verified. Social Media is an important media tool for the PBNl Communications Team, who use Instagram, Linked in, X and Facebook. However, she assured Members that only 3 staff members have the appropriate permissions to post information.

The Board approved the Paper.

14.3 End of Year Caseload 2023/24 (PAPER)

Mr Hamilton referred Members to the End of Year Caseload 2023-24 Paper which had been considered at the Committee's June meeting.

The Board noted the Paper.

14.4 Management Information Trends (PAPER)

Mr Hamilton referred Members to the Management Information Trends Paper, which had been considered at the Committee's June meeting.

The Board noted the Paper.

15. ANY OTHER BUSINESS

The Chair reminded staff of the invitation to the launch of the PBNI Video on Wednesday 26 June at 11 am at the Ulster University.

The meeting ended at 12.15 pm.

DATE OF NEXT MEETING – FRIDAY 23 AUGUST 2024, 9.30 AM - PBNI HQ CONFERENCE ROOM

Mr Max Murray CBE
Board Chair

Date