

## PROBATION BOARD FOR NORTHERN IRELAND

### BOARD MEETING – Friday 27 October 2023

9.30 am – Conference Room, PBNI HQ

#### ATTENDANCE

##### BOARD MEMBERS

Mr M Murray, Chair  
Ms M Brunt (via Webex)  
Mr B Ingram  
Mr J Johnston  
Ms B Mongan  
Mr J Byrne  
Mr K Donaghy

##### OFFICIALS

Mrs A Stewart, Chief Executive  
Ms G Montgomery, Director of Operations  
Mr S Hamilton, Director of Operations (via Webex)  
Mr P King, Head of Finance & Estates  
Ms G McGreevy, Head of Communications  
Ms J Fitzsimons, Board Secretary  
Ms A Carlisle, Executive Support Officer (Minutes)  
Mr K McClelland, Estates Manager (Item 10)

#### 1. WELCOME, OPENING REMARKS AND CONFLICTS OF INTEREST

The Board Chair welcomed everyone to the meeting. The Board Chair confirmed that Paul Mageean, Chief Parole Commissioner gave his apologies and that dates will be provided for him to attend a meeting in the new year. Beverley Wall, Head of NIPS gave apologies and will attend the November meeting. Nicola Carr, University of Nottingham, also sent apologies and will attend a Board meeting in the new year to update members on Leverhulme research she is undertaking.

A quorum was confirmed. There were no conflicts of interest.

#### 2. APOLOGIES FOR ABSENCE

Apologies were recorded from Mr N Bodger, Ms E Patterson, Ms A Lloyd-Stevens, and Mrs C Magee.

#### 3. MINUTES OF THE MEETINGS

##### 3.1 Minutes of Meeting held on 22<sup>nd</sup> September 2023

The minutes of the Board Meeting held on Friday 22 September 2023 were approved as a true record of the meeting.

The minutes were approved by the Board.

##### 3.2 Minutes of Special Meeting held on 6<sup>th</sup> October 2023

The minutes of the Special Board Meeting held on Friday 6 October 2023 were approved as a true record of the meeting.

The minutes were approved by the Board.

#### 4. MATTERS ARISING FROM THE MINUTES (PAPER)

##### 4.1 Matters Arising from Minutes held on 22<sup>nd</sup> September 2023

There were two actions from the previous meeting on 22 September. All had been completed.

The Board noted the paper.

#### **4.2 Matters Arising from Minutes held on 6<sup>th</sup> October 2023**

There were four actions from the Special Board meeting on 6 October. One has been completed, one partially and two are ongoing. Action 1 - the letter sent to the Permanent Secretary, DoJ requesting a meeting on Pay Modernisation was acknowledged and a reply will be sent in due course. Action 2 – The Chief Executive will provide an update on discussions with Jeff McGuinness, DoJ under Agenda Item 6. Actions 3 and 4 - further discussion on members' engagements in relation to Pay Modernisation will be discussed under Agenda Item 11.

The Board noted the paper.

#### **5. BOARD CHAIR'S REPORT (VERBAL)**

The Board Chair updated Members on several meetings since the September 2023 Board meeting.

The Board Chair and Ms Montgomery, Director of Operations attended a Chairs Forum Conference on Generative AI & Automation: Exploring the Opportunities for NI's Public Service on 11 October. Ms Montgomery confirmed that a follow up meeting with EY (an AI platform) and both Directors of Operations has been arranged for 10 November.

The Board Chair attended a Prayer Service for Prisons Week at St Malachy's Church on 10 October. He and several Board members also attended a Long Service Awards event for PBNI staff which took place on Thursday 26 October in the Long Gallery, Stormont. A number of staff received their service awards, Area Manager Claire Taylor and Probation Officer Raymond Dunlop were presented with the Chief Executive's Award and Area Manager Catherine Gregg received a Butler Trust Certificate of Recognition. Probation Officer Gloria McKenna has been included in the final shortlist for this year's Butler Trust Awards.

The Board Chair invited Members to an upcoming visit to Magilligan Prison and the Coleraine Office on 29 November.

The Board noted the update.

#### **6. CHIEF EXECUTIVE'S UPDATE (PAPER)**

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

##### **Engagement**

Internal engagements have focussed on attending scheduled staff meetings in several teams to provide an update on the current position on pay modernisation and answer any questions. This has helped sense how individuals and teams are feeling and helped manage expectations around the time periods involved. Three engagements have also taken place with Trade Unions on the pay modernisation issue.

Ms Stewart also took part in the Hidden Heroes Coffee Morning on 29 September and thanked members that were able to attend and show their support.

Externally, Ms Stewart values the importance of maintaining links with the Community and Voluntary Sector. Following a visit to PBNI HQ, Extern invited representatives to their premises in Mallusk, this meeting provided an opportunity to link in around work that Extern is planning with the Northern Ireland Prison Service on resettlement.

Ms Stewart, Mr Hamilton, Director of Operations (PPPP), and selected staff members attended the annual Irish Criminal Justice Agencies (ICJA) Conference in Dublin Castle on 10 October. The theme was Penal Policy Reform: Putting Community at the Heart of the Criminal Justice System. It was a important chance to engage with key partners within the criminal justice systems in both jurisdictions and beyond.

A Senior Leadership Team Development Planning Day is taking place on 17 November and with David Sterling, Chair of the Chief Executive's Forum has been invited to attend and give a presentation on his perspective of leadership in a changing environment.

Ms Stewart attended the live online seminar on the Experience of Substance Misuse Court in NI as part of the Insights Festival on 26 September.

The Board Deputy Chair and senior staff also met with representatives of the Northern Ireland Housing Executive to discuss opportunities and challenges for both organisations on 2 October. Mr Hamilton gave an update advising it is a start to the process but there are many challenges to face. Ms Arthur, Assistant Director is the current lead on the accommodation strategy.

Ms Stewart attended a Women in Business seminar for senior leaders on 'Women at Work' in the new PwC office in Belfast which generated discussions for employers on how to create and maintain a workplace that is inclusive and productive and how to recruit, treat and promote women at work.

### **Pay Modernisation**

Ms Stewart provided members with an update following a readout of the meeting which DOJ senior officials had with the Departmental Solicitor Office (DSO) and confirmed that three requests have been made in relation to updating the Business Case. He felt confident that DSO understood the challenges involving the risk of repercussiveness and that it gives an opportunity to include operational context on this. Ms Sweeney will give a further update under Agenda Item 11.

### **PBNI Budget 2023/24**

Ms Stewart gave an update on the implementation of decisions on ECO, Programmes and CVS funding from 1 September 2023.

Ms Stewart and the Directors met with the Lady Chief Justice on 4 October and she is content with PBNI's approach regarding ECOs. Further work is needed on the process for amending orders with her Legal Unit considering the legality of changing the order administratively. Mr Hamilton gave an update from the Lady Chief Justice on new orders which are assessed as medium or moderate with a specific offending behaviour programme as a main condition. It was hoped this could be dealt with on an administrative basis. This is not going to be possible and each case will have to be dealt with on an individual basis and returned to court in the normal manner, with a timescale of 6-8 weeks for completion given. An interventions panel will be set up and chaired by Mr McCracken, Principal Psychologist to reduce cases that need to be brought back to court. Ms Stewart advised that further updates regarding this matter will be made available to members.

### **PBNI External Recruitment**

There are two external recruitment exercises underway to fill Probation Officer and Administrative Officer vacancies.

In partnership with the Probation Service Ireland secondment opportunities are now being offered to two Area Managers, which should help ease budgetary pressures where capacity allows. A further update will be given to members on how this is progressing.

### **Adult and Youth Reoffending Statistics 2020/21**

Members were referred to the update on the report which outlines the Adult and Youth Reoffending rates and statistics. Ms Stewart acknowledged that reoffending rates for those under community supervision have decreased over the last 4 years which demonstrate that PBNI is making a difference. Caution was given around the direct comparison of some figures because of the nature of both the offence and individual.

### **Criminal Justice Inspection Northern Ireland – Inspection of Victims and Witnesses (Follow-up Review)**

This report has been published and will be available to members.

### **DOJ and Northern Ireland Policing Board Engagement with Designated Organisations on Policing & Community Safety Partnerships (PCSPs)**

Ms Stewart attended the PCSP Designated Organisations Workshop at Newforge Country Club on 24 October 2023, with PBNI giving a presentation on responding collectively to needs from the perspective of a Designated Organisation sitting on PCSPs.

### **PBNI Employee Survey**

A staff engagement survey has been issued to all staff to provide them with an opportunity to have their say on issues that matter to them. The deadline for responses is 5pm on 27 October 2023. Further information will be presented to members once analysis has been completed.

### **Developing a Trauma Informed Organisation**

Mr Byrne wanted to discuss whether more could be done to raise the awareness and understanding of the work that Probation does in the public, compared to, for example, PSNI and NI Prison Service. Following discussion, it was agreed that this is an area that would benefit from a more detailed discussion.

The Board noted that Ms McGreevy would consider how this could be further progressed.

## **7. CORRESPONDENCE (PAPER)**

There were four items of correspondence to note.

### **7.1 Chief Executive to Acting Director, Community Safety on future approach to PSJ Initiatives**

### **7.2 Board Chair to Permanent Secretary, DOJ – meeting with CCWG on pay modernisation**

### **7.3 Board Chair to Permanent Secretary, DOJ – follow up letter on meeting with CCWG on pay modernisation**

### **7.4 (1) Head of Financial Services Division, DOJ to Chief Executive – 2023-24 Revised Budget Allocation**

#### **(2) Email Response from Chief Executive – 2023-24 Revised Budget Allocation**

The Board Chair advised members there has been no response yet to item 7.1 and items 7.2 & 7.3 will be discussed in relation to Agenda Item 11, Pay Modernisation Update. Ms Stewart discussed item 7.4 regarding the revised budget allocation and a misunderstanding on ECO funding which had resulted in DOJ taking an easement. Ms Stewart's response to DOJ has been included in the correspondence which outlines that an error has been made and she has spoken to Mark Goodfellow, Acting Director Safer Communities and Jeff McGuinness to confirm the position. DoJ Sponsor has accepted that this is a misunderstanding and that they are taking steps to resolve this. Ms Stewart would like this to go to the CRC meeting on Friday 27 October and has requested a response in time for this.

The Board noted the correspondence.

## **BOARD BUSINESS**

### **8. MANAGEMENT OF INFORMATION REPORT (PAPER)**

#### **FINANCE AND ESTATES UPDATE**

Mr King highlighted the key points in this section of the Paper.

#### **Future Budget Planning**

Mr King advised that since the Management of Information Report has been completed there has been an update from Jeff McGuinness, DoJ. A copy of the papers will be issued to CRC for review and discussion at the meeting on 3 November.

#### **Estates**

Mr King confirmed that this update would be covered under Agenda item 10.

#### **Legal Issues**

During the period no new legal claims have been received by PBNI. PBNI is still actively managing 15 active cases, in relation to compensation/industrial relations claims and Judicial reviews. Currently the majority of cases are assessed as low risk in terms of operational and financial consequences.

#### **HUMAN RESOURCES AND LEARNING & ORGANISATIONAL DEVELOPMENT UPDATE**

Mrs Sweeney gave a verbal update, the Board Chair requested future updates to be in writing.

#### **HR Update**

There is a current recruitment exercise for Administrative Officers and Probation Officers. There have been 21 applications for the Probation Officer role, with a mix of experienced and qualifying social workers applying, interviews have been set up with seven places to be offered.

Ms Sweeney updated members on current attrition rates with eight leavers – four Probation Officers, one Area Manager and three HR staff.

A discussion took place involving the current exit interview process. Ms Sweeney explained that an interview form is emailed to all leavers and that completion is voluntary. Current HR pressures mean one to one interviews may not take place as hoped.

**Action: The Board Chair requested that further work is commissioned to capture views of leavers**

#### **DIRECTORS' UPDATES**

Ms Montgomery highlighted the key points in the Paper.

### **Criminal Justice Inspection Northern Ireland/Northern Ireland Audit Office**

It is anticipated that the Inspection will be undertaken in 2024, and will be led within PBNI by Ms Montgomery, Director of Operations (CC) and supported by Ms Loughran, Assistant Director. CJINI Preparation Task & Finish Groups have been set up in advance on a bi-monthly basis.

### **Deviations from Practice Standards**

Currently, three rural teams are working to 20% / 40% deviations due to vacancies including unfilled maternity leaves and long-term sickness absence. North Belfast continues to deviate from practice standards due to the number of vacancies in the team. ISU Belfast are no longer deviating from standards. Members discussed in depth the reasons for standards deviations and the use of bank or agency staff and are confident that extensive work has been done by the Senior Leadership Team regarding the issue.

### **Revision of Practice Standards**

Work on revising and reviewing the Practice standards is ongoing, with findings currently being collated prior to effective allocation within Teams.

### **Short Adjournment Reports**

The Short Adjournment Report pilot continues and has been extended and revised, with the majority of report requests from the Magistrates adjourned for three weeks rather than two to allow PBNI to assess suitability (there are exceptions). This pilot extension also means that the number of short adjournment report requests that PBNI have deemed unsuitable will reduce as the extra week allows for liaisons with partner agencies to take place and it allows Probation Officers increased professional judgement regarding cases where a short report is deemed suitable.

### **Serious Further Offences**

There have been no further offences to report since the last Management Information Paper was presented to the August Board meeting. Charges have been withdrawn in one of the cases committed during July.

### **Prison**

This topic will be discussed under Agenda Item 9.0.

### **Workload Measurement Tool**

This has been updated recently and operationalised in terms of where any new staff are to be placed.

### **Funded Services**

Additional funding for the Community and Voluntary sector has meant services delivered by ASCERT (rapid response addiction service), NIACRO (through the gate mentoring and employability) and Barnardo's (parenting services under ECOs) have re-started and are now fully operational.

### **ECOs/Programmes**

A memo has been issued to staff today regarding Programmes and Interventions, ECO Delivery and ECMS Guide to reassigning ECO orders which will begin on 1 November 2023.

### **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 and brought to the December Board Meeting.

### **CORPORATE RISKS**

The Board Secretary confirmed that a Risk Management update report will be brought to the ARAC meeting on 10 November 2023 for consideration.

### **COMMUNICATIONS UPDATE**

Ms McGreevy outlined the work that had taken place since the September 2023 Board meeting.

#### **Internal Communications**

The most recent edition of Probation News was sent to all staff on 29 September with a focus on the recruitment of new Probation Officers. There has been a range of internal communications to staff including World Mental Health Day, information security and an update on legislation regarding stalking and the introduction of Stalking Protection Orders.

Ms McGreevy confirmed that a report and analysis of responses to the recently launched Staff Survey will be brought to the December Board meeting.

Butler Trust's Hidden Heroes Day took place on 29 September, with a series of internal events on the day and acknowledgement of a number of staff including the front door and reception staff at HQ. Ms Montgomery, Director of Operations (CC) and Ms Stewart, Chief Executive did radio interviews on UTV – Frank Mitchell Show and BBC Sunday Sequence linked with Hidden Heroes where they answered questions and discussed a range of issues involving probation.

#### **External Communications**

A "Probation Matters" podcast with Ms Loughran, Assistant Director was recorded and broadcast on 20 October, with a focus on her career from a social work student to Assistant Director position (this is linked to the current Probation Officer Recruitment Campaign). Ms McLaughlin, Assistant Director also recorded a podcast on how probation used restorative practices for a victim centred service. Local engagement events have continued with two successful events in West Belfast and Downpatrick and a visit from the Mayor of Derry City and Strabane Council to Shipquay Street. A seminar on The Substance Misuse Court was held as part of the HMPPS Insights Festival on 26 September, with over one hundred people attending the event online and significant media coverage and interest.

#### **Data Incidents**

Ms McGreevy updated members that there has only been one incident since 1 July, which related to a staff member's sick leave being emailed to incorrect recipients.

#### **Complaints**

Ms McGreevy updated members that twenty-three complaints had been made to PBNI from 1 April to 23 October. Twenty-one of those complaints were dealt with at stage 1 and two have been dealt

with at stage 2. There is currently one complaint that is being dealt with under stage 2 of the Complaints Procedures. This complaint is from the mother of a service user whose son was recalled to prison.

The Board noted the Paper.

## **9. UPDATE ON PBNI ISSUES IN PRISONS INCLUDING PCNI WORK (PAPER)**

Mr Hamilton took members through the Paper, which provided an overview of recent issues with the Parole Commissioners for NI, and proposed changes to the service Level Agreement between PBNI and NIPS.

The first part of the paper outlined the background to issues which include - delay in PBNI response to PCNI direction requests, duplication of PCNI requests for written reports and short notice requests, NIPS caseworkers not submitting PBNI reports on time or notifying PBNI of PCNI requests and adversarial approaches used at oral hearings. Mr Hamilton listed the actions that PBNI has taken to resolve each of these issues, and they have been broadly dealt with since January 2023. Mr Hamilton advised that the process has enhanced relationships and improved communication around hearings. He did want to confirm that a formal complaint has been lodged regarding a Commissioner's conduct to a PBNI staff member in a Hearing for the first time. Mr Hamilton confirmed that there will be Quarterly Review Meetings with Paul Mageean, the Chief Parole Commissioner and Ms Stewart will attend on a twice-yearly basis.

Board members welcomed the progress made and the assurance this provides going forward.

Mr Hamilton advised that there are Data Sharing Agreements with the five trusts with social care records being shared with PBNI. Although there has been progress, more work is still needed.

**Action: A further update to be provided to the Board in six months.**

The second part of the paper detailed the Service Level Agreement (SLA) between PBNI and NIPS, it is based on annual funding of £1,134k from NIPS, plus an additional £225k from the DoJ centrally. There are two issues – this monetary figure has remained flat, and the prison population has significantly increased. Due to the PBNI's budgetary position, this cannot be topped up in the way it has been done previously and has meant a reduction in three Probation Officer positions based in each of the three prison locations. The 2023 / 2024 revised SLA has therefore been agreed to ensure contribution towards priorities while delivering core work as listed on the paper. Mr Hamilton advised that the PDU model is working but is regularly affected by the redeployment of prison staff.

Ms Stewart advised members that she had recently met with Beverley Wall, Director General, NIPS who confirmed she will be undertaking a review of the PDU model and will share the Terms of Reference for input. This will be discussed at the November Board meeting.

The Board noted the update.

## **10. ESTATES STRATEGY (PAPER)**

The chair welcomed Mr McClelland, Estates Manager to the meeting. Mr McClelland gave a presentation on the strategy which sets out the current state of PBNI's estate and makes recommendations for proposed changes from 2023 and beyond in line with PBNI's Corporate Strategy and in particular Outcome 3. The goals are to provide efficient office locations and space standards including adaptations for hybrid working to all offices where possible, offices to be welcoming, safe and secure, meet government targets for zero carbon by 2050 and provide budget efficiencies. The presentation set out some key metrics for all of estates by area and location and



the upcoming options for the future for all Belfast offices, Newtownards, Armagh, Portadown and Newry, Magherafelt and Ballymena and Omagh. The Board Chair thanked Mr McClelland and Mr King for an excellent report and a good analysis which was well summarised. Members discussed implications for staff and service users, especially in rural locations and around public transport. Mr McClelland advised that all these implications will be taken into account and investigated. There are three car parks that are paid for, which will be looked at regarding usage. Members also discussed the freehold and leasehold options with Mr McClelland confirming that he will do more work to explore this further. Mr King advised that the HQ Building and Duncairn Gardens are the main focus as these leases end next year.

The Board approved the paper.

## **11. PAY MODERNISATION UPDATE (VERBAL)**

The Board Chair confirmed that the two letters were sent to the Permanent Secretary, one following CCWG and one following the Special Board Meeting, with no response received.

Ms Sweeney gave an update to members with remodelling of costs being completed this week for the revised OBC. There are two full day meetings taking place week commencing 6<sup>th</sup> November with Trade Unions. It is hoped to have the revised OBC will be brought to the SLT Meeting on 14<sup>th</sup> November ready to go back to DOJ the following week. Ms Stewart wanted it noted that an inaccurate attrition rate figure of 17.1% was provided in the letter to the Permanent Secretary. The correct figure is 15.4%. Members discussed the timescales and implications for staff with a level of concern at the lack of communication from the Permanent Secretary in the matter.

**Action: Board Secretary to organise a series of office visits for Board Members between January and March 2024.**

The Board noted the update.

## **12. BOARD SECRETARY'S BUSINESS**

### **12.1 Board Members' Register of Interests (Paper)**

Ms Fitzsimons thanked those who had provided a return in relation to the Board Members' Register of Interests 2023/24 and asked for any further changes to be declared. Once updated the Register will be published on the PBNI website.

The Board noted the update.

### **12.2 Board Work Plan 2023/24 (Paper)**

The Board Chair asked Members to review the workplan.

The Board noted the Paper.

Ms Fitzsimons confirmed that two members of the Equality Commission will be coming to the January meeting. In advance of this, information will be sent to members to give an overview of the training and will include links to resources that may be useful in preparation for the meeting.

She also explained that the ARAC, CRC and PPC Terms of Reference (TOR) will be reviewed and considered by each Committee between November 2023 and February 2024. The TORs will then be brought collectively to the Board for approval in February or March 2024.

## **AUDIT AND RISK ASSURANCE COMMITTEE**

### **13. COMMITTEE CHAIR'S UPDATE (VERBAL)**

The Committee Chair advised that the next meeting is on 10 November and time will be taken to look at wider issues that could emerge from risk transfer from departments and agencies.

The Board noted the update.

## **CORPORATE RESOURCES COMMITTEE**

### **14. COMMITTEE CHAIR'S UPDATE (VERBAL)**

The next Committee Meeting will take place on 3 November.

The Board noted the update.

#### **14.1 FINANCIAL OUTTURN REPORT OCTOBER 2023 (PAPER)**

Mr King referred Members to the key highlights in the paper.

The Board noted the Paper.

## **POLICY AND PRACTICE COMMITTEE (PPC)**

### **15. COMMITTEE CHAIR'S UPDATE (VERBAL)**

The next Committee Meeting will take place on 8 December.

The Board noted the update.

## **OTHER BUSINESS**

### **16. ANY OTHER BUSINESS**

The next scheduled Board meeting will be on Friday 24 November 2023, PBNI Conference Room, 4<sup>th</sup> Floor Headquarters at 9.30 am.

The meeting ended at 1.15 pm.

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Mr Max Murray CBE  
Board Chair

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Date