

## PROBATION BOARD FOR NORTHERN IRELAND

**BOARD MEETING – 14 AUGUST 2015****9.30 AM – CONFERENCE ROOM, PBNI****365th MEETING – 36th of TENTH TERM OF OFFICE****ATTENDANCE**

Mrs Vilma Patterson (Chairman)	Mr D Brown
Mrs J Erskine (Items 1-23)	Mr E Jardine
Mrs L Jennett	Mr T O'Hanlon
Mrs M O'Rourke	Mr D Rose
Mrs P Shepherd	Dr M Wardlow
Dr R Wilson	

Ms C Lamont, (Acting) Director  
Mr P Doran, Deputy Director  
Mr H Hamill, (Acting) Deputy Director  
Mrs G Robinson, Head of HR  
Ms L Cooper, Head of Business Planning & Development (Item 17)  
Mr S Hamilton, (Acting) Assistant Director (Item 17)  
Mrs W Rodgers, Personal Secretary (Minutes)  
Mr M Cox, Observer

**1. OPENING REMARKS AND CONFLICTS OF INTEREST**

The Chairman welcomed Members to the meeting. The Chairman introduced Mr Michael Cox who will be joining PBNI in September as Board Secretary. The Chairman gave a brief outline of Mr Cox's career background and interests and expressed the Board's pleasure in looking forward to his working with them.

Conflicts of Interest were declared by: Mrs Erskine for item 11; and Dr Wardlow and Mr Rose for item 13.

**2. APOLOGIES**

Apologies were received from Mr R Mullan and Ms C McCann, Head of Finance.

**3. CONSIDERATION OF THE MINUTES**

The minutes of the Board meeting on 12 June 2015 were accepted as an accurate account of the meeting with a number of agreed amendments. The Members discussed item 17 of the minutes and agreed a policy in regard to the recording of the name Londonderry. It was agreed that the City will be initially recorded in minutes as Londonderry and thereafter, when mentioned, recorded as Derry.

The minutes of the Special Board meeting held on 26 June 2015 were accepted as an accurate account of the meeting.

The minutes of the closed session held on the 26 June 2015 were accepted as an accurate account of the meeting.

#### 4. MATTERS ARISING FROM THE MINUTES (Paper 101/15)

The Chairman wished to draw attention to a number of items on Matters Arising:

Action point 4 – Secure Cases - Item completed prior to the meeting.

Action point 7 – The (Acting) Director updated Members on the action of NIPS Operating Model. Members were advised that the (Acting) Director and the (Acting) Deputy Director had taken the opportunity to meet with Mr McGuigan of CJINI instead of writing to him.

Under Matters Arising, the Chairman advised of an outstanding action from the General Purposes Committee. It was suggested that Koulla Yiasouma, Children's Commissioner, be invited to the October Board. Members agreed to this. It was also agreed that the PSNI ACC policy lead for Reducing Offending should be invited to the October meeting.

**Action: Ms Yiasouma and ACC Chris Noble to be invited to the October Board meeting.**

The Board noted Matters Arising.

#### 5. CHAIRMAN'S UPDATE – VERBAL

The Chairman briefed Members on her meeting with Richard Good, Special Advisor to the Minister. The Chairman attended her annual meeting with the Minister at the end of July. Anthony Harbinson was present at the meeting. Discussion ensued on a number of the areas covered during the meeting.

The Board noted the update.

#### 6. DIRECTOR'S UPDATE – VERBAL

Members were advised that there had been two Ministerial visits since the last Board meeting in June, the opening of the Headquarters suite on the ground floor and a visit to Crawford Square.

The Overview Meeting with the Department was held on 29 July 2015. The Chairman and Deputy Chair also attended the meeting on behalf of the Board. The (Acting) Director advised Members of the areas of discussion and the follow up actions with Members being advised that it had been a positive meeting.

Members were advised that Case Management System (CMS) and the issue of monies and been raised at the Overview Meeting. Members were advised that the Department were aware of the issues with the CMS and it was highlighted that a 'limited assurance' was given to this area by Internal Audit. The Chair of the Audit Committee made reference to this being a continuing risk. The (Acting) Director advised that Mr Harbinson

had noted that the Deputy Chair of the Audit Committee had previously written to him with the Committee's concerns and that he had not yet responded; he undertook to respond.

Meetings are continuing on the Transformation Programme with Mark Adam requesting to meet with the (Acting) Director and Declan McGeown of YJA.

The (Acting) Director advised that she had been asked to chair a workshop in Dublin on 2 October 2015 with a theme of – In focus – Victims in Europe and a Domestic Perspective.

Members were also asked to note that the (Acting) Director will be travelling to the Hague in November for a conference and that a senior manager will be attending a conference in Prague in October on Restorative Justice and Probation. As per the guidance, Members are asked to note the travel but are not required to approve foreign travel.

#### 7. CORRESPONDENCE (Paper 102/12)

Five items of correspondence were noted. The Chairman brought attention to 7.1 – the Minister's acknowledgment of PBNI's Annual Report and Accounts 2014/15 and his appreciation of the work carried out in difficult times. Attention was also brought to 7.4 (The Justice Committee acknowledging receipt of invitation to PBNI) and 7.5 (Nick Perry's letter to Accounting Officers).

#### 8. GENERAL PURPOSES UPDATE – (Minutes)

The Chair of the Committee advised Members that General Purposes Committee had had its last meeting on 26 June 2015 and that under the new committee structure; General Purposes will be replaced with the Corporate Resources Committee and the Policy and Practice Committee. Any items discussed and passed for recommendation, at the meeting on 26 June 2015, to the Board will be covered at this Board Meeting. It was recommended that the minutes from the meeting on 26 June 2015 be recommended for approval at this meeting and it was agreed that the minutes were an accurate account of the meeting.

The Chairman expressed her thanks to Mr Jardine for chairing the Committee and how, under his chairmanship its work had assisted in the development of the Corporate Plan and the Committee's role in developing policy. The Chairman also thanked Mrs Jennett for her support of Mr Jardine as Deputy Chair of the Committee. Members were advised that the first meeting of the Corporate Resources Committee will be on 4 September 2015 at 9.30 am.

Minutes of the General Purposes Committee held on 26 June 2015 were agreed as accurate. The Board noted the update.

#### 9. AUDIT COMMITTEE UPDATE – (Minutes)

The Chair of the Committee advised that the Deputy Chair of the Committee had updated Members at the Board meeting held on the 12 June 2015. The minutes presented for information to the Board would be agreed at the next Audit Committee on 11 September 2015.

One outstanding issue was Public Liability Insurance, the (Acting) Director advised the Members that PBNI had not received an update as yet but she would feedback to the Audit Committee in September.

The Board noted the update.

10. ARRANGEMENTS FOR NEW COMMITTEES: POLICY AND PRACTICE COMMITTEE AND CORPORATE RESOURCES COMMITTEE (Paper 103/15)

The Chairman presented the paper to Members advising that the paper was for noting. The dates for the new Committees have been agreed with each committee having a pre-meeting commencing at 8.45 am with the (Acting) Director), or in her absence, a Deputy Director. The committees will then commence at 9.30 am.

The agenda for the initial CRC will include: an in-depth look at finance related papers, an analysis of sick absence – short and long term, the impact of the new Sick Absence Policy and an update on Estates.

The Board noted the paper.

11. STATEMENT OF EMPLOYER POLICY AND DISCRETIONARY PROVISION UNDER NILGOSC REGULATIONS AND RETIREMENT POLICY AND SUPPORTING PROCEDURES (Paper 104/15)

Mrs Erskine had advised of a conflict of interest and left the meeting.

The Head of HR introduced the paper to the Members. Members were advised that the policies had been presented to the General Purposes Committee on 26 June 2015 where they had been discussed in some detail. The reason for the updating of the policies was due to a change in the Local Government Scheme in April 2015. One issue had been the implementation date of the Policy as the policies were to be implemented by 31 July 2015. NILGOSC had been contacted and advised that PBNI's next Board meeting was 14 August 2015. NILGOSC confirmed that there were no issues with this as long as no applications were approved before Board approval.

The Chair of General Purposes Committee confirmed that there had been an in-depth discussion and that NILGOSC had confirmed that there was no issue with the implementation date; the General Purposes Committee recommended both policies to the Board for approval.

The Chairman thanked the Head of HR and her team for their work on both policies.

The Board approved Statement of Employer Policy and Discretionary Provision under NILGOSC Regulations and Retirement Policy and supporting Procedures.

Mrs Erskine returned to the meeting.

12. DOMESTIC ABUSE POLICY FOR STAFF (Paper 105/15)

The Head of HR presented the paper to the Members and advised that the Policy had been presented to the General Purposes Committee on 26 June 2015 with a recommendation to the Board to approve the policy.

The Chair of General Purposes Committee confirmed that the Committee recommended approval to the Board.

The Board approved the Domestic Abuse Policy for Staff.

### 13. EQUALITY ANNUAL PROGRESS REPORT (Paper 106/15)

Dr Wardlow and Mr Rose had advised of a conflict of interest and left the meeting.

The Chairman welcomed Paul McIlwaine, Equality Manager, to the meeting. The Equality Manager briefed Members on the background to the paper and advised that it was a statutory responsibility to provide an update relating to compliance of Section 75 to the Equality Commission on an annual basis. The Members were advised of work that had been completed during the year on Good Relations and Hate Crime compliance with the main area of work being a consultation exercise on the Disability Action Plan.

Members commented on the good work that had been done and one Member suggested that there was a need for an inter-cultural policy; the Chairman commented that this would be an area that she would like to discuss further at a later date. There was discussion around engagement with consultees and getting people engaged. The Chairman asked if Equality work was reflected in the Business Plan and was advised that the areas of this work were referenced in the Business Plan.

The Chairman thanked Mr McIlwaine for his work on the report.

The Board approved the Report and approved that it could be forwarded onto the Equality Commission.

Dr Wardlow and Mr Rose returned to the meeting.

### 14. RISK MANAGEMENT POLICY (Paper 107/15)

The (Acting) Deputy Director presented the paper to Members. Members were advised that The Risk Management Policy was due for review this year. The main changes were to the format of the Policy but that the content had not changed. Procedures had been reviewed and 'tidied up' in 2014 and the changes to the procedures (2015) were minor. The Chair of the Audit Committee advised that Risk Management was part of the work of the Audit Committee and that the work was strategic.

The Board approved the Risk Management Policy.

### 15. SECURITY SYSTEMS BUSINESS CASE (Paper 108/15)

The (Acting) Deputy Director presented the paper to Members. Members were advised that the current contract for security systems is in place for five years (until September 2016). Having received the PSNI's crime recommendation and to implement the recommendations together with and the refurbishment to the ground floor of Headquarters and Crawford Square costs, there will be an overspend. The contract will therefore expiry early. The PSNI have visited all offices and have carried out an

assessment of each, there are 10 offices which do not have adequate security and therefore require upgrading. Members were advised that that the Business Case attached, page 4, advised of the preferred option being option 3. DOJ approval will be required for this Business Case and they have been supportive and sympathetic to this case.

**Action: The (Acting) Deputy Director to clarify with the Head of Finance as to if there would be a monetary penalty arising out of the contract ending early.**

The Board approved the business case.

16. PRESENTATION ON THE LORD CHIEF JUSTICE'S PILOT ON ALTERNATIVES TO CUSTODY (Paper 108/15)

The Deputy Director provided Members with a presentation on the background and key dates of the pilot on Enhanced Combination Orders (ECOs).

The presentation provided Members with an opportunity to hear further detail about the pilot and discuss the potential benefits. Members discussed the cost of the project, the evaluation of the pilot and obtaining the participation of the community. The Deputy Director advised that the Lord Chief Justice was looking for 'something different' as an alternative to custody under 12 months and was keen to be seen as supportive of this pilot.

The Chairman commented that the Board will look forward to hearing about the outcomes of the pilot and would be kept informed of its progress through updates to the Board.

The Board noted the paper.

17. WORKFORCE MODERNISATION BUSINESS OPERATING MODEL (Paper 110/15)

The Chairman welcomed Louise Cooper and Stephen Hamilton to the meeting.

Ms Cooper provided the Members with the context of the work and an overview of the project findings and recommendations.

Mr Hamilton took Members through the findings of the project from an operational perspective, in particular Community Service, Court reports (changes to Magistrate reports) and case supervision. Geraldine O'Hare, Head of Psychology and Interventions has led on a review of Programmes and this work has been integrated into this project.

Ms Cooper advised that IT was a key element to some element of the programme. Work is commencing within prisons to inform the best model for 2016-17. In respect of an overall outcome from the Workforce Modernisation, Ms Cooper stated that she was confident that there will be saving from this piece of work but also acknowledging that there will be challenges. The proposal provides the basis for applying to the Voluntary Exit Scheme.

Discussion ensued, one concern was of duplication across the proposed local delivery units, Members were advised that the proposed local delivery units due to their size will have several managers but there will be an ability to deploy staff across the units more work efficiently instead of a silo work environment. There was discussion around

managing expectations of partners and the need for good communications. It was highlighted that the proposed changes on how we do business with the courts would both yield efficiencies and best meet the requirements of sentencers.

There was further discussion on grades, deployment and new structures with the fact that there is no redundancy mechanism and the risks that this may pose.

The Chairman advised that the Board cannot be involved in operational matters but it is important that the Board is advised of forthcoming proposals. Members were advised that a business case for the Voluntary Exit Scheme will be brought to the September Board for consideration.

The Board noted the paper.

#### 18. QUARTER 1 BUSINESS PLAN UPDATE 2015-16 (Paper 111/15)

The (Acting) Deputy Director advised Members that of the 10 objectives, 6 were green and 4 amber. All objectives will be achieved by year end.

The Board noted the paper.

#### 19. FINANCE OUTTURN – JULY 2015 – (Paper 112/15)

In the absence of the Head of Finance and her deputy the (Acting) Director presented the paper to Members advising that the paper will be discussed in more detail at the Corporate Resources Committee on 4 September 2015. A number of areas to highlight were: the underspend on staff was due to the delayed decision by NIPS but the level of staffing costs will now increase; with reference to the letter from Nick Perry to Accounting Officers, there has been no movement on Discretionary Spend to date; Prompt Payment is now doing well and the NILGOSC admin pension issue has now been resolved and implemented.

The Board noted the paper.

#### 20. MANAGEMENT OF INFORMATION REPORT (Paper 113/15)

The HR section was deferred to the Corporate Resources Committee for discussion and the Case Load statistics was deferred to the Policy and Practice Committee.

Members were advised that there were no significant issues with complaints; there was one Serious Further Offence to report upon (there are no practice issues for PBNI arising); AOs were ongoing and the Deputy Director gave an update on Judicial Reviews and the issue of costs.

The Deputy Director advised of one 'near miss' data loss which has been reported to the appropriate authorities. He highlighted the issues with the Case Management System and that a revised outline business case was sent on the 10 August 2015 – this has been acknowledged and the Department are in talks with DFP.

A member asked on the adaptability of the provision of tablets to the Members and what was the timeframe for a roll-out of flexibility.

**Action: Management Executive Team to advise of timeframe and adaptability.**

The Board noted the paper.

**21. DECISION OF COMMUNITY GRANTS APPEAL PANEL (Paper 114/15)**

The Chairman thanked Mr O'Hanlon, Mrs Erskine and Mrs Jennett for sitting on the Panel to hear the appeals of which there were three. Mr O'Hanlon, Chair of the Panel, briefed Members on the outcome of each decision. It was noted that the Panel made two recommendations – delete stakeholder list and PBNI to consider an appropriate method of advising all Community and Voluntary Sector of funding rounds

The Board noted the paper.

**22. PROGRAMME AND PROJECT MANAGEMENT UPDATE Paper 115/15)**

Items taken by exception only.

It was confirmed that the Headquarter's lease has been signed for five years.

The Board noted the paper.

**23. PROGRAMME OF VISITS AND BUSINESS (Paper 116/15)**

Items taken by exception.

Mrs Erskine asked the Deputy Director to pass on her thanks and appreciation of the NISCC presentation on 30 June 2015 to Kerry Malone.

The Board noted the paper

**24. BOARD WORK PLAN (Paper 117/15)**

The Chairman advised that the October Board meeting should take the form of a Strategic Board meeting. The Board would look at emerging strategic issues and provide time for the outgoing Members to reflect on their experiences in the challenging world of PBNI.

Receiving short presentations from Kouella Yiasouma, Children's Commissioner and ACC Chris Noble. The strategic meeting will be preceded by a short business as usual Board Meeting.

The Board noted the paper

**25. ANY OTHER BUSINESS**

Members were advised that the September Board will have both hard and soft copies (on Minutepad) papers.

26. BOARD SECRETARY'S BUSINESS

The (Acting) Board Secretary reminded Members of their expenses.

27. CLOSED SESSION

28. DATE OF NEXT MEETING

The next meeting would take place on Friday 18 September 2015 at 9.00 am, PBNI Headquarters, Conference Room.

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Vilma Patterson  
Chairman

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Date