

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – 15 FEBRUARY 2013

333RD MEETING – 3RD OF TENTH TERM OF OFFICE

1. ATTENDANCE

1.1 Present

Mrs V Patterson (Chairman)

Mr D Brown

Mrs J Erskine

Mr E Jardine

Mrs L Jennett

Mr B McAllister

Mrs M O'Rourke

Mr R Mullan

Mr M Wardlow (to item 16)

Dr R Wilson

1.2 Officials

Mr B McCaughey (Director)

Ms C Lamont (Deputy Director Operations)

Mr P Moss (Board Secretary)

Ms G McGreevy (Head of Communications) (to item 25)

Ms L Cooper (Head of Business Planning and Development) (to item 25)

Ms S Forrester (Secretariat) (to item 25)

Mr N O'Neill (Statistician) (items 1-4)

Ms S Glenn (Acting Head of Finance) (items 8-18)

Mr T Doherty (Assistant Director) (items 9-10)

Mr P Thompson (Assistant Director) (Observer) (to item 25)

2. APOLOGIES FOR ABSENCE

Apologies were received from Ms Shepherd, Mr Rose, Mr O'Hanlon, Mr Doran and the Deputy Director Finance and Corporate Services.

3. OPENING REMARKS AND CONFLICTS OF INTEREST

The Chairman welcomed everyone.

The Chairman extended a special welcome to Mr Robin Mullan who had been appointed to the Board at the beginning of February.

She also welcomed Mr Paul Thompson, newly appointed Assistant Director, who was attending the meeting as an observer.

The Chairman briefed Members about the arrangements relating to Ms Shepherd's membership of and participation in the Board following identification of a Conflict of Interest arising from her role as acting Chief Executive of Extern.

No Conflicts of Interest were declared.

One of the Members asked that the Board be provided with an organisational chart. The Director agreed to do this.

Action: Director

4. PRESENTATION: CASELOAD TRENDS

The Chairman welcomed Mr Niall O’Neill, statistician on secondment from NISRA.

Mr O’Neill talked through the number of reports completed in 2012, looking at the trends in Pre-Sentence Reports (PSRs) and Short Pre-Sentence Reports. He explained the caseload at 31 December 2012 and gave a breakdown of the types of order and the number of each type of order. He addressed the trends in the three main types of order: Community Service Orders, Probation Orders and Determinate Custodial Sentences. Further detail was provided on the division of orders between Custody and Community Teams. He also covered the profile of those under supervision by location (home local government district), age, gender and offence. He concluded with a breakdown of risk in terms of ACE category and set out the 2010/11 breach rates by order type.

Members discussed:

- criminogenic factors and the age breakdown
- the rationale behind PSRs and short PSRs
- the increased use of community service orders
- any link between caseload levels and stress levels of staff
- possibilities and difficulties in making comparisons with other Probation Services who used different tools for measurement or different methodologies
- use of sentencing guidelines for the Judiciary
- the different breach rates for the different types of orders.

The Chairman thanked Mr O’Neill for his presentation.

The Director undertook to provide Members with a briefing on the Criminal Justice (Northern Ireland) Order 2008 and new sentences.

Action: Director

5. CONSIDERATION OF THE MINUTES OF THE MEETING HELD ON 18 JANUARY 2013 (M1/13)

The minutes were signed as a correct record.

6. MATTERS ARISING (Paper 3/13) (tabled)

The Head of Business Planning and Development reported that she had discussed Colour Ratings (page 2, paragraph 8) with KPMG. Provided the information was set out in a transparent fashion, KPMG were content with either a narrative model or the RAG model (with the addition of lavender to indicate “beyond PBNI control”). It was agreed that there should be further discussion with DoJ with a view to agreeing a joint understanding of the RAG colours.

Action: Director

A list of Probation teams was tabled. Members were invited to choose which teams they would like to visit and return the forms to Secretariat.

Action: Members

The Board noted the remaining matters arising and the actions taken.

7. CORRESPONDENCE (Paper 8/13) (tabled)

The Chairman indicated that there would be a closed session at the end of the meeting.

FOR DECISION

8. Strategic Issues and Alliances (Paper 9/13)

The Head of Business Planning and Development presented the paper, setting out the context, developments to date and the preferred option which was to combine Options (b) and (c).

Members welcomed the paper and after discussion endorsed the preferred option.

Evaluation of community grants was agreed, to be carried out during the financial year.

The desirability of funding a part-time evaluator from the Community Grants budget was mentioned as was the possibility of using monies from a central pot for small, innovative projects.

The need to take cognisance of efficiency savings was also highlighted as was the need to be in discussion with recipients of funding such as NIACRO and Extern about future arrangements.

Members commented on the need for further discussion on how to weight the blending of Options (b) and (c). It would be necessary to have some flexibility, but also to demonstrate accountability and value for money.

The Director explained that, although PBNI was a relatively small funder, its grants had enabled recipient organisations to draw down funds from other sources.

The Chairman commented that it was too early to ask for an action plan, but requested that staff explore options and that the matter be brought back to the Board for further consideration in three months.

Action: Head of Business Planning and Development

9. Financial Assistance to Offenders Policy and Procedures (Paper 10/13)

The Acting Head of Finance presented the paper, explaining the steps which had led to the production of the current draft. She pointed out that the current draft had not yet been Section 75 equality screened.

She explained that the proposed procedures had been shaped by the findings of the Internal Audit on client expenses. The Chair of the Audit Committee endorsed the approach being taken.

The Board approved the Financial Assistance to Offenders Policy and noted the accompanying Procedures. Approval was given on the basis that the paper would be brought back to the Board if any changes resulted from the equality screening process.

Action: Acting Head of Finance

10. Jobtrack 2013-14 Community Grant Funding (Paper 11/13)

Mr Doherty presented the paper, explaining that Board approval was being sought for funding of £202k for the 2013-14 year. PBNI had supported Jobtrack over a number of years and the service was highly valued by PBNI staff. The Department of Employment and Learning provided 65% of the funding for Jobtrack with the remaining 35% consisting of match funding from PBNI, DoJ and NIPS.

Following Board approval of funding in 2012, PBNI had submitted a two year business case (April 2012-March 2014) to DoJ and DFP. This business case had been successful, so the current amount under consideration required Board approval only. The incoming year (2013-14) was to be the final year of a three year funding cycle, but PBNI had now been advised that there would be an additional year of European Social Fund funding available for 2014-15.

Members discussed the programme's rates of achievement in terms of employment and external training outcomes and emphasised the need to advise NIACRO that funding arrangements would have to be reviewed. Members highlighted the usefulness of linking with a greater network of key employers.

Mr Doherty explained that the volume of referrals had been consistently in excess of agreed referral targets. In addition to the "hard" outcomes of employment and training, NIACRO had recorded a range of "softer" outcomes achieved with offenders. NIACRO also hosted a range of events which provided opportunities to network with employers.

The Director commented that the Board had made a commitment three years previously to fund the 2013-14 year and assured Members that discussions about longer term funding arrangements were in hand.

The Board approved funding of £202,000 for NIACRO's Jobtrack scheme for the year 2013-14.

Action: Mr Doherty

The Chairman expressed the Board's appreciation to Mr Doherty for his attendance at the meeting and offered the Board's condolences on his recent family bereavement.

11. Community Grants Allocation 2013-2014 (Paper 12/13)

The Acting Head of Finance presented the paper, explaining that the Board was being asked to note the decisions of the Allocation Panel and to approve grants exceeding £50k.

Members sought assurances that there were processes in place to establish whether or not a project would still be viable if it was only awarded part of the funding applied for.

The Director commented that Mr Thompson would be working with groups in receipt of funding and would ensure that they acknowledged the contribution which they received from PBNI.

The Chairman stated that there was an opportunity for those organisations in receipt of grants to be advocates for the work of Probation and they would be expected to have a clear understanding of Probation's aims and objectives.

The Chairman referred to earlier discussion around funding an evaluator from within the Community Grants budget heading. Ms Lamont indicated that Mr Doran and she took the view that, in order to optimise the amounts available within the Community Grants scheme for allocation, the salary costs for this post should be taken from the salaries budget. A briefing paper on the proposal for the evaluation would be brought to the April meeting of the Board, after discussions with the Members who had previously expressed an interest in this issue.

Action: Deputy Directors

The Board noted the grants below £50k and approved the grants over £50k as follows:

- Breakthru - £55,000 (alcohol and drugs funding)
- Women's Aid Federation NI - £99,500
- NIACRO Family Links, APAC Women, APAC Mental Health, Youth Choose to Change - £85,000
- NIACRO Jobtrack - £202,000
- Extern Axis Project - £114,240

Grants over £100k would also require approval from the DoJ.

Action: Acting Head of Finance

12. Business Case ISU Laptops (Paper 13/12)

The Acting Head of Finance presented the paper.

The Board approved the acquisition of secure laptops for all ISU Probation Officers, while asking the management team to ensure that the laptops were obtained in a manner which represented best value for money.

Action: Acting Head of Finance

FOR NOTING

13. Financial Outturn: December 2012 (Paper 14/13)

The Head of Finance explained that the figures were based on the October monitoring budget.

She highlighted a number of elements. The NNC pay settlement for April 2012 had now been confirmed at 1%. It was hoped that the pay assimilation of administrative staff to NICS terms and conditions would conclude in March or April 2013.

Income stood at 67% which would increase to 75% with the inclusion of the December NIPS invoice.

In Other Revenue Costs, spend against budget stood at 84%. A number of pressures had already been noted under this heading and £350k would be allocated to Other Revenue from Staff Costs to help meet these pressures.

Capital expenditure was slower than profiled and projected capital receipts of £210k were unlikely to be realised as the proceeds of the sale of Ramoan were expected to be only around £70k.

The Prompt Payment results had fallen to 79% over the period December 2012. This was attributable to work pressures in the Accommodation and Supplies section and the Christmas holiday period.

The paper also included a summary of the January monitoring exercise.

The Acting Head of Finance advised that additional breakdown of the hospitality budget had been provided as requested at the previous meeting. The Chairman and Director asked for an explanation of the hospitality and contracted out services headings, both of which had exceeded 100% of the allocated budget by a further 5%.

Action: Acting Head of Finance

In discussion the Acting Head of Finance advised that there could be issues around pension strain. If it was not possible to make payment in the current year, it would not be possible to carry monies forward. She also explained that accruals and pre-payments were done on an annual basis.

Members highlighted the 81% budget spend on staff training and development. Ms Lamont explained that the training budget had been cut, but there had been pieces of training which it had been obligatory to carry out. It was suggested that the training budget for the subsequent year be reviewed.

Action: Acting Head of Finance

The Acting Head of Finance said that she anticipated that balancing the budget at the end of the year would be tight. There would be an accrual of holiday pay, but the main pressure would arise from the loss on the sale of Ramoan.

The Board noted the paper.

14. With the agreement of Members, the agenda sequence was changed as set out below.

AUDIT COMMITTEE

15. Report from the Committee (Verbal)

The Committee Chair highlighted a number of items which the Committee had considered:

- Internal Audit Report on Records Management which had received substantial assurance
- Progress report from the Internal Auditors
- Report on the NIAO Audit Strategy
- Paper on Direct Award contracts and De Minimis levels.

16. Internal Audit Contract Extension (Paper 21/13)

This was a verbal item on the agenda, but Paper 21/13 was subsequently circulated to Members and then tabled.

The Committee Chair explained that the DoJ was in discussion with its arm's length bodies about providing their internal audit service. PBNI had the option to extend its current internal contract for a further year, but this would require the submission of a business case to DoJ.

The Audit Committee had received a presentation from DoJ, but did not feel it could at this stage recommend that the Board move to the provision of an internal audit service from DoJ.

The Committee was therefore recommending to the Board that the existing contract be extended for a year (subject to approval of the business case) while discussion with DoJ was on-going.

The Director as Accounting Officer emphasised that he considered this to be the most appropriate course of action.

The Board approved the Committee's recommendation that a business case be sent to DoJ to extend the existing service provided by KPMG for the final year, during which time the Committee would follow up the DoJ internal audit service to determine the nature of its offer.

Action: Acting Head of Finance

17. Business Cases update (Verbal)

The Acting Head of Finance reported that the business cases for Andersonstown Road and Magherafelt had been completed. The DoJ was seeking additional information in connection with the Downpatrick business case.

18. Management Information (Paper 15/13)

Ms Lamont talked through the workforce and the sickness absence figures. The projected sickness absence figure per employee for 2012-13 was 12.98 days.

Members noted the information on Grievances and Tribunals, Health and Safety and Health and Wellbeing.

Ms Lamont highlighted the IS Strategy update and the delay in terms of the new case management system.

She drew the attention of Members to the information on complaints, organisational workload and a number of developments including the recent Long Service Awards.

She informed the Board about two Serious Further Offences. In one case the Director would be commissioning an independent review of PBNI practice in line with procedures.

The Director reported that he had written to the Chief Constable following the death on duty of Constable Phillipa Reynolds.

The Board noted the paper.

19. Programme of Visits and Business (Paper 16/13)

The Chairman and Director drew attention to a number of events.

The Director highlighted the “Reforming Probation Services” conference which the Chairman and he had recently attended. Member asked to be provided with further detail on the Transforming Rehabilitation proposals.

Action: Secretariat

The Chairman asked that a briefing on the PBNI and DoJ Estates strategies be provided to a future meeting.

Action: Director

The Board noted the paper.

20a. Political and Public Affairs: update (Verbal)

The Head of Communications updated Members around work with PCSPs, meetings with MLAs and media articles.

20b. Omnibus Survey Results (Paper 17/13)

The Head of Communications presented the paper which had been compiled by Mr O’Neill, Statistician.

She intended to bring the Communications Strategy with media statistics including an annual record of Twitter followers to a subsequent Board meeting.

Action: Head of Communications

The Board noted the paper.

GENERAL PURPOSES COMMITTEE

21. Report from the Committee (February 2013) (Paper 19/13)

The Chairman presented the paper which set out the Committee's discussion on the Strategic Framework for Reducing Offending. She reported that the Director had written to Mr Wardrop and she had met with Mr May as set out in the action points. The Director added that he was agreeing an agenda to discuss with the Minister's special adviser.

The Chairman reminded Members that the date of the next meeting (1 March) would now be used for Governance and Accountability training.

The Board noted the paper.

EMERGENCY COMMITTEE

22. Recoupment of Expenses (Paper 20/13)

The Board noted the paper.

OTHER BUSINESS

23. Chairman's Business

(i) The Chairman thanked Members for their feedback on the Induction Days.

(ii) The Chairman reported that she had been considering the Board structure and after considering the feedback received from Members had reached the conclusion that it was appropriate to follow the existing pattern with the Audit and General Purposes Committees for 2013 with a review at the end of the year. Members agreed with this conclusion.

(iii) The Chairman advised that it was her intention to circulate a paper to audit the skills, experience and interests of Members.

Action: Chairman

(iv) The Chairman expressed the hope that the DoJ would advance the process for appointing a Deputy Chairman.

(v) The Chairman outlined her thinking for the appointment of a Chair and Deputy Chair for the General Purposes Committee and a Deputy Chair for the Audit Committee. She would bring this back to the Board.

(vi) The Chairman informed Members that the Appeal Panel had met, but she had not yet received the final report.

24. Director's/Secretary's Business

(i) The Director drew the attention of Members to the Minister of Justice's 1000 day speech which had praised Probation.

(ii) The Secretary asked Members to submit travel claims at least every three months but preferably every month. The Director highlighted the difficulties which late claims posed for his role as Accounting Officer.

(iii) The Director gave his apologies for the meeting on 15 March when he would be attending a Probation Chiefs' Association meeting.

25. Date of Next Meeting

The date of the next meeting was confirmed as 15 March 2013.

26. CLOSED SESSION

The Director gave a briefing on terrorist and politically motivated offenders (T/PMOs) for whom PBNI had traditionally offered welfare and resettlement services but not supervision.

The Director briefed Members on recent developments including discussions with the DoJ and discussion followed. The Director said that he would keep the Board informed about any developments.

The meeting closed at 1:30pm.

Vilma Patterson
Chairman

Date