

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – 22 JUNE 2012

326TH MEETING – 29TH OF TENTH TERM OF OFFICE

1. ATTENDANCE

1.1 Present

Mr R Spence (Chairman)

Mrs L Jennett

Mrs H McCartan

Mr J McNeill

Mr B Mooney

Mrs M O'Rourke

Mr B Osborne

Mr D Rose

Mrs V Patterson

Dr R Wilson (from item 4)

1.2 Officials

Mr B McCaughey (Director)

Mr D van der Merwe (Deputy Director Finance and Corporate Services)

Ms C Lamont (Deputy Director Operations)

Mr P Moss (Board Secretary)

Ms G McGreevy (Head of Communications)

Ms S Forrester (Secretariat)

Ms L Cooper (Head of Business Planning and Development) (to item 12)

Ms S Monaghan (Probation Officer) (Observer)

2. APOLOGIES FOR ABSENCE

Apologies were received from Mr Quinn (Deputy Chair), Mr McKeever, Mr Wardlow and Mr Doran (Deputy Director Operations).

3. OPENING REMARKS AND CONFLICTS OF INTEREST

The Chairman welcomed Ms Siobhan Monaghan, Probation Officer, who was attending as an observer.

No Conflicts of Interest were declared.

Members agreed to the Chairman's proposal that the Audit Committee Annual Report would be considered after the Annual Report and Accounts.

4. PRESENTATION: CASELOAD STATISTICS REPORT 2011-12

The Head of Business Planning and Development made a presentation and tabled a summary report (PBNI Caseload Statistics 2011/12) which had been placed on the PBNI Intranet.

She stated that in the 2011-12 year PBNI had for the first time completed over 10,000 reports, an increase of 7% on the previous year.

There had been little change from 2010-11 to 2011-12 in the overall number of PSRs completed. The trend in PSRs had been fairly flat up until the start of 2011. It had peaked around November 2011 and had since leveled off. However, the number of short PSRs had more than doubled in this time period.

She explained that the total caseload had seen a 6% increase in orders from March 2011 to March 2012 and a 5% increase in the number of people under supervision for the same period. The trend for both of these figures was showing a steady increase. She highlighted the change in the workload of prison teams. She also pointed out that for the period in question there had been a 28% increase in the Risk of Serious Harm (RoSH) cases.

In terms of new orders made, there had been an 11% increase from 2010-11 to 2011-12. She talked through the variance in the different types of orders. Community Service Orders had increased by 19%. Determinate Custodial Sentences had increased by 68% while Custody Probation Orders had decreased by 65%.

In conclusion, the Head of Business Planning and Development commented that an increase in court activity throughout 2011 had had an impact on the number of reports and number of new orders made, but this activity seemed to have leveled off.

The Director commented that the figures reflected the range of new sentences.

A number of areas were covered in discussion:

- the impact on staff of the increase in workload
- the uses to which this information could be put including the next Board Member Induction
- it would be useful to have further analysis as to the number of repeat offenders/multiple orders
- the trends in respect of Parole Commissioners/Life Sentence Unit reports
- the increase in the number of female offenders and the reasons behind this could merit further analysis; there could be gender and equality issues
- contrast between increased PBNI caseload and reported downturn in crime figures
- PBNI had raised the profile of community service which might have contributed to the increase in use of this disposal
- responsibility for re-offending analysis rested with DOJ.

Members expressed their appreciation for the presentation which they considered very useful.

5. CONSIDERATION OF THE MINUTES OF THE MEETING HELD ON 18 MAY 2012 (M5/12)

The minutes were signed as a correct record.

6. MATTERS ARISING (Paper 50/12) (tabled)

(i) The Chairman said that the Corporate DVD would be shown later in the meeting (page 2, paragraph 5(iv)).

(ii) The draft CEP Seminar agenda was tabled for Members' information (page 6, paragraph 16).

(iii) The Chairman and the new Chief Executive of the Probation Association would visit PBNI on 22/23 August (page 6, paragraph 16).

(iv) The Board noted the remaining matters arising and the actions taken.

7. CORRESPONDENCE (Paper 51/12) (tabled)

Members noted the Criminal Justice Board Communiqué April 2012 which was for internal use only.

The Director shared a letter of thanks from Cardinal Sean Brady in respect of a training session on risk management which the Head of Psychology and Interventions had delivered.

The Chairman reported back on the meeting of the Justice Committee which PBNI had hosted on 14 June. This had been a very successful event at which the Director, Deputy Directors and he had briefed the Committee and the Committee Members had spent time talking to a range of PBNI staff.

The Chairman referred to the Interface (Probation Association) magazine which had been tabled. He gave feedback on the quarterly meeting of the Chairs of Probation Trusts in England and Wales which he had attended the previous day. Many of the issues would not have a direct impact on PBNI, but it was important to keep a watching brief. He had sent a note about the meeting to DoJ.

FOR DECISION

8. Statement of Policy on Discretionary Provisions (Paper 52/12)

The Deputy Director Finance and Corporate Services presented the paper. He explained that PBNI was required to have a written policy in respect of the exercise of discretionary functions in 4 regulations relating to the NILGOSC pension scheme:

- Regulation 12 – Power of employing authority to increase total membership of members
- Regulation 13 – Power of employing authority to award additional pension
- Regulation 18 – Flexible Retirement
- Regulation 30 – Choice of early payment of pension.

Employing authorities were also advised that a policy statement should include discretions on two further regulations:

- Regulation 9 (5) – Consent to admission if a member has already opted out more than once
- Regulation 21 (3) – Contribute to a Shared Cost AVC Scheme.

He talked through the detail of the six regulations.

It was pointed out that the phrase in regulations 18 and 30 “will be considered by a panel of Board members” should have read “will be considered by the Board”.

In response to a question, the Deputy Director Finance and Corporate Services confirmed that, in implementing these proposals, PBNI would be in line with other public bodies.

The Deputy Director Finance and Corporate Services clarified that the paper as currently written did not place any restrictions in terms of grade on flexible early retirement. There was a suggestion that there might be restrictions in terms of key business posts and the Deputy Director Finance and Corporate Services responded that PBNI would require further advice on this.

Subject to the amendment to the wording of regulations 18 and 30, the Board approved the Statement on Discretionary Provisions.

Action: Deputy Director Finance and Corporate Services

9. Community Development Allocations – Appeal by Contact (Paper 53/12)

Mr Mooney, Chair of the Appeal Panel, presented the paper.

He explained that the Allocation Panel had discussed the recommendation that no funding be provided for 2012-13 with the Assistant Director and concluded that, on the basis of a lack of uptake for this service, no funding should be allocated for 2012-13 and 2013-14.

The Appeal Panel had concluded that the arrangement with Contact was really a contract for services not a grant and the project had relied on referrals by PBNI which had not been forthcoming.

The Chairman commented that the paper raised a number of basic questions to which the Board should give further consideration.

The Board approved the Appeal Panel’s recommendation that the nil allocation from the Allocation Panel should be upheld.

Action: Deputy Director Finance and Corporate Services

FOR NOTING

10. Annual Report and Accounts 2011/12 (Paper 61/12)

The Deputy Director Finance and Corporate Services highlighted a number of changes which had been made since the May Board meeting:

- additional £18k accrued for Ballymena rates expenditure (new office)

- change on Balance sheet of £96k regarding grant-in-aid moved from Creditor to General Reserve (change of accounting practice)
- cash held at outer offices moved from Debtors to Cash in Balance sheet £27k
- Statement on Internal Control paragraph inserted on External assurance sources (page 32 CJINI)
- prior year adjustment not material therefore adjustment made in full in current year (depreciation due to change in threshold)
- minor text changes as requested by auditors at various points in the document.

The Director expressed his thanks to the Deputy Directors, Senior Management Team and Head of Finance for their work in this area.

The Board noted the paper.

11. Audit Committee Annual Report 2011/12 (Paper 60/12)

The Chair of the Audit Committee presented the paper and highlighted a number of points:

- the Committee had met on four occasions as required by its Terms of Reference
- the Committee's Terms of Reference were to be reviewed during 2012-13
- under the terms of the Review of Financial Process in Northern Ireland, NDPBs would have to submit consolidation data to the DoJ to enable the Department to produce Resource Accounts. There would be a dry run in 2012-13 and 2013-14.
- a Governance Statement would replace the Statement on Internal Control from 2012-13 onwards
- a Members' Skills Record had been compiled
- the designation of the Head of Business Planning & Development post as a single point of entry had worked well
- the Committee was pleased that the Internal Auditors had given PBNI a satisfactory rating in their Annual Statement of Assurance
- the draft Report to Those Charged with Governance had recommended that the Comptroller and Auditor General provide an unqualified audit opinion on the financial accounts for the year ended 31 March 2012
- the External Auditors had indicated that the timetable for the preparation of the Annual Accounts would have to be advanced in future years to fit in with the Assembly timetable
- the work of the Audit and Risk Management Group was highlighted
- the Committee had conducted a formal performance evaluation of the work of the Internal Auditors and an evaluation of External Audit would be carried out during 2012-13
- the Committee had discussed a paper on the NILGOSC Pension Fund Valuation assumptions
- the Committee was able to provide a satisfactory level of Assurance to the Accounting Officer to enable him to sign the Statement on Internal Control in the Annual Accounts for the year ended 31 March 2012.

The Chairman acknowledged the very comprehensive report. Audit Committee Members thanked the Committee Chair for her work on the report.

The Board noted the paper.

12. Complaints Annual Report 2011/12 (Paper 54/12)

The Head of Business Planning and Development introduced the paper and drew attention to the tables setting out the location and nature of complaints received during 2011-12. She talked through the complaint outcomes and reported that none of these complaints had proceeded to the Northern Ireland Ombudsman or to the Prisoner Ombudsman.

She underlined the importance of local informal resolution and said that a policy review group had been convened to discuss the analysis of complaints received during the past year and to assist with the revision of the organisation's policy.

The Board noted the paper.

13. Corporate DVD

Members were shown the latest version of a proposed Corporate DVD which they commended as an excellent piece of work.

14. Management Information (Paper 55/12)

The Deputy Director Finance and Corporate Services presented the first part of the paper.

He drew attention to the rising sickness absence figures which now stood at an average of 12.36 days per employee against a target of 10 days per annum per staff member.

He referred to the DoJ-led Shared Services project and explained that it had now been decided that PBNI HR and L&D functions would not fall within the scope of this project. The structure of the two functions would now be re-examined in the light of this development.

He drew attention to the Health & Safety statistics, pointing out that the two incidents in May 2012 had not led to any employee days off.

He talked through the Health and Wellbeing update and Ms Lamont praised a presentation which the Health & Safety Officer had made to the Wellbeing Learning Network.

Ms Lamont addressed the various elements of the Organisational Workload section of the paper, pointing out that the recruitment of Probation Officers (two year fixed term contract) had now begun.

Ms Lamont also provided some information about an initiative to develop a domestic violence programme with the Health & Social Care Trusts in which the Head of Psychology and Interventions was taking the lead.

She briefed Members about an SFO which had occurred after the paper had been drafted.

She reported that briefing papers were being prepared in respect of a potential Judicial Review.

The Chairman asked whether there was any evidence linking the increase in sickness levels to the increasing workload. The Director said that he had made this connection in discussion with DOJ.

The Deputy Director Finance and Corporate Services reported that the monies raised at the Staff Engagement Days had been handed over to the Children's Hospice.

The Board noted the paper.

15. Programme of Visits and Business (Paper 50/12)

The Board noted the paper.

16. Political and Public Affairs: update (Verbal)

There was nothing further to add.

GENERAL PURPOSES COMMITTEE

17. Report from the Committee (May 2012) (Paper 57/12)

The Board noted the paper.

18. Report from the Committee (June 2012) (Paper 58/12)

The Committee Deputy Chair spoke to a tabled paper.

She reported that the Committee had had four presentations on desistance followed by a detailed discussion. A paper resulting from this discussion would be brought to a subsequent Board meeting.

Action: Director

The Committee had also discussed punishment beatings/threats about which the Director would report back to the Board. The Director said that he would bring a paper to the Board towards the end of the summer.

Action: Director

The Committee had also considered a report from the Community Development Appeal Panel and approved a number of recommendations under authority delegated to it by the Board. This paper was on the Board agenda as a substantive item.

The Board noted the paper.

19. Community Development Appeals (Paper 59/12)

The Board noted the paper.

AUDIT COMMITTEE

20. Report from the Committee (Verbal)

The Committee Chair highlighted:

- the closed session with the Internal Auditors
- consideration of the Annual Report and Accounts
- discussion of a Pension Fund Valuation Report
- a paper setting out the Terms of Reference of the Business Review Improvement Team.

Mr Rose reported back on the CIPFA course “Maximising the Value of the Audit Committee” which he had attended.

OTHER BUSINESS

24. Chairman’s Business

(i) The Chairman advised Members that the advertisements for the new Board Members were likely to appear in the following week.

(ii) The Chairman informed Members of a launch of artwork at Inspire on 3 July. Any Member who wished to attend was asked to advise Secretariat.

25. Director’s/Secretary’s Business

(i) The Director acknowledged the work which staff had carried out over the previous month. In particular he thanked the Deputy Director Finance and Corporate Services and the Head of Finance for their work on the Annual Accounts and the Head of Communications for her input to the DVD and the Heads of Communications, Business Planning and Development and Human Resources for their preparation for the Justice Committee visit.

(ii) The Director told Members that he had had two meetings with the DoJ about funding and he expected to receive a reply before the July holidays.

(iii) The Secretary asked Members to submit any outstanding claims before the end of June and thereafter on a monthly basis.

26. Any Other Business

The Board decided that it was not necessary for the General Purposes Committee to meet on 27 July 2012.

21. Date of Next Meeting

The Board decided that it would not meet on 20 July 2012.

[It was subsequently agreed that the August Board meeting would be on 31 August at 9:30am and that the General Purposes Committee would meet on 10 August, primarily to discuss PBNI's response to the Reducing Offending Strategic Framework which had been published for consultation on 12 June.]

The meeting closed at 12:30pm.