

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – 23 MARCH 2012

323RD MEETING – 26TH OF TENTH TERM OF OFFICE

1. ATTENDANCE

1.1 Present

Mr R Spence (Chairman)

Mrs L Jennett (from item 7)

Mrs H McCartan

Mr J McKeever

Mr J McNeill

Mr B Mooney

Mr B Osborne

Mrs V Patterson

Mr D Rose

Mr M Wardlow

Dr R Wilson

1.2 Officials

Mr B McCaughey (Director)

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

Mr P Moss (Board Secretary)

Ms G McGreevy (Head of Communications)

Ms S Forrester (Secretariat)

Mrs G Robinson (Head of Human Resources) (items 7-11)

Mr T Doherty (Assistant Director) (item 12)

Mrs P Best (Area Manager) (item 12)

2. APOLOGIES FOR ABSENCE

Apologies were received from the Deputy Chairman, Mrs O'Rourke and the two Deputy Directors (Operations).

3. OPENING REMARKS AND CONFLICTS OF INTEREST

No Conflicts of Interest were declared at this point. See item seven where Mr Wardlow made a declaration.

4. CONSIDERATION OF THE MINUTES OF THE MEETING HELD ON 24 FEBRUARY 2012 (M2/12)

The minutes were signed as a correct record.

5. MATTERS ARISING (Paper 17/12) (tabled)

The Director drew attention to the letter from the Minister of Justice approving the 2012-13 Business Plan (page 3, paragraph 10).

The Director reported that an Area Manager would be appointed to work in the area of community engagement (pages 4-5, paragraph 12), linking this to work on Policing

and Community Safety Partnerships and volunteering. He would share the job description for this post with the Board.

Action: Director

The Secretary stated that, following a number of appeals from organisations in respect of Community Development Allocations, it would be necessary for the Board to appoint a panel of three Members to hear the appeals. The Board appointed a Panel consisting of Mr Osborne, Mrs Patterson and Mr Mooney.

Action: Secretary

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

5. CORRESPONDENCE (Paper 18/12) (tabled)

The Board noted the January 2012 Criminal Justice Board Communiqué, the letter from the Minister of Justice (see previous item) and a letter from the Business Director of the Probation Chiefs Association (PCA) thanking the Director for his input to the recent PCA Conference.

The Chairman reported back on his attendance at a Probation Association meeting the previous day. He outlined a number of imminent developments and the Board considered its potential response.

6. It was agreed to take the agenda items in the sequence below.

FOR DECISION

7. PBNI Codes of Conduct (Paper 20/12)

The Head of Human Resources presented the paper. She explained the respective requirement behind each of the Codes, adding that these documents were intended to complement rather than replace or duplicate existing PBNI policies.

A question was raised as to the possible inclusion of the 2010 Bribery Act. The Deputy Director Finance and Corporate Services explained that this was being dealt with as a discrete piece of work through the Audit Committee and that an Anti-Bribery Policy would be brought to the Board.

A suggestion was made that consideration be given to strengthening Section four of the Employers Code of Practice.

It was suggested that point one in the Introduction to the Employers Code might be revised along the lines of “those who best demonstrate appropriate knowledge and skills”.

Members discussed the issue of confidentiality after leaving employment (section 16 of the Code of Conduct for Staff) and vetting (section one of the Employers Code). The Head of Human Resources advised that a pre-employment vetting policy would be coming to the Board in the near future.

It was agreed that a paragraph should be added to the Introduction to the two Codes to make explicit the links between the Codes and other relevant documents.

Mr Wardlow declared a possible Conflict of Interest in respect of equality issues.

Subject to amendments to reflect the above discussion, the Board approved the Code of Conduct for Staff and the Employers Code of Practice,

Action: Head of Human Resources

8. PBNI Flexible Working (Paper 21/12)

The Head of Human Resources presented the paper and drew attention to the section in the procedures document entitled “Appeals Process” which set out the role of the Board. The Policy and Procedure had been screened in relation to section 75, proofed for Human Rights compliance and agreed with the Trade Unions.

The Board approved the Flexible Working Policy.

Action: Head of Human Resources

9. PBNI Blood Borne Virus Policy and Procedures Review (Paper 22/12)

The Head of Human Resources explained that it was no longer considered necessary to have a separate policy on Blood Borne Viruses as the information could be contained in the Main Health & Safety Policy. All staff would be made aware of the proposed change.

The Board agreed that the Blood Borne Virus Policy should be subsumed into the Main Health & Safety Policy.

Action: Health & Safety Officer

10. HR Policies: Removal of Annex (Paper 23/12)

The Head of Human Resources advised that a number of documents approved by the Board, namely the Disciplinary policy and procedure, Grievance policy and procedure and the Bullying and Harassment policy and procedure contained an Annex (Annex 2 - “Guidelines for Conducting Investigation”) in the procedure document.

Management now took the view that the contents of this Annex comprised guidelines in respect of implementing the procedures rather than procedures themselves. These guidelines might need to be amended from time to time and it was considered that such amendments should be made administratively without the need to come back to the Board. In the interest of transparency the Guidelines would remain on the intranet.

The Board approved the request to remove Annex 2 from the Disciplinary Procedure, Grievance Procedure and Bullying and Harassment Procedure.

Action: Head of Human Resources

FOR NOTING

11. Health & Wellbeing Quarterly Report (Paper 26/12)

The Head of Human Resources presented the paper in the absence of Ms Lamont, Deputy Director and Health & Wellbeing Champion.

She concentrated on the six areas of forward planning and commended the input of the Health & Safety Officer to the Staff Engagement days.

The Board noted the paper.

FOR DECISION

12. Best Practice Framework incorporating Northern Ireland Standards
(Paper 19/12)

The Chairman welcomed Mr Doherty and Mrs Best.

Mr Doherty introduced the paper, explaining that Mrs Best had been the driving force behind the Standards. He explained that the Board had approved the implementation of Standards on an interim basis in April 2011, following which there had been training and an extensive feedback process.

Mrs Best outlined the key changes which had been made to the Standards and the benefits of each change. Most of the feedback from staff had been positive and in general the greater flexibility on professional decision making had been welcomed. A need for training and support around the differing levels of application of service and the compliance/enforcement process had been identified. A further issue was the lack of alignment of some of the revised documents with the electronic case management system. It was intended to make a final printed version of the Standards available to staff by the beginning of June 2012.

Mr Doherty stated that the Board was being asked to approve the formal adoption and implementation of the Best Practice Framework incorporating revised Standards with effect from April 2012. The DoJ had communicated their agreement to this.

In response to a query from the Chairman, Mrs Best confirmed that the Standards had taken into account developments in England and Wales.

It was agreed that any future significant amendments to the Standards should be brought back to the Board by the Director.

Action: Director

The Board approved the formal adoption and implementation of the Best Practice Framework incorporating revised Standards with effect from April 2012.

Action: Mr Doherty

The Director paid tribute to Mrs Best's service in all aspects of Probation and said that her piece of work with the Standards would shape the delivery of the organisation in the future.

Mrs Best thanked the Director and made a presentation to the Board of an Irish rugby shirt signed by team members.

13. General Purposes Committee Business (Paper 24/12)

The Chairman presented the paper which set out a list of possible topics for discussion at the General Purposes Committee. These meetings would be single item working seminars rather than formal meetings and Members would be welcome to attend when a topic of particular interest arose.

The Board endorsed the paper.

A number of further suggestions for discussion were made:

- Scanning developments in other jurisdictions
- Implications of the Governance Statement replacing the Statement on Internal Control
- How to make the best use of Board Members
- Induction training for Board Members

It was agreed that the Chairman and Director would work up a programme for the meetings.

Action: Chairman/Director

It was agreed that the Committee would not meet on 6 April, but that the new Programme would start in May 2012.

FOR NOTING

14. Changes to Portfolios (Verbal)

The Director tabled and talked to a paper. He intended to introduce the changes to the Deputy Director portfolios from April 2012. This had been the subject of discussion with senior managers who were content with the changes which would be communicated to staff via Probation News.

Action: Director

The Board noted the paper.

15. January 2012: Financial Outturn (Paper 27/12)

The Deputy Director Finance and Corporate Services highlighted two items. Salary spend against budget was somewhat lower than expected, as a significant amount had been held back for the assimilation of administrative staff to NICS terms. The Prompt Payment results had been affected due to the focus on the transition to Account NI.

The Board noted the paper.

16. Management Information (Paper 25/12)

The Deputy Director Finance and Corporate Services explained that the paper was being presented with a new format to cover corporate and operational issues.

He drew attention to the average sickness absence figure of 10.67 which was above the “target” of 10 and likely to be closer to 11 by the year end.

He noted under Health & Safety that there were no accidents or incidents in February 2012.

He highlighted the significant increase in Risk of Serious Harm (RoSH) cases. He updated Members regarding two operational staffing issues. Firstly the contracts of 8.78 (full time equivalent) Probation staff employed on a 3 months fixed term temporary basis would finish at the end of March 2012. Secondly, following the Director’s discussion with DoJ regarding funding, the Deputy Directors, with the Head of Human Resources, were working up a strategic outline case in relation to a resourcing strategy for PBNI which would be submitted around Easter.

Following detailed discussion under the Prisons Review heading, the Board asked the Director to write to Mr Peter May expressing their concerns and offering support and assistance. The Director said that he would share the draft letter with the Chairman before submission.

Action: Director

The Board noted the paper.

17. Programme of Visits and Business (Paper 28/12)

This paper was tabled.

Members reported back in very positive terms about the Staff Engagement days, commenting that they were very impressed by the investment which the organisation put into its staff.

The Director and Chairman thanked Mrs McCartan who had provided hampers to be raffled at these days. A significant sum was being raised to be donated to the Children’s Hospice.

The Board noted the paper.

19. Political and Public affairs: update (Verbal)

The Head of Communications reported back on a number of briefings with MLAs from which there had been very positive feedback. A number of articles had also been placed in newspapers. A date in June had now been agreed for the Justice Committee to meet in PBNI and have a briefing on PBNI’s work.

PBNI had agreed to a request from the CEP (European Probation Council) to host a three day seminar in Belfast in October. Some additional funding would be available from DoJ for this event.

The Director updated Members regarding work undertaken by Mr Doran to support PBNI's wish to be a designated body on the Policing and Community Safety Partnerships.

AUDIT COMMITTEE

21. Report from the Committee (Paper 29/12)

The Committee Chair stated that she had given a full verbal report at the previous Board meeting.

The minutes of the last Committee meeting were currently being revised and would come to the April Board meeting.

Action: Secretary

OTHER BUSINESS

20. Director's/Secretary's Business

The Director gave his apologies for the May 2012 Board meeting as he was attending a Chief Executives Learning set, the dates of which had been fixed before he had signed up to participate.

21. Date of Next Meeting

The next meeting was confirmed for 13 April 2012 at 9:30am.

The meeting closed at 11.50 am.