

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – 18 MAY 2012

325TH MEETING – 28TH OF TENTH TERM OF OFFICE

1. ATTENDANCE

1.1 Present

Mr R Spence (Chairman)
Mr J Quinn (Deputy Chair)

Mrs L Jennett (from item 5)	Mrs M O'Rourke
Mr J McKeever	Mr D Rose
Mr J McNeill	Mr M Wardlow
Mr B Mooney	Dr R Wilson

1.2 Officials

Mr D van der Merwe (Deputy Director Finance and Corporate Services)
Mr P Doran (Deputy Director Operations)
Ms C Lamont (Deputy Director Operations)
Mr P Moss (Board Secretary)
Ms G McGreevy (Head of Communications) (to item 17)
Mrs M Canavan (Head of Finance) (to item 7b)
Ms L Cooper (Head of Business Planning and Development) (items 11-13)
Ms S Forrester (Secretariat)
Ms B McKee (Probation Officer) (Observer)

2. APOLOGIES FOR ABSENCE

Apologies were received from Mrs Patterson, Mrs McCartan, Mr Osborne and the Director. The Director was attending a Chief Executives' Learning Set, the dates of which had been set before he joined the group.

3. OPENING REMARKS AND CONFLICTS OF INTEREST

The Chairman welcomed Ms Briega McKee, Probation Officer, who was attending as an observer.

No Conflicts of Interest were declared.

4. CONSIDERATION OF THE MINUTES OF THE MEETING HELD ON 13 APRIL 2012 (M4/12)

The minutes were signed as a correct record.

5. MATTERS ARISING (Paper 40/12) (tabled)

(i) Mr Doran reported that the job description for the Area Manager Community Engagement post had been agreed (page 2, paragraph 5) and it was hoped to fill the post by the autumn.

(ii) The Board discussed issues that arose around punishment beatings. The Chairman agreed to discuss this matter further with the Director and report back to the General Purposes Committee.

Action: Chairman/Director

(iii) The Deputy Director Finance and Corporate Services reported that spend against budget would be monitored (pages 2-3, paragraph 7).

(iv) The Head of Communications updated Members regarding the Corporate DVD, filming for which was to start the following week. She had met with Mr Wardlow to discuss this initiative (page 4, paragraph 13).

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

6. CORRESPONDENCE (Paper 41/12) (tabled)

There was no correspondence to be tabled on this occasion.

FOR DECISION

7(a). Draft Annual Report and Accounts 2011/12 (Paper 42/12)

The Deputy Director Finance and Corporate Services introduced the paper and outlined the timeline. He explained that the Audit Committee would consider the draft at its June meeting with a view to the document being laid in the Northern Ireland Assembly before the summer recess.

He talked through the various sections in the Management Commentary, including the section headed "Going Concern".

He drew the particular attention of Members to the Remuneration Report which dealt with salaries and pensions and highlighted the Statement of the Board's and Director's responsibilities.

The Statement of Internal Control had been discussed at the Audit Committee. It was based on information available to date and would be completed when Internal Audit gave their conclusion on the overall level of assurance.

It was hoped that the Comptroller and Auditor General would provide his certificate and report after the June Audit Committee in time to meet the Assembly recess deadline.

The Head of Finance spoke to the Statement of Comprehensive Expenditure which included figures which were relevant to both the Departmental Expenditure Limit (DEL) and Annual Managed Expenditure (AME) budgets. Table 1 in the cover note

to the paper provided further detail and an explanation of the variance between actual spend and budget figures. The DEL-Cash budget was 1.8% underspent and, when depreciation and non-cash counts were taken into account, the total underspend against the DEL budget was 3.5%. The figures relating to the AME budget – where there was a significant underspend – reflected uncertainty around providing an estimate for service costs and for finance income/costs for the NILGOSC deficit.

The Head of Finance reported that the Statement of Financial Position recorded an overall net liability of £7.6m, a significant increase from £1.6m the previous year. The most significant factor was an increase in the NILGOSC pension liability of almost £5m. This had been calculated by an actuary appointed by NILGOSC and was based on financial assumptions which were less favourable than those used in the previous year. Notwithstanding this deficit, the Board's accounts continued to be prepared on a going concern basis as the Board would have the on-going support and funding of the Department of Justice.

The Head of Finance mentioned the Statement of Cash Flows and Statement of Changes in Taxpayers Equity. The various statements were supported by Notes to the Accounts from which she highlighted the Related Party Transactions.

The Board approved the draft 2011/12 Annual Report and Accounts.

Action: Deputy Director Finance and Corporate Services

7(b). Process for approval of draft Annual Report and Accounts 2011/12 (Verbal)

Following Board approval of the draft Annual Report and Accounts 2011/12 (see item above), the Board decided that any final changes should be agreed by the Board Chairman, Chair of the Audit Committee and Director.

Action: Chairman/Chair of Audit Committee/Director

8. It was agreed to take the remaining items in the order recorded below.

FOR NOTING

9. Report from the Audit Committee (Paper 47/12)

Mr Rose highlighted a number of points:

- a closed session had dealt with the evaluation of internal and external auditors
- three Audit Reports had been presented, one with a substantial level of assurance (Cash Handling at Remote Locations) and two with a satisfactory level of assurance (Business Continuity & Disaster Recovery and Processes in place to prevent and detect Fraud and Bribery Offences)
- the Committee had considered a Stewardship Statement which was a new requirement to support the Statement on Internal Control
- the Committee had received a report on Pension Fund Valuation Assumptions
- the Committee had agreed to consider one of the Corporate risks in detail at its September meeting
- he and Mr Doran had attended a CIPFA course "Maximising the Value of the Audit Committee" which had been very worthwhile.

The Board noted the paper.

10. Audit Committee Workplan 2012/13 (Paper 48/12)

Mr Rose drew attention to a number of points:

- the Committee's Annual Report would be discussed at the June meeting
- the Committee intended to consider the Audit Control Log twice a year
- in September the Committee would address the extension of the Internal Audit Contract and have a presentation on the Assurance Model.

The Board noted the paper.

FOR DECISION

11. Pilot Arrangements between PBNI and the Prisoner Ombudsman
(Paper 43/12)

The Head of Business Planning and Development presented the paper, explaining that the pilot arrangements had been extended from the initial twelve month period for two periods, each of twelve months. To date no complaints relating specifically to PBNI had proceeded to the Prisoner Ombudsman for investigation. The Department of Justice (DoJ) was currently consulting on the Future Operation of the Office of the Police Ombudsman for Northern Ireland.

Against this background Senior Management had assessed the pros and cons of three Options and were recommending the option to extend the pilot, subject to an annual review or reviewable on the basis of a significant development.

The Board approved the recommendation to extend the pilot between PBNI and the Prisoner Ombudsman as set out above.

Action: Head of Business Planning and Development

12. Community Development Appeals Process (Verbal)

The Chairman explained that the outcome of the Community Development Appeal Panel's deliberations would require Board approval. Given the date of the June Board meeting, it was proposed to delegate authority to make the required decisions to the General Purposes Committee at its meeting on 8 June 2012.

The Board approved this proposal.

Action: Secretary

FOR NOTING

13. Performance against 2011-2012 Business Plan Objectives (Paper 44/12)

The Head of Business Planning and Development presented the paper, explaining that eight objectives out of nine had been achieved, with the remaining objective (procurement of a new case management system) falling outside PBNI control.

The Board welcomed this very high level of performance in the context of a challenging year. It was agreed that the Chairman would highlight the Board's appreciation in his next article for Probation News.

Action: Chairman

The Board noted the paper.

14. Management Information (Paper 45/12)

The Deputy Director Finance and Corporate Services presented the sections on sickness absence, health and safety and IT. He asked Members to note the decrease for April 2012 in the total days lost to sickness absence.

Mr Doran spoke to the caseload figures, pointing out that the figures for the 2011/12 year had seen a 6% increase in total orders and a 5% increase in the number of people being supervised. The number of reports for this period had increased by 7%, with the number of Short Pre-Sentence Reports more than doubling (increase of 112%).

Ms Lamont reported that the advertisement for Probation Officers (two year fixed term contract) had now appeared in the local press. It had been necessary to prioritise service delivery in relation to courts and dangerous and high risk offenders. This had led to some delay in replacing prison-based staff, but this would be addressed following the recruitment process.

Ms Lamont also drew attention to the briefing from Professor Hazel Kempshall on Risk and Dangerousness.

There were no specific Serious Further Offences (SFOs) for mention on this occasion.

Mr Doran presented Appendix 1, "Serious Further Offences: Annual Report 2011/12" and talked through the various cases. There had been a total of 52 alleged SFOs carried out by people subject to PBNI supervision in 2011/12, as compared to 44 in 2010/11. A review of SFO procedures was to be carried out in 2012/13. Members welcomed this Report.

The Board noted the paper.

15. Programme of Visits and Business (Paper 46/12)

The Chairman commented on the useful discussion at the Overview meeting.

The Board noted the paper.

16. Political and Public Affairs: update (Verbal)

The Head of Communications referred to a forthcoming meeting with Mr Jim Wells, MLA and to the meeting of the Justice Committee which PBNI would host in June.

PBNI was also hosting a CEP Seminar (European Council on Probation) from 17-19 October 2012. The draft agenda would be shared with Members.

Action: Head of Communications.

The Chairman reported that the Chair of the Probation Association and the new Chief Executive hoped to visit PBNI before the summer.

GENERAL PURPOSES COMMITTEE

17. Report from the Committee (Paper 49/12)

Mr Wardlow presented the paper, pointing out that the Committee meeting had only just been quorate. The topic of discussion had been the Review of the Northern Ireland Prison Service.

He highlighted points 6 (whether there was a need to consider contingency plans for the staff currently working in prison) and 14 (possibility of suggesting that PBNI should have a representative on the Prison Management Board).

A view was expressed that this matter constituted a Corporate Risk and also that the suggestion of PBNI representation on the Prison Management Board should be strengthened to constitute a recommendation.

Ms Lamont updated Members on the first joint DoJ/PBNI/NIPS meeting in relation to Owers Implementation which she had attended the previous day. She took the view that there was no immediate risk to the position of PBNI staff within prison, although there could still be an issue at a later date.

The Board noted the paper.

OTHER BUSINESS

18. Chairman's Business

(i) The Chairman recapped on the two areas identified for discussion at the June General Purposes Committee meeting and invited Mr Doran to speak. Mr Doran said that there would also be a discussion on Desistance factors.

(ii) One Member raised the possibility of constituting a short-term media group with Board Member representation.

19. Director's/Secretary's Business

(i) Mr Doran reported that the Head of Business Planning and Development was that morning hosting a group of government officials from Uzbekistan who were undertaking a week long UK-wide study visit.

(ii) Mr Doran gave feedback on Ms McIlroy's attendance at the CEP Conference in Norway.

(iii) The Secretary advised Members that they would be asked to complete a Survey to inform the planning of the next Board Induction.

20. Any Other Business

It was confirmed that the General Purposes Committee would meet at 9:30am on 8 June 2012.

21. Date of Next Meeting

The next meeting was confirmed for 22 June 2012 at 9:30am.

The meeting closed at 11:10am.