

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – 21 APRIL 2017

9.30 AM – PBNI HQ

384th MEETING – 16th of THE ELEVENTH TERM OF OFFICE

ATTENDANCE

Mrs Vilma Patterson (Chairman)	Mr D Brown
Mrs J Gillespie	Mr E Jardine
Mr I Jeffers	Ms A Matthews
Mr R Mullan	Mr G OhEara
Mrs P Shepherd	

Officials

Ms C Lamont, Chief Executive
Mr P Doran, Director of Rehabilitation
Mr H Hamill, Director of Operations
Mrs C Teggart, Head of Finance
Mr M Cox, Board Secretary

Mrs W Rodgers, Personal Secretary (Minutes)

Observer

Ms Ruth McKelvey, Area Manager

1. OPENING REMARKS AND CONFLICTS OF INTEREST

The Chairman welcomed everyone to the meeting. In particular she welcomed Ms Ruth McKelvey, Area Manager, as an observer and expressed the hope that she would find the meeting informative.

The Chairman set out the timetable for the meeting which would be followed by a Strategic Session. A visit had been arranged by the Chief Executive for members to visit the 'Graffiti Van' and see it working. This visit was scheduled to take place after the Strategic Session.

Items will be deferred to committees as appropriate.

No conflicts of interests were declared.

2. APOLOGIES

Apologies received from: Mrs J Erskine, Deputy Chair; Mr T O'Hanlon, Member; Mrs B Stuart, Member; Mr D Wall, Member and Mrs G Robinson, Head of HR

3. CONSIDERATION OF THE MINUTES (M03/17)

The minutes of the Board meeting held on 24 March 2017 were accepted as an accurate account of the meeting, with one amendment to the attendee list.

4. MATTERS ARISING FROM THE MINUTES (PAPER 37/17)

It was noted that all actions have been completed.

The Board noted the position.

5. CHAIRMAN'S UPDATE – VERBAL

The Chairman gave her summary of the Probation Seminar held on 30 March 2017. It had been positively received by the attendees with excellent contributions from all the speakers. They had approached 'problem solving' from different perspectives which proved very beneficial. The Lord Chief Justice attracted media coverage resulting in the Seminar receiving good print and TV coverage. The feedback received from both speakers and attendees has been very positive. In particular the final speaker on economic analysis by Prof Gibson had stimulated a lot of interest and questions in the Q&A session.

The Chairman thanked the Board Members for attending and networking with the other attendees, highlighting the importance of the role of Board Members.

The Chairman thanked Mrs Gillespie and Mr Wall for attending the Staff Awards on the same day. The Staff Awards highlights the strength of the Organisation that it takes the time to celebrate staff for long service and special awards.

The Chairman and Head of Communications had a conversation with Alban Maginness who is now a columnist for the Belfast Telegraph. This resulted in an article by Mr Maginness on the political situation, budgets and the impact of this on public sector organisations. There was positive reference to Probation in it.

With the political uncertainties and difficult financial situation the Board will be looking at where it can influence key stakeholders.

Anthony Harbinson, Director of Safer Communities, had written to the Chairman advising that the Corporate Plan could not be printed until it receives ministerial approval. The Management Statement of Financial Memorandum (MSFM) states that the Corporate Plan must be published within three months of the end of the year. The Chairman advised that she would write to Mr Harbinson on this and receive guidance on who can give approval, in the absence of a Minister.

The Board noted the update.

6. CHIEF EXECUTIVE'S UPDATE – VERBAL

The Chief Executive advised that she had been invited to sit on the Core Reference Group which would be reviewing Sentencing Policy. The Group is likely to sit for between 12 – 18 months. The Chief Executive's main area of input will be around community alternatives and she will keep the Board up to date on the work of the Reference Group.

The Chief Executive and Head of HR will be attending the Joint European Prisons and Probation Conference in Norway in June. Mrs Robinson is seeking to present to the Conference. The meeting was advised that Mr Ronnie Armour, Director of Reducing Offending Directorate, will also be attending the Conference,

The Members were advised that Ms Gillian Montgomery will be acting up, in a temporary capacity, to Assistant Director grade from 1 July 2017. She will be looking at professional practice in light of the budget uncertainties. The Chief Executive also advised that this was about succession planning for the Organisation in the longer term.

The Board noted the update.

7. CORRESPONDENCE (Paper 38/17)

The Chairman advised members that there was one item of correspondence for members to note and one item that was tabled at the meeting.

7.1 Letter received from Nick Perry to Accounting Officers re Budget Act
Tabled: Letter from the Chief Executive to Anthony Harbinson re Research

The letter from Nick Perry described the ongoing budget situation and pointed out the significant uncertainties that exist. The Chairman highlighted the main points of the letter. The Chief Executive advised that the letter from Nick Perry noted a recent meeting of the Strategic Resources Committee and another meeting will be arranged to brief the DOJ's Accounting Officers.

The Chief Executive advised that she had written to Mr Harbinson requesting research be carried out on the back of the presentation by Prof Neil Gibson to the Board in October on the real costs in the justice system. This research would involve all of the Criminal Justice family and it should therefore be Department led. Mr Harbinson has acknowledged the letter and has advised that he will discuss the request with the Chief Executive. The Chairman informed that she will follow-up with Nick Perry, stating that the benefits of the research would assist all organisations in Criminal Justice.

The Board noted the correspondence

8 AUDIT & RISK ASSURANCE COMMITTEE

In the absence of the Committee Chair, Mr Jardine provided the update to the Board.

8.1 Update from Mr Jardine

The meeting was advised that the Self-Assessment carried out by the Committee Members had no actions coming out of it.

The Internal and External Auditors were present at the meeting on 12 April 2017. Of the reports discussed at the meeting, all received a 'satisfactory' rating with the exception of the Case Management Follow-up Report that remains on a 'limited' rating. The Outline Business Case for the Case Management System (CMS) is being brought directly to the Board at this meeting due to time constraints and is agenda item 9.

The Draft Internal Audit Plan 2017/18 has been agreed by the Chief Executive, Head of Finance and Internal Audit with a caveat that if any reports, other than those listed in the Plan, are required during the year Internal Audit will be available to do this. It was explained that due to the risk factors of Probation being assessed as low, the audits being conducted have been scaled back. This will have a positive cost impact. On the Audit Control Log, of the 15 recommendations outstanding, all refer to the CMS.

The meeting on 5 May 2017 will mainly deal with the Draft Accounts for 16/17. It is important to ensure there is a quorum for this meeting.

Action: Board Secretary to contact Committee Members to ensure a quorum is achieved, Board Secretary.

It was advised that an audit into Unreasonable Delays in the Criminal Justice System will be undertaken by Central Internal Audit.

The Strategic Risk Register, Business Plan and Fraud / Losses papers are all agenda items at this meeting.

The Chairman advised that she had noted the satisfactory rating for the Corporate Governance Audit and was pleased to read that there were no recommendations contained in it.

The Board noted the update.

8.2 Risk Management – Strategic Risk Register Q 4 2016/17 (Paper 39/17)

The Director of Operations talked to the paper on the Quarter 4 Report. The Strategic Risks remained at seven in the final quarter.

A member expressed concern that delivering a balanced budget for 2016/17 was 'low' risk and asked if we should be taking a longer term view on the budgetary provisions. Discussion ensued on the role of the Accounting Officer and delivering a balanced budget and ensuring spend was appropriate. The impact on practice and offending rates together with the statutory role of the Probation Board as contained within legislation was discussed. The Chief Executive advised that the implications of potential reduction to the 2017-18 budget are referred to both in the Horizon Scanning and the Emerging Risk Section of the Strategic Risk Register. If the budget is reduced then it will be reflected as a standalone risk in the 2017/18 SRR.

A member noted the need, in her view, for a higher level Strategic Risk Register behind the existing register.

The Board approved the paper.

9. CASE MANAGEMENT SYSTEM (CMS) – OUTLINE BUSINESS CASE (PAPER 40/17)

The Head of Finance advised that Gillian Colhoun, on secondment from DOJ, has been working on the Business Case for the CMS. The Strategic Outline Case has been approved and work has now been completed on the OBC. It was advised that there had been seven options, four disregarded for various reasons, therefore leaving three for more detailed consideration. The Members were taken through the three options. It was advised that the preferred option was option 4, an off the shelf product adapted to PBNI's needs. Both the Department and DOJ are aware of the business case. A member advised caution with the costs of an off the shelf system when it came to updates in software.

Discussion ensued on timeframes and the capacity of the Organisation to implement the new system. The resources and training implications were discussed. Concern was raised on the implementation date and if any delays occurred. The Head of Finance assured that all parties were on board and the Head of IT in DOJ was represented on the Project Team. It was also advised that there was a requirement that if the YJA needed to 'piggy back' onto the system in the future that this was possible.

The Chief Executive advised that in 2004 when the current system was implemented there had been learning points from then which will be useful this time around.

The OBC had come directly to the Board due to timescales. The Corporate Resources Committee will receive regular updates on progress and advise the Board accordingly.

The Board approved the Outline Business Case – option 4

10. FRAUD / LOSSES REPORT (PAPER 41/17)

The Head of Finance provided the Members with background into the paper. It was advised that the Audit & Risk Assurance Committee had discussed the paper at its meeting on 12 April 2017 and agreed to recommend approval to the Board.

The meeting was informed that PBNI has no delegation limit on write-offs. The theft of the trailer came under the Anti-Fraud Policy and therefore required approval from the Chief Executive, Board and then the DOJ. The Head of Finance advised that the PSNI do not expect to recover the trailer thus leading to the write-off. Members were informed of the remedial actions taken since the theft. There was discussion on the absence of a small delegation and it was approved that this should be sought.

The Board approved the write-off of £274.20.

11. PROBATION SEMINAR – LOOKING FORWARD (VERBAL)

The Chairman advised that the Seminar that took place on the 30 March 2017 was the second seminar and had again been very successful in promoting Probation to key stakeholders and securing a place in the calendar for focus on Probation. It was suggested that this should be an annual event with a date set well in advance. The PPC would continue to monitor performance against the Corporate Plan and emerging themes which would then identify the subject for the seminar each year. There was discussion around timing of the seminar was discussed. It was agreed that March was the optimum time to have it. The Chief Executive agreed that the seminar would be beneficial for Probation and a greater lead-in time would better facilitate planning.

The Board agreed that the seminar should be an annual event with budget and date set in advance.

12. BUSINESS PLAN Q4 2016/17 PERFORMANCE REPORT (PAPER 42/17)

The Director of Operations introduced the paper to the Members. It was advised that of the nine objectives, 8 were 'green' (delivered) and 1 was 'red' (not delivered), Sick Absence. The Chairman commended the staff on the successful delivery of the Business plan.

The Board noted the update.

13. BUDGET 2017/18 (VERBAL)

The Head of Finance advised members that the budget was still an unknown. The scenario profile submitted was for a 4% reduction, as received by the DOJ. It had been requested that the profile have costs deferred to later quarters, however, as 86% of PBNI's costs are staff this would increase the pressures. The Department had advised that the Community & Voluntary Sector funding should be protected. The Department has indicated it will provide an additional £46k to PBNI for its work with the Community and Voluntary Sector (CVS), this will be profiled in the June Monitoring. The Members were advised of the pressures faced in the 2017/18 year, for example, annual pay increases and apprentice levy, were not covered by the baseline.

In reality the cuts would equate to 6.8% which would be the equivalent of about 21 Probation Officers. This would have a large impact on Probation's ability to deliver its service, safe working and statutory duties. It was confirmed that since April 2011 PBNI's budget had been reduced by 17.6%. The Head of Finance explained what measures had been taken to reduce costs over the period of reducing budget. The Director of Operation gave the Members a list of front line operational areas where service would be likely to be affected by any further cuts to budget. It was advised that if the reduced budget goes through then achieving the 2017/18 Business Plan would be difficult. The Chief Executive noted that Probation accounts for only 1.6% of the total Criminal Justice budget and, as a small organisation, the impact of the year on year cuts was disproportionate.

The Chairman advised that she would write to Nick Perry setting out the financial impact of the cuts to Probation, including the unsafe working levels, and seek a meeting with him. She will report back to the Board on the outcome of this.

Action: Chairman to report back to the Board on her discussion with Nick Perry, Chairman

Action: A list of services at risk due to the cuts in budget to be provided for the meeting, Director of Operations

The Board noted the update.

14. MANAGEMENT INFORMATION PAPER (PAPER 44/17)

14.1 Management Information paper (Paper 44-1 and 44-2/17)

The Directors highlighted a number of areas. Caseload has remained broadly static since 2015. Court convictions since 2012-13 have decreased by 24% with PBNI's caseload reducing by 3% over the same period. PSRs have decreased since 2013 although have been stable over the last year. There were no Serious Further Offences to report. Legal cases come at a considerable cost and there are a number of judicial reviews ongoing. This involves instructing senior counsel. It is noted that the majority of reviews are prison issues.

14.2 Sick Absence was referred to the CRC to discuss. A member asked was it possible to obtain comparative absence figures from other agencies? It was agreed to be looked into.

The Board noted the papers

15. FINANCIAL OUTTURN – MARCH REPORT (PAPER 45/17)

The Head of Finance presented the paper to members. It was advised that the provisional year-end figure will be £25 - £27k underspend. The year-end accounts are on schedule to meet the timeframe and will ready for the ARAC on 5 May 2017.

The Board noted the paper.

16. BUSINESS CASES AND PROGRAMME OF PROJECTS (PAPER 46/17)

The Head of Finance presented the paper to members and highlighted a number of items. There are two new business cases on the log, Omagh and Coleraine which are both looking for alternative suitable premises. Business Cases will be brought to committee and Board for approval when ready. Shipquay Street is ongoing with issues relating to the suitability of having two egresses. A solution and advice is being sought. The Chairman asked that the position be reviewed at the next CRC meeting with an update provided to the Committee on the current situation with the property.

Action: Head of Finance to update members at the next Corporate Resources Committee meeting, Head of Finance.

The Board noted the paper.

17. PROGRAMME OF VISITS AND BUSINESS (PAPER 47/17)

The Board noted the paper.

18. BOARD WORK PLAN 2016 – 2017 (PAPER 48/17)

The Board noted the paper.

19. ANY OTHER BUSINESS (VERBAL)

The Chairman thanked Ms McKelvey for attending the meeting and hoped that she found it informative.

20. BOARD SECRETARY'S BUSINESS

- 20.1 The Board Secretary advised that there had been a number of issues with the tablets and he intends to carry out a review of their use from which technical problems might be addressed.

DATE OF NEXT MEETING

The next meeting will take place on Friday 19 May 2017, PBNI HQ, Conference Room, 9.30 am.

Vilma Patterson
Chairman

Date