

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – 20 MAY 2016**9.30 AM – PBNI HQ****374th MEETING – 6th of THE ELEVENTH TERM OF OFFICE****ATTENDANCE**

Mrs Vilma Patterson (Chairman)
Mr D Brown
Mr E Jardine
Mr R Mullan
Mr D Wall

Mrs J Erskine (Deputy Chairman)
Mrs J Gillespie
Ms A Matthews
Mr G OhEara

Ms C Lamont, (Acting) Director
Mr P Doran, Deputy Director
Mr H Hamill, (Acting) Deputy Director
Mrs G Robinson, Head of HR
Mrs C Teggart, Head of Finance
Mr M Cox, Board Secretary
Mrs W Rodgers, Personal Secretary (Minutes)

PRESENTATION

The Chairman welcomed Ruth Flood of RFA to the meeting. Ms Flood had carried out research on behalf of the Board on Evidencing the Effectiveness of Probation and was attending to present her findings to the Board. Ms Flood took the Members through the findings and then opened the floor to questions. Following discussion, the Chairman thanked Ms Flood for her useful and interesting research and looked forward to receiving the final report. The findings of the research were delegated to the Policy & Practice Committee for follow up on the recommendations coming out of the research. The final report will be available to all members when received.

Action: PPC to follow up on recommendations coming out of the research, Policy & Practice Committee.

Action: Presentation to be put on Minutepad, Mrs Rodgers

1. OPENING REMARKS AND CONFLICTS OF INTEREST

The Chairman opened the meeting and welcomed everyone. A time table for the meeting was set out for the members. Members were advised that following a closed session of the meeting a walk around Headquarters' five floors had been arranged for those members wishing to take part.

Items will be deferred to the committees as appropriate.

2. APOLOGIES

Apologies received from Mr I Jeffers, Member; Mrs P Shepherd, Member; Mr T O'Hanlon, Member and Mrs B Stuart, Member.

3. CONSIDERATION OF THE MINUTES

The minutes of the Board meeting held on 15 April 2016 were accepted as an accurate account of the meeting.

4. MATTERS ARISING FROM THE MINUTES (Paper 43/16)

The Chairman drew attention to items 1, 9 and 10. Item 1 - The Board Secretary advised members that a link will be sent monthly to enable members to access information on AQs. In the event that there was a particular question with particular relevance to PBNI then members will be advised separately. Item 9 – Committee Chairs are to arrange piloting of video conferencing when appropriate for their committee. Item 10 – Lian Patterson – SRO for the Shared HQ project – had been in touch with the (Acting) Deputy Director to advise that the timeline for submission of the business case on Shared HQ had moved and therefore she had no update, the Board Secretary advised that he is awaiting formal confirmation of this.

The Board noted the matters arising.

5. CHAIRMAN'S UPDATE – VERBAL

The Chairman advised that a programme of office visits was being drawn up and members who had expressed an interest in visiting an office were being contacted by Mrs Rodgers. The Chairman stated that she was keen that the first of the visits took place before the summer. If any member had not already stated a preference for a visit, they are asked to advise Mrs Rodgers of their choice.

The Board Secretary is co-ordinating the Corporate Planning Sub-group and will keep members advised of progress by posting meeting notes on Minutepad.

The current political situation means that who will be the next Justice Minister is still unclear. Ms Lamont and the Chairman are continuing to meet with mayors and linking to the work of PCSPs and Community Planning. The Chairman, on behalf of the Board, has written to all 108 MLA congratulating them on their election and inviting them to meet with Probation staff in their own constituency, some responses have been received already.

The Chairman advised that she had written, on behalf of the Board, to Mrs Robinson congratulating her department on receiving an award and Dr O'Hare on her successful bid in receiving research doctoral students – Members were advised that the (Acting) Director would give more detail in her update.

The Board noted the update.

6. DIRECTOR'S UPDATE – VERBAL

The (Acting) Director updated members on her meetings attend with regard CSR16 and advised that Mr Hamill and Mr Cox are to attend an OBA workshop on 24 May 2016.

On behalf of the (Acting) Director, Mrs Robinson updated members on their meeting with the National Negotiating Council (NNC) in London and the current situation with regards to Terms and Conditions for Probation Grades and senior management vis-à-vis the position in England and Wales. It was noted that administration staff follow the Civil Service Terms and Conditions. It was agreed to refer this matter to the next Corporate Resources Committee and return a recommendation to the next Board meeting.

Mrs Robinson advised Members of the award received, by the Training Department, from the University of Ulster for Placement of the Year for social work students.

Mr Doran advised Members of the success of PBNI's bid in the EU Horizon 2020 programme. PBNI will have two, fully funded and all expenses paid, doctorate students for three years to work on research. Their work will be in the areas of mental health and desistence.

The Board registered its congratulations to the staff on these accomplishments.

The (Acting) Director advised that she, Mr Hamill and the Chairman had met with the Fresh Start Panel (Lord Alderdice, Prof Monica McWilliams and Dr John McBirney) on 5 May for two hours where the Panel were advised of PBNI's work and its role in preventative work. It was a very focused meeting and PBNI will be looking at potential opportunities for funding with particular regard to services for women and young offenders. The final report of the Panel's work, looking at paramilitary activity, was due at the end of May to the Executive.

Finally, Members were advised that the results of the IT survey on the use of Minutepad had been published on Minutepad for reference.

Action: The Chairman asked for a paper to be presented to the Corporate Resources Committee on 27 May on NNC position with regard to Terms and Conditions.

Action: Any actions from the IT Survey on Minutepad is to be delegated to the Corporate Resources Committee for follow up as required.

The Board noted the update.

7. CORRESPONDENCE

No items presented to the Members

8. CORPORATE RESOURCE COMMITTEE UPDATE (Verbal)

The Committee Chair advised members that the draft minutes from the meeting on 8 April 2016 where included for information and will be discussed at the CRC on 27 May 2016.

An action from the last meeting of the Committee was for a paper to be brought to the Board on the risks of the Case Management System (CMS) failing. Mr Doran presented the paper to the members and took them through the background, timelines and history of the requirement for a new CMS. It was agreed that the PRISM (Prison Service's system) was not a valid option due to the system levels required as IL4 which would impact on PBNI's ability to have mobile working among other restrictions such as cost. Following the internal audit conducted, that gave a ranking of 'limited', the (Acting) Director has been in correspondence and meeting with Anthony Harbinson, Director of Safer Communities, on the urgent requirement for a new CMS. Discussion ensued with members expressing their concerns and the need to manage the risk. It was agreed that the minutes should reflect the frustration and concern of the Board Members. Mr Cox highlighted the governance issue and the Board's responsibility to ensure an 'Adequate and Efficient' Probation Service. There needs to be a level of understanding by the Department of this. The matter would also be raised at the forthcoming Overview Meeting. It was agreed to raise the subject again at CRC and bring back to the Board in June. The Head of IT is currently on sick leave and the Department have provided some resource to help with a business case for a CMS.

Action: CMS to be discussed at CRC on 27 May 2016 and brought back to June Board.

The Board noted the update.

9. POLICY & PRACTICE COMMITTEE – UPDATE 29 APRIL 2016

The Chair of the Committee updated Members on the meeting that took place on 29 April 2016. Members were advised of three presentations given to the Committee and given background to these. The Board Secretary advised that following consultation with the Department it was advised that Board Members should aspire, in general, to follow all policies, however in the event of penalties being imposed Board Members would come under the jurisdiction of the Department. Board Members were also bound by the Code of Conduct in line with appropriate behaviour.

There were three policies passed from Committee to the Board with recommendations to Board to approve.

- 9.1 **Social Media Policy** - With the increase use of social media the importance of a policy is highlighted and its relevance to staff. It was discussed where Board Members sat within the policy and procedures. Following a full discussion the Committee agreed to recommend approval of the policy to the Board.

The Board approved the Policy on Social Media.

- 9.2 **Performance Capability Policy and Procedures** – Following consultation with the unions the policy was presented to the PPC for discussion. It was noted that each case would be assessed on a case by case basis and that managers will be receiving further training on procedures with the HR department working closely with managers to ensure the procedures are followed. Discussion ensued and the Committee agreed to recommend approval of the policy and procedures to the Board. A member asked for confirmation on how staff were advised of new or updated policies – it was advised that all staff are notified by email.

The Board approved the Performance Capability Policy and Procedures.

- 9.3 **Anti-Fraud and Anti-Bribery Policy** – The Committee discussed the Policy in depth at their meeting and the question of where Board Members sat within the policy was raised. As previously noted, Board Members are expected to comply with the policy but any penalties would be the Department's responsibility.

The Board approved the Anti-Fraud and Anti-Bribery Policy.

- 9.4 **Minutes – 29 April 2016** – Draft minutes from the meeting held on 29 April 2016 were presented for information to members and will be considered at the next meeting on 17 June 2016.

The Board noted the minutes

- 9.5 **Communication Plan 2016/17** – It was advised that the Communication Plan would run for one year and then the Strategy would mirror the Corporate Plan from 2017/2020.

The Board noted the paper.

- 9.6 **Age of Criminal Responsibility (ACR)** – Members were advised that the Board had responded to a consultation in 2011 in which the Board supported a rise in the ACR from the age of 10 to 12 and then ideally a rise to 14. The ACR had been benchmarked across European jurisdictions with the current position of our jurisdiction being lower than most. The Committee Chair advised that following discussion the Committee agreed to recommend to the Board maintaining the position from 2011.

The Board agreed to maintain the position as laid out in 2011.

10. AUDIT AND RISK ASSURANCE COMMITTEE (ARAC) – UPDATE 4 MAY 2016

The Chair of the Committee updated Members on the meeting held 4 May 2016. The minutes of the meeting will be available for Members' information at the next Board Meeting on 24 June 2016.

There were two items for decision by the Board

- 10.1 **The Draft Annual Report and Accounts** were presented. The Chair of the Committee advised that the Accounts are required to be signed off by the 27 May 2016 to meet the deadline for submission. There is one item that may require updating but the Head of Finance is aware of this. The Chair of the Committee asked the Board to delegate sign off of the Annual Report and Accounts to the ARAC and therefore giving the Accounting Officer authority to sign off the accounts when agreed by the ARAC on 27 May 2016.

The Board agreed to delegate sign off to the ARAC and in turn to the Accounting Officer.

- 10.2 **Risk Management** – Strategic Risk Register (SSR) Q4 2015/16 – The SSR had been presented to the ARAC on 4 May 2016 and the (Acting) Deputy Director had taken the Committee through each item. Following discussion the Committee agreed to recommend approval of the SSR to the Board.

The Board approved the Strategic Risk Register Q4 2015/16

The Chair of the Committee gave Members a verbal update on an Ombudsman Report received which advised that it had been discussed at length at ARAC on 4 May 2016. The Report found 'Maladministration'. This was in relation to a complaint received in 2012 with the findings being notified in 2016. The (Acting) Director gave the Members background into the issue with a learning of control of documents and draft PSRs. Mr Derek Anderson of Internal Audit has agreed to oversee the Action Plan put in place. It was stated that the 'Maladministration' did not influence the outcome of the PSR.

The Board delegated the oversight of the action plan to the ARAC and accepted the Ombudsman's Report.

11. NI BUSINESS AND HUMAN RIGHTS FORUM (PAPER 52/16)

The Deputy Director gave the Members background into the paper presented. He advised that PBNI had been invited to join the Human Rights Forum. The purpose of the group is in line with PBNI's position on human rights in the Justice system. It was noted that the Corporate Planning Sub-group had already discussed how human rights will form part of the Corporate Plan. To ensure governance the Board was asked to agree the display of the PBNI logo on the Business and Human Rights Forum webpage on the NIHRC website.

The Board approved the inclusion of the PBNI logo on the NIHRC website as stated above.

12. MANAGEMENT INFORMATION REPORT (PAPER 53/16)

The Chairman introduced the paper and advised that the Management Information Report was due its quarterly discussion.

The Head of HR advised that the End of Year Sick Absence figures would be discussed under agenda item no 13 of this agenda.

The (Acting) Deputy Director drew attention to pages 8 and 9 of the report – caseload. There has been no change in the year-end figures but there was a decline in PSRs, this was influenced by

the legal dispute. It was advised that there had been a sharp increase in the number of reports since the dispute and been resolved and in fact the number is double that of this time last year. It was also noted that there was a decline in prison numbers from last year but that this number was fluctuating.

The Deputy Director advised of one Serious Further Offence (SFO) and gave background and the current situation of the case. It was confirmed that PBNI are content with the oversight practice of the case. DOJ have been informed.

Following discussion the Board noted the paper.

13. END OF YEAR SICKNESS FIGURES (PAPER 54/16)

The Head of HR presented the paper to the Members. It was explained that the reports had been produced by NISRA under the new reporting methodically. NISRA had been asked to provide figures for 14/15 and 15/16 to ensure an accurate comparison. Attention was brought to pages 2 and 3 – key facts. 2015/16 showed an absence of 13.3 days per staff down from 13.5 days in 14/15. It has been requested that a percentage be shown for increase or decrease as a business objective for the 2016/17 year is to reduce sickness by 5%. Members were advised of the breakdown in absence resulting in an estimated cost of £576k lost production, equating to 20 FTE out for a year. Further training of managers will be taking place emphasising the importance of sickness management. Following discussion the Board agreed to delegate the report to the Corporate Resources Committee.

Action: End of Year Sick Report delegated to CRC.

The Board noted the paper.

14. REPORT ON NON-COMPLIANCE DUE TO CLOSURE OF REPORTING CENTRES (PAPER 55/16)

The (Acting) Deputy Director presented the paper to the Members. The Board had requested a report after one year of closing reporting centres to be brought to the Board in relation to non-compliance due to the closures. Mr Hamill advised that five reporting centres had been closed in 2014. Although it was difficult to pick out the reasons for breach, there was no increase in breaches in the areas affected by the closures. Financial assistance for travel had also been tightened at the same time as the closures and this also did not appear to have any influence on compliance.

The Chairman advised this had given the Board assurance and advised that the Board would not require any further reports on this matter. Non-compliance will be reported in normal reporting. A member did ask if the closures and any equality impact – Section 75, it was advised that equality screening input had been completed in respect of all the premises identified for closure.

The Board noted the paper.

15. FINANCE OUTTURN – MARCH FINAL REPORT 2016 (PAPER 56/16)

The Head of Finance advised members that the paper stated the end of year position with an underspend of £27k or 0.16%. The Auditors have been in the office for two weeks and have now completed their in house work. Mrs Teggart has been advised by the Auditors that there are no adjustments to be made. It was advised that there were two outstanding pieces of information PBNI are waiting on in order to finalise the Accounts, although it is anticipated that they will be ready for sign off on the 27 May 2016. There is no reporting for April. There has been a submission for the June Monitoring Round and pressures have been flagged up. There is a bid for capital expenditure of £419k, PBNI were set a zero opening capital budget. Members were

advised of bids that have been submitted although any decisions are unlikely to be advised until the end of June early July.

The Chairman congratulated the Director and the Management Executive including the Head of Finance and her team on the underspend coming in at less than 0.2% which showed increased financial control and exceptional financial management. The Deputy Chair congratulated the Head of Finance on the Auditors advising of no adjustments to the Annual Report and Accounts.

16. CSR16 (VERBAL)

It was advised the Department are starting preparatory work on the CSR which will set budgets for the 3 years. The Department held a finance clinic to understand the challenges and pressures of organisations and agencies. The (Acting) Director attended the Strategic Resource Committee which provided the opportunity to set out PBNI's pressures and challenges over the next spending period. The planning process will not start until a new Minister is in post. Once the appointed Minister is in post the scenario planning will commence.

The Board noted the update.

17. PROGRAMME AND PROJECT MANAGEMENT UPDATE (PAPER 57/16)

The Members were advised that the Andersonstown and Magherafelt business cases have been approved which allows for leases to be renewed for the next 5 years.

The Deputy Director updated members on the Workforce Modernisation Programme. Some modifications have had to be made to the short term actions due to the court dispute but all short term actions should be completed by 31 July 2016. Work will then start on the medium term actions

The Board noted the update.

18. PROGRAMME OF VISITS AND BUSINESS (PAPER 58/16)

The Board noted the paper.

19. BOARD WORK PLAN 2016 – 2017 (PAPER 59/16)

The Board noted the paper.

20. ANY OTHER BUSINESS

None

21. BOARD SECRETARY'S BUSINESS

The Board Secretary reminded Members to submit their expenses within the three month deadline or they will not be processed.

The Board Secretary gave Members information on the programme of visiting offices. It was advised that a selected programme would give all members more of an understanding of the work carried out by Probation in the front line.

Action: Bring forward plans for visits, Board Secretary

22. CLOSED SESSION

23. DATE OF NEXT MEETING

The next meeting will take place on Friday 24 June 2016 at PBNI HQ, Conference Room at 9.30 am.

Vilma Patterson
Chairman

Date