

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – 11 OCTOBER 2013

342nd MEETING – 12TH OF TENTH TERM OF OFFICE

1. ATTENDANCE

1.1 Present

Mrs V Patterson (Chairman)
Mr R Mullan (Deputy Chairman)

Mr D Brown (items 1–7)	Mrs M O’Rourke
Mrs J Erskine	Mr D Rose
Mr E Jardine	Ms P Shepherd
Mrs L Jennett	Mr M Wardlow
Mr B McAllister	Dr R Wilson
Mr T O’Hanlon (items 1–7)	

1.2 Officials

Ms C Lamont ((Acting) Director)
Mr P Doran (Deputy Director Operations)
Ms L Cooper (Head of Business Planning and Development) (items 13-18)
Ms G McGreevy (Head of PR and Communications) (item 17)
Mrs G Robinson (Head of Human Resources) (items 6-15)
Mrs S Glenn (Acting Head of Finance) (items 6-12)
Mr P Moss (Board Secretary)
Miss G Collins

1.3 OPENING REMARKS AND CONFLICTS OF INTEREST

The Chairman welcomed everyone to the meeting and said that she intended to focus on the main substantive items, dealing with a number of matters under the “For Noting” section by way of exception.

The Chairman thanked the Board Secretary and Miss Collins who was continuing to assist in Secretariat.

There was no observer on this occasion.

With regard to conflict of interests, Mrs Erskine pointed out that NILGOSC was mentioned, although she did not consider that any conflict of interest arose.

2. APOLOGIES FOR ABSENCE

An apology was received from the Deputy Director Finance and Corporate Services.

3. CONSIDERATION OF THE MINUTES OF THE MEETING HELD ON 13 SEPTEMBER 2013 (M10/13)

It was agreed to amend the minutes as follows:

- at item 4 (Minutes of meeting on 9 August 2013) the sentence to be deleted.
- at page 4 paragraph 10. Replace the last sentence of the second paragraph by “Further to discussion, the Head of Business Planning and Development stated that the Complaints Section (rather than Complaints Officer) would appoint the Review Officer and the procedures would be amended to reflect this (at section 7), and affirmed that any Investigating Officer appointed would be independent of the matter under consideration.”
- at page 5 paragraph 14 replace “an in-depth analysis should be achievable” by “in future the spread of projects would be analysed in tandem with caseload distribution”.

Subject to these changes, the minutes of the meeting held on 13 September 2013 were signed as a true record.

4. MATTERS ARISING FROM THE MINUTES OF 13 SEPTEMBER 2013
(Paper 121/13)

Control Standards – Mrs Erskine gave a verbal report on a workshop she had attended.

Duke of Edinburgh Award event – the Chairman invited Members to attend the event on 16 October 2013.

Members noted the remaining matters arising and the actions taken.

5. CORRESPONDENCE (Paper 122/13)

Members noted the items of correspondence and considered in detail the letters from Anthony Harbinson, DoJ, dated 23 September 2013 and 2 October 2013. The Chairman and Deputy Chairman had met with Mr Harbinson on 23 September 2013 regarding governance and independence of NDPBs including delegated limits. This had been a helpful meeting and he had accepted that a case could be made for extending the delegated limits for Community Grants.

Action: (Acting) Director to write to DoJ.

However, the delegated limit for the Board to enter into leases had been set at zero and there was no scope to increase the limit.

The Chairman reported that the DoJ Estates Strategy had been discussed at the meeting and an Estates Strategy paper would be brought to the Board.

Action: (Acting) Director to bring Estates Strategy Report to the Board.

The Chairman and (Acting) Director had met with Brian Grzymek on 4 October 2013 at his request when the Alderwood issue had been raised. It was made clear to Mr Grzymek that PBNI was keen to work with the DoJ and NIPS to find a solution which ensured a 'Win, Win' for everyone. It was imperative that risk was managed and that PBNI estate requirements accommodated. At that meeting Mr Grzymek raised the possibility of a 5% cut in budget for year 2014-15.

The (Acting) Director had met with the DoJ, along with the Deputy Director Operations, Head of Human Resources and the (Acting) Head of Finance on 4 October 2013 and discussed the learning from the issue of the £700k additional in-year funding of which £500k had now been approved. A further bid to cover the outstanding amount of £200k would go forward to the next monitoring round. They also discussed the potential consequences of a 5% cut in in-year funding. The officials recognised the efforts that the Board had made to identify deliverable savings and accepted the proposed saving of £75k.

The (Acting) Director stated that the earlier DoJ allocations had been made to enable PBNI to address the heavy workload. In response to a query the (Acting) Director confirmed that the allocations had been used for staffing and there was no question of diverting funds. Members suggested that the Board should ensure its views were put on record.

Concerns were raised regarding the expiry of the lease for PBNI Headquarters in November 2014, which would require urgent consideration. The (Acting) Director said that the (Acting) Head of Finance would be taking the lead role in this regard.

The Chairman explained that the Department would not be proceeding with the status review of the Board at this time as set out in Anthony Harbinson's letter of 2 October 2013. The Department appreciated the fact that PBNI was proceeding with a systems review and she would clarify for him the reductions which had already been made in Corporate Services staffing.

The Chairman reported on the meeting the (Acting) Director and she had had with Brian Grzymek about Alderwood, in which he had expressed the wish to have Alderwood transferred by 31 March 2014. She had stressed the value of cooperation but had insisted that the change had to fit in with PBNI's estates strategy and business delivery needs.

The (Acting) Director added that Mr Grzymek had also mentioned potential further budget cuts of 5% across the DoJ in 2014-15 and an additional 4% across the board in 2015-16. During the discussion she had become aware of departmental dissatisfaction with the quality of PBNI business cases and she wished to obtain the relevant business experience to remedy the deficit.

The Chairman asked that a paper on estates strategy be brought to the Board in November. The (Acting) Director pointed that, as the Board owned Alderwood, it did not have to pay rent and it was not possible to meet the Department's demand to move the work to a new location at no extra cost.

In the course of discussion, the following points were made:

- PBNI should take account of the work being carried out by the Strategic Investment Board on an overarching estates strategy for government.

- The Board should seek a cast iron guarantee in respect of the proceeds from transfer of Alderwood.
- The Board should review, update and approve its own estates strategy as soon as possible.
- The timing of any letter to the Minister required careful consideration.
- The Board should make clear the consequences of an unsatisfactory outcome to the Alderwood negotiations.
- The General Purposes Committee should consider an initial estates paper at its next meeting.
- The Chairman should continue to raise awareness around these pressing matters for the Board and use all opportunities on the Board's behalf.

The Chairman commented that the Accountability Review would provide an opportunity for discussion with the Minister.

Action: Secretary to arrange date for the Accountability Review.

FOR DECISION

6. Sickness Absence Policy and Sickness Absence Procedure (Paper 123/13)

The Head of Human Resources introduced the paper and acknowledged the contribution of James Agnew, Deputy Head of Human Resources. She went through the main changes, particularly compulsory absence review meetings (Frequent and/or Persistent Absence) and increase in frequency of review meetings (Long Term Absence).

In the course of discussion the following points were made:

- The question of reasonable adjustments had raised many issues for individuals and organisations.
- The approach seemed to be prescriptive and a social model of disability would be preferable.
- A greater emphasis on health and wellbeing would be helpful.
- The documents should help to minimise the number who lost their self-confidence and self-belief.

In response to queries, the Head of Human Resources said that the unions were generally supportive, consideration was being given to recognition of full attendance and Carecall had been widely advertised but had attracted only a low take-up.

Appreciation was expressed to the Head of Human Resources and her staff.

The Board approved the Sickness Absence Policy and the Sickness Absence Procedures.

7. Community Grants Scheme Policy 2014-15 (Paper 124/13)

The (Acting) Head of Finance introduced the paper and went through the changes outlined in the cover note.

One Member queried whether it was efficient to bring forward the policy on an annual basis, how the reference to victims in paragraph 17 related to adjudicated offenders and whether the emphasis should be put on monitoring rather than evaluation.

The (Acting) Director said that current financial constraints made it harder to extend the period beyond one year, although grants for more than a single year e.g. Jobtrack and substance abuse projects meant that this should be kept under review. Concern was expressed that committing funding for three years would cause difficulties if further budget cuts were imposed.

It was noted that the same offender might receive support through different grants and that individuals might be on more than one management committee in receipt of a grant. It was therefore useful to collect and monitor relevant information.

A number of further points and queries were made:

- Query as to why private sector partners were included with public and voluntary/community sector partners in the Policy Objective.
- Query whether too many and too detailed requirements were being imposed on small bodies receiving grants.
- Prevention could be considered as well as support services for adjudicated offenders in the Policy Statement.
- The timeframe between advertisement and return of application seemed very tight.
- Query whether every appeal outcome needed to come to the Board for approval.

The (Acting) Head of Finance stated that the requirements on grant recipients were necessary to ensure that public monies were spent properly.

The Chairman commented that it would be important to be able to identify matched funding which was secured on the back of PBNI grants. In her view the issue of buying in or commissioning services was likely to become more important. She looked forward to receiving the further evaluation paper.

The (Acting) Head of Finance agreed to revise the paper in the light of the discussion. Any outstanding points could be considered when the policy was reviewed.

Action: (Acting) Head of Finance to revise the paper in the light of the discussion.

The Board approved the Community Grants Scheme Policy 2014-15.

FOR NOTING

8. Senior Management Staffing (Verbal)

The (Acting) Director stated that Hugh Hamill had been appointed (Acting) Deputy Director from 14 October 2013 for one year. The senior management portfolios would be updated the following week. The Chairman congratulated Hugh Hamill and thanked Mr McAllister who had sat on the panel.

9. Systems and Process Review (Verbal)

The (Acting) Director introduced the discussion and explained that the review would encompass a number of streams. A programme board would be established and she hoped that Chief Superintendent Alan Todd would act as a critical friend and that Karen Pearson, the new head of the DoJ sponsor branch, would represent the Department. The Board would be updated on an ongoing basis.

The Head of Human Resources said that she hoped to complete the review in four months with the assistance of Nicola Murphy, PSNI, one day a week. She stressed that the review was a critical piece of work which would be followed by consideration of organisational and staffing structures. The unions were supportive and staff buy-in would be important. A paper would be brought to the November board meeting.

Action: Paper on Systems and Process Review to be brought to the November Board meeting.

10. Budget 2013/14: Scenarios for Savings (Paper 125/13)

The (Acting) Head of Finance drew attention to the tables on pages 7 and 8 which set out anticipated staff savings by location and staff savings achieved to date by location. She confirmed that PBNI had achieved what had been expected to date.

In response to a query, she explained that the £75k of further savings offered to the Department had arisen from projecting the savings plan forward and re-casting the budget.

The (Acting) Director added that with her colleagues she was starting work on contingencies and would ensure that the Board was kept informed. She would welcome all Board assistance, including more detailed discussions at the General Purposes Committee when appropriate.

The Deputy Director Operations pointed out that the budget pressures were having an impact on service delivery and operations. It was important to maintain focus on the need to meet strict financial targets. Risk was being prioritised and the Lord Chief Justice and the Presiding District Judge were being kept informed of the position.

The Head of Human Resources commented that it was difficult to make progress without having the budget for 2014-15 and she was working on an exit strategy for the fixed-term contracts.

The Board noted the paper.

11. August 2013 Outturn (Paper 126/13)

The (Acting) Head of Finance presented the paper and drew attention to paragraph 3 which indicated that the anticipated outturn figures had been adjusted to reflect the budget savings plan and the outcome of the 5% reductions exercise. She pointed out that the Board would have limited scope to make any capital expenditure in the current year.

A number of queries were raised and Members were assured by the (Acting) Head of Finance and the Head of Human Resources that the figures shown were robust.

The Board noted the paper.

12. Business Cases Update (Paper 127/13)

The (Acting) Head of Finance presented the paper. One Member suggested that the paper disclosed matters which should potentially be included in the Strategic Risk Register. The Chairman said that the Audit Committee would look at the Risk Register. The (Acting) Director stated that she hoped to use external expertise to improve PBNI'S capacity to cope with the requirements of central government. Members noted the extreme complexity of the demands facing staff, in particular the interplay between the sponsor branch, FSD and DFP.

The Board noted the paper.

13. Management Information (Paper 130/13)

The Head of Human Resources stated that a staff turnover paper had been added and pointed out that the projection of days lost was showing a steady decline. The Chairman congratulated staff on the progress being made.

The Deputy Director Operations explained that additional information on workload had been included and reported on one Serious Further Offence, in which the PBNI supervision had been satisfactory.

The Board noted the paper.

14. Risk Discussion: Risk 5 from draft Strategic Risk Register 2013-14 – Inaccurate Processing of information core business processes (Paper 128/13)

The Deputy Director Operations introduced the paper and stated that the risk had first been included on the register in June 2013 following discussion with the Board in May. He explained that recording of some orders/licences had previously not been picked up but now all had been identified and recommendations brought forward to address the issues. He drew attention to the actions being taken and said that there would be a further senior management discussion in the near future.

In response to queries the Deputy Director Operations said that a new case management system would minimise the risk of human error and that issues arising from the missing information had been managed satisfactorily.

The Board noted the paper.

15. Quarter 2 Business Plan Progress Report (Paper 129/13)

The Head of Business Planning and Development introduced the paper which showed that of the 13 objectives six had a green rating, one was amber-green, five were amber-red and one (to deliver an intervention to address domestic violence on behalf of Health and Social Care Trusts) had a red rating. She pointed out that the availability of funding was a live issue in respect of a new case management system and progress on the Owers Prison Review Report recommendations.

Members commented that lack of funding in certain areas distorted the state of progress where PBNI staff had achieved whatever they could to implement the objectives. It was suggested that the wording of future objectives should be agreed with the practical difficulties in mind.

Concern was expressed at the lack of progress with regard to the new case management system and the domestic violence intervention.

The (Acting) Director praised the work carried out by staff towards implementing the objectives.

It was noted that the paper had, as previously agreed, included in bold text an indication of where difficulties were being faced. It was agreed that an additional column should be added to show actions still to be completed.

Action: Additional column to be added to show actions still to be completed.

The Board noted the paper.

16. Programme of Visits and Business (Paper 131/13)

The Chairman presented the paper and reported that, with the Deputy Chairman, she had attended the Duke of Edinburgh event in the Long Gallery on 27 September 2013. She highlighted the Probation Association meetings in London and the Probation Association visit to PBNI on which reports had been appended to the Paper.

She commented that the first World Congress of Probation had offered examples of innovative practice, notably in Japan, Thailand and Singapore. The presentations and discussions had confirmed for her that PBNI was in the forefront of innovative practice. The (Acting) Director added that the contacts with other participants had been very useful and the Deputy Director Operations said that overall the event had been a ringing endorsement of the value of social work in probation.

The Board noted the paper.

17. Political and Public Affairs Update (Verbal)

The Head of Communications presented the newspaper media coverage paper which had been tabled. Highlights included the Community Service event in Downpatrick, the (Acting) Director's visit to Ballymena, a major feature about her in the Newsletter and the Chairman's forthcoming article in Business Eye.

The Chairman commented that this had been a good month of positive coverage for PBNI including events like the one in Downpatrick which was to be included in the Programme of Visits and Business.

18. Corporate Plan Update (Verbal)

The Head of Business Planning and Development reported on meetings with service users at Hydebank and Inspire in which the importance of appropriate arrangements for transition from custody had been stressed. The Chief Parole Commissioner had been very complimentary about Probation and further partner events had taken place with helpful discussion and feedback.

The Chairman tabled a prototype for the Corporate Plan following discussions with the designer and Members commented favourably on it. The Chairman said that the full Corporate Plan group would meet on 14 November 2013.

19. Board Objectives and Workplan (Paper 132/13)

The Board noted the paper.

GENERAL PURPOSES COMMITTEE

20. Report from the Committee Chair (September 2013) (Verbal)

The Committee Chair reported that the Committee had not met in September.

21. Agenda items for 25 October 2013 meeting (Verbal)

The Committee Chair stated that key agenda items would be DoJ information needs and the DoJ estates strategy. A meeting had been arranged with Moira Doherty, DoJ, after the Board meeting to discuss information needs while Glyn Capper, DoJ, would make a presentation to the Committee on estates.

The Committee Chair reported that he had circulated a paper on potential themes and speakers to Board Members for comment. It was agreed that the Secretary should send the paper to the SMT for their comments.

Action: Secretary to circulate paper to the SMT for their comments.

22. Any Other Business

There was no other business.

OTHER BUSINESS

23. Chairman's Business

- (a) Meeting with Mr R Good – the Chairman reported on a meeting she had had with Richard Good, the Minister's Special Advisor, at her request.

This meeting had enabled her to appraise Mr Good of current matters within PBNI work.

Mr Good also reported on the decision not to carry out a review of the Board's status and said that he had found the meeting helpful.

- (b) Accountability Review – the Chairman stated that the date for the Review would be agreed soon and there would not be a separate visit by the Minister.

24. Director's/Secretary's Business

- (a) Attendance – the (Acting) Director informed Members that the Deputy Directors would continue to attend Board meetings and other senior managers would join the meeting to present particular items.
- (b) Corporation Tax and Capital Gains Tax – the (Acting) Director explained that HMRC was applying Corporation Tax and Capital Gains Tax to NDPBs. This was an emerging risk which she intended to raise at the Audit Committee.

**Action: (Acting) Director to raise
Corporation Tax and Capital Gains
Tax issues at the Audit Committee**

- (c) Post of Head of Finance – the (Acting) Director stated that, after discussion with the Chairman and DoJ, she would commence the process to make a permanent appointment.
- (d) Communications – the Secretary thanked Members for their prompt response to recent emails and reminded them to submit expenses claims as soon as possible.

25. Any Other Business

There was no other business.

26. Date of Next Meeting

The date of the next meeting was confirmed as 15 November 2013 at 12.00 noon due to the change of date of the PPAG.

It was suggested that, given the late start, some papers should be accepted without staff speaking to them.

The Chairman said that sandwiches would be provided during the meeting.