

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – 13 SEPTEMBER 2013

341ST MEETING – 11TH OF TENTH TERM OF OFFICE

1. ATTENDANCE

1.1 Present

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

Mr D Brown	Mr T O’Hanlon (items 1-13)
Mrs J Erskine	Mrs M O’Rourke (items 1-15)
Mr E Jardine	Mr D Rose
Mrs L Jennett	Ms P Shepherd
Mr B McAllister	Dr R Wilson

1.2 Officials

Ms C Lamont ((Acting) Director) (items 1-30)
Mr P Doran (Deputy Director Operations) (items 1-10)
Mr D Van der Merwe (Deputy Director Finance and Corporate Services) (items 1-30)
Ms L Cooper (Head of Business Planning and Development) (items 1-27)
Ms G McGreevy (Head of PR and Communications) (items 1-30)
Mrs G Robinson (Head of Human Resources) (Items 1-27)
Mrs S Glenn ((Acting) Head of Finance) (Items 1-24)
Mr P Thompson (Assistant Director – Community Engagement) (item 14)
Mr P Moss (Board Secretary)
Miss G Collins (Items 1-30)
Ms Lucia Kearney (Observer) (Items 1-14)

1.3 OPENING REMARKS AND CONFLICTS OF INTEREST

The Chairman welcomed everyone to the meeting. Given the full agenda, the Chairman said that she intended to focus on the main substantive items and go through a good deal of the “For Noting” section by way of exception.

The Chairman congratulated Cheryl Lamont on her appointment as (Acting) Director and welcomed her to her first Board meeting in this capacity.

The Chairman welcomed Gillian Collins, who had joined Secretariat as Personal Secretary.

The Chairman welcomed as an observer Lucia Kearney, Volunteer Mentor Coordinator.

No conflicts of interest were declared.

2. APOLOGIES FOR ABSENCE

An apology was received from Mr Wardlow.

3. CONSIDERATION OF THE MINUTES OF THE MEETING HELD ON 19 JULY 2013 (M8/13)

The minutes of the meeting held on 19 July 2013 were signed as a true record.

4. CONSIDERATION OF THE MINUTES OF THE MEETING HELD ON 9 AUGUST 2013 (M9/13)

The minutes of the meeting held on 9 August 2013 were signed as a true record, subject to the following amendments:-

- Item 11 line 3, “inclusion of equality reporting...2013-14” to be replaced by “equality objectives as set out in PBNI’s Equality Scheme were now being reported as normal business”.
- Item 17 second paragraph, sentence to be removed.
- Item 21 second paragraph should be amended to read “One Member commented that the organisation should not understate its progress.”

5. MATTERS ARISING FROM THE MINUTES OF 19 JULY 2013 AND 9 AUGUST 2013 (Paper 105/13)

Minutes of 19 July 2013

The Board noted the matters arising and the actions taken.

Minutes of 9 August 2013

- Item 5 – the (Acting) Director advised that the Deputy Director Finance and Corporate Services would be providing an updated paper regarding Alderwood House for the next Board meeting. A meeting had been set up with Anthony Harbinson, DoJ. The (Acting) Director would also meet with Sue McAllister, NIPS, on the following Monday.
- Items 6 and 11(2) – the Chairman had met with Anthony Harbinson, DoJ, along with the Deputy Chairman and had raised points identified within the minutes.
- Item 7 – a discussion had taken place with Anthony Harbinson, DoJ, regarding a visit to the Board by the Minister of Justice to meet Board Members before Christmas.
- Item 10 – the Deputy Director of Finance and Corporate Services had written to the DoJ to re-negotiate the delegation for community grants and the Department had requested a full justification.
- Item 11 – the Deputy Director of Finance and Corporate Services had written to the DoJ to explore the possibility of re-negotiating the delegations related to leases.

6. CORRESPONDENCE (Paper 106/13)

Members noted the Criminal Justice Board Communiqué July 2013.

FOR DECISION

7. Policy on the Provision and Acceptance of Hospitality, Gifts and Events and Procedures and Guidance on the Acceptance of Hospitality and Gifts (Paper 107/13)

The (Acting) Head of Finance presented the paper, outlining the key changes to the existing policy and procedures. The draft mirrored DoJ policies and procedures which were, however, more complicated than required for PBNI purposes and had therefore been simplified for these papers. Consultation had taken place with the Trade Unions and Senior Management Team.

Concern was expressed about the level of detail, particularly in paragraph 10.2 of the Procedures and Guidance on the Provision of Hospitality, Gifts and Events. The (Acting) Head of Finance informed Members that the Board was tied to these provisions and pointed out that the Accounting Officer had to approve expenditure above the stated limits.

A number of drafting amendments were put forward for paragraphs 3.1, 4.2, 5.2 and 7.3.

The Board approved the Policy on the Provision of Hospitality, Gifts and Events.

The Board also noted the Procedures and Guidance on the Provision of Hospitality, Gifts and Events and the Procedures and Guidance on the Acceptance of Hospitality and Gifts.

8. Hate Crime Policy (Paper 108/13)

This item was deferred to the next meeting.

9. Learning and Development Policy (Paper 109/13)

The Head of Human Resources introduced the paper and stressed the inclusion of principles underlying the policy and a change to the overall Aim, Objective and Outcome. She also drew attention to the considerable changes to the associated Procedures.

Members welcomed the paper and underlined their support for the maintenance and strengthening of this area of work. Concerns were expressed about succession planning and protection of this function. It was proposed that the culture of lifelong learning should be adopted as a principle and a number of drafting amendments were put forward.

It was agreed that the draft should be amended in the light of the discussion. The Board approved the policy.

Action: Head of Human Resources to amend the draft in the light of the discussion.

10. Complaints Policy and Complaints Policy Procedures and Guidance (Paper 110/13)

The Head of Business Planning and Development presented the paper, highlighting the policy changes proposed and the training plan, which included bespoke internal investigation training for Area Managers. Only 13 of 120 complaints had not been dealt with successfully at the informal stage. She explained that complainants had the option, once the PBNI process had been completed, of going to the Northern Ireland Ombudsman, the Prisoner Ombudsman or the Information Commissioner.

In response to a query about unacceptable behaviour (section 14 of the Procedures document) the Head of Business Planning and Development stressed that risk assessments were carried out and the safety of staff was paramount to the organisation. 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.

The Deputy Director Operations stated that being the recipient of complaints could be stressful for staff and the organisation would, if necessary, step in to protect staff from serial complainants. It was agreed that the draft should be amended in light of the discussion. The Board approved the Complaints Policy and the Complaints Policy Procedures and Guidance.

Action: Head of Business Planning and Development to amend the draft in light of the discussion.

11. Microsoft Enterprise Agreement (Paper 111/13)

The Deputy Director Finance and Corporate Services presented the paper, which had been considered by the General Purposes Committee which had agreed to recommend its approval. The document had been sent to the DoJ which had indicated that it would approve the extension.

The Board approved the paper.

FOR NOTING

12. Appointment of (Acting) Director (Verbal)

The Chairman reported on the completion of the process to appoint the (Acting) Director and thanked Mr O'Hanlon and Ms Shepherd for their contribution as members of the panel.

13. Senior Management Staffing (Verbal)

The (Acting) Director explained that, having considered the options and taken advice, she had decided to fill the vacancy at Deputy Director Operations level on a temporary basis. This would facilitate the forthcoming systems review and any review of structures which followed. The process of making the appointment would proceed quickly.

The (Acting) Director acknowledged the huge amount of work which would be demanded of senior managers in the months ahead. After careful consideration, she

had decided not to backfill a vacancy at Assistant Director level following the temporary appointment to the Deputy Director Operations post.

14. Evaluation of Community Grants (Paper 112/13)

The Assistant Director (Community Engagement) introduced the paper, which provided a quantitative analysis of the scheme and drew attention to the main points. There had been a high achievement of targets, there was a good geographical spread of projects and the exercise had proved very useful to date. A cluster of small grant projects which had underperformed had been identified in one team area and this issue had now been addressed.

In response to a query as to whether the geographical spread of projects matched the pattern of offending, the Assistant Director (Community Engagement) said that in future the spread of projects would be analysed in tandem with caseload distribution.

Members welcomed the paper and a number of points were made:

- the evaluation should give greater emphasis to the role of PBNI in terms of social care – consideration might be given to acknowledging this in the Community Grants Scheme Policy
- applications should specify how the project would achieve the outcome claimed
- the actual impact of projects should be identified
- PBNI should insist on proper recognition of its contribution by the projects
- new control standards should be considered for audits on community grants

Action: Mrs Erskine to provide control standards from another organisation after a workshop on 23 September 2013.

- the engagement of adjudicated offenders enabled more reliable information to be obtained
- the paper reflected attendance at activities but that in itself did not mean that offenders were benefiting from their engagement
- the evaluation should quantify the value of matched funding for PBNI's contribution

The Assistant Director (Community Engagement) agreed that it was important to capture the relevant information about individuals. He added that PBNI was engaged in consultation with the Public Health Agency about the delivery of addiction services to those under supervision. The structure and delivery of these services would probably change significantly over the following two years, with a direct impact on PBNI Community Grants funding. The risk of double funding was also an issue under consideration.

The Chairman stressed the importance of grant aided projects recognising PBNI's support and thanked staff for their contribution.

The Board noted the paper.

Action: Qualitative paper on evaluation of Community Grants to be brought to the Board in line with the Board Workplan.

15. Budget 2013/14: Scenarios for Savings (Paper 113/13)

The Deputy Director Finance and Corporate Services reminded Members that the Board had agreed implementation of measures totalling £473k – 46% had been realised up to 31 August 2013 and plans to deliver the remaining 54% were set out on page 2. He was confident that the target would be met.

The Head of Human Resources stated that she had met the trades unions for whom this was obviously a matter of concern. She had also taken legal advice about handling the fixed term contracts. The (Acting) Director added that it was essential to inform and engage staff.

It was acknowledged that uncertainty over the amounts of £700k for 2013-14 and £350k for 2014-15 requested from the DoJ had made planning and engagement more difficult. While there had been only a minor impact to date on operational services, the impact would inevitably increase.

With regard to the DoJ in-year 5% budget reductions exercise, the Deputy Director of Finance and Corporate Services said that PBNI was able with difficulty to offer a £75k reduction.

The (Acting) Director explained that a senior staff group was meeting regularly and had worked extremely hard to address the situation. In response to a query, she outlined the process which had been followed since March 2011 when the requirement for major savings had become known.

The Chairman thanked the (Acting) Director and staff for their efforts to meet a very difficult situation. She noted that staff leaving the organisation might cause inconvenient vacancies and stressed the importance of effective internal communication. The Chairman expressed the hope that more detail would be available for the October meeting.

The Board noted the paper.

16. Risk Discussion: Risk 6 from draft Strategic Risk Register 2013-14 – Health and Safety (Paper 114/13)

The Head of Human Resources introduced the paper and went through the actions required. She outlined issues related to lone working and noted that the longstanding emphasis on personal safety had been given fresh impetus by guidance from the Attorney General concerning Article 2 of the European Convention on Human Rights.

The Head of Human Resources explained that investigations had been undertaken on a Vodafone service to track staff on home visits and an e-learning package would go live on 1 November 2013. A meeting had also been held with the PSNI about personal safety.

The Board noted the paper.

17. July 2013 Outturn (Paper 115/13)

The (Acting) Head of Finance introduced the paper and went through the points listed. She explained the effect of the Admin and NNC pay awards and the upgrade of the Account NI system, which would be unavailable 18–30 September – this would unfortunately distort the half year figures.

The Board noted the paper.

18. Business Cases update (Paper 116/13)

The (Acting) Head of Finance went through the paper and pointed out the current position. In response to a query, the (Acting) Director indicated that target dates in respect of Domestic Abuse perpetrator work would have to be put back because of the delay in securing approval. Members expressed frustration at the delays in dealing with a number of business cases.

The Chairman pointed out that business cases regarding the PBNI estate now had to be considered in the context of the DoJ estates strategy. However, PBNI would continue to press ahead with business cases where this was necessary to meet the organisation's needs.

The Board noted the paper.

19. Management Information (Paper 117/13)

The Head of Human Resources explained that the average sickness absence for employee was now projected to fall from 12.4 to 9 days. This reflected hard work by local managers and more proactive measures taken by the HR Department such as use of the Occupational Health Services.

In response to a request, it was agreed that the whole time equivalent figure would be incorporated into the second diagram.

Action: Head of Human Resources to incorporate whole time equivalent figure into the second diagram.

It was noted that the Sickness Absence Policy and Sickness Absence Procedure would be presented to the October Board meeting for approval.

With regard to the proposed new case management system, the Deputy Director Finance and Corporate Services reported that the (Acting) Director had recently met the DoJ to discuss the crucial issue of affordability.

The Deputy Director Operations reported on two serious further offences.

An enquiry was made as to whether the reduction in probation orders and increase in DCS and ECS usage reflected a more punitive approach and how that related to PBNI's position. The Head of Business Planning and Development said that it was currently difficult to identify trends and patterns and comparisons were hard to make when PBNI was now supervising more serious cases.

The Board noted the paper.

20. Programme of Visits and Business (Paper 118/13)

It was pointed out that meetings with Extern and with PSNI on 11 September 2013 would be included in the paper for the next Board meeting.

The Board noted the paper.

21. Political and Public Affairs: update (Verbal)

The Head of Communications tabled materials, including an article by the Chairman, items on the (Acting) Director's appointment and local reports.

She reported that the ISU had been shortlisted as finalists in the Adult Services Award category of the Regional Social Work Awards for their outstanding work with sexual and violent offenders. This was the first time that PBNI had received a nomination for one of the Social Work Awards.

The Head of Communications stated that the PBNI Communications Unit had been nominated for a CIPR Pride Award in the Outstanding In-House Public Relations category.

The Board congratulated the staff concerned for the work which had resulted in these prestigious nominations.

22. Corporate Plan update (Verbal)

The Head of Business Planning and Development updated Members on progress with the ongoing programme. She looked forward to the partner consultation events which were being planned for October.

The Board noted the report.

23. Board Objectives and Workplan (Paper 119/13)

The Board noted the paper.

GENERAL PURPOSES COMMITTEE

24. Report from the Committee (August 2013) (Paper 120/13)

The Committee Chair reported on the meeting held on 23 August 2013 and identified three crucial areas for the Committee:

- DoJ information needs – a presentation, possibly by Moira Doherty was envisaged.
- DoJ estates strategy.
- Self-Education – a list of possible future speakers was identified at paragraph 11.

The Committee Chair stated that Members had conducted a thorough and constructive discussion on the Corporate Plan 2014-2017 which he hoped would contribute to the overall consultation.

A paper was tabled about the Restorative Justice visits on 17 September 2013 and seven Members agreed to take part. The Secretary was asked to contact the absent Members.

Action: Secretary to contact the absent Members about the Restorative Justice visits on 17 September 2013.

The Board noted the paper.

25. Agenda items for 27 September 2013 meeting (Verbal)

The substance of this item was covered at item 24 above.

26. Any Other Business

The Secretary was asked to add Ms Shepherd to the attendance list in the draft minutes of 23 August 2013.

Action: Secretary to add Ms Shepherd to the attendance list in the draft minutes of 23 August 2013.

OTHER BUSINESS

27. Chairman's Business

- (a) "Postcards to me" event on 18 September 2013 at Inspire – Mrs Jennett agreed to attend and the Secretary was asked to contact the absent Members.

Action: Secretary to contact absent Members about the "Postcards to me" event.

- (b) Duke of Edinburgh Long Service Recognition Certificates – the Chairman asked Members to contact the Secretary if they wished to attend on 27 September 2013.

Action: Chairman to arrange attendance for 16 October 2013.

- (c) DoJ's Strategic Framework for Reducing Offending "Towards a Safer Society 2013" – the Chairman announced that copies of this document were available after the meeting.

- (d) Duke of Edinburgh Award – the Chairman said that she would arrange attendance when more information about the event on 16 October 2013 became available.

Action: Chairman to arrange attendance for 16 October 2013.

- (e) Systems Review – the Chairman reported that, with the (Acting) Director, she had met Chief Superintendent Alan Todd about the PSNI service change programme. This had proved a useful meeting and she hoped that PBNI would benefit from the PSNI experience. The (Acting) Director confirmed that she would prepare terms of reference in the near future and hoped to have someone in post before the end of October and would report on progress to the Board.

Action: (Acting) Director to report on progress to the Board.

28. Director's/Secretary's Business

The (Acting) Director reported on the Ministerial Summit on Child Sexual Exploitation held on 10 September 2013. Ministers Edwin Poots and David Ford had been in attendance with the two OFMDFM Junior Ministers.

The Secretary informed Members that the Account NI system upgrade would delay payment of travel expenses.

He also announced that copies of the Probation Association Annual Review would be available at the end of the meeting.

29. Any Other Business

There was no other business.

30. Date of Next Meeting

The date of the next meeting was confirmed as 11 October 2013 at 9.30 am.

CLOSED SESSION

31. Meeting with Anthony Harbinson

The Chairman tabled a paper she had prepared following the meeting which she, with the Deputy Chairman, had held with Anthony Harbinson, DoJ. They had raised a number of issues identified by the Board and matters discussed included:

- decision-making in relation to NDPB status and the DoJ
- perceptions of centralisation within the DoJ family
- the understanding of governance arrangements for NDPBs
- delegated limits within the Management Statement/Financial Memorandum
- estates strategy and the need for flexibility to meet PBNI's requirements.

After discussion of these issues, the Chairman said that she would report back following receipt of correspondence from Anthony Harbinson.