

PROBATION BOARD FOR NORTHERN IRELAND

SPECIAL BOARD MEETING – 29 SEPTEMBER 2017

9.30 AM – PBNI HQ

389th MEETING – 21ST of THE ELEVENTH TERM OF OFFICE

ATTENDANCE

Mrs V Patterson (Chair)
Mrs J Gillespie
Mr I Jeffers
Mr R Mullan
Mrs D Groves (Board Apprentice)

Mr E Jardine
Mr G OhEara
Mr D Wall

Officials

Ms C Lamont, Chief Executive
Mr P Doran, Director of Rehabilitation
Mrs G Robinson, Head of HR
Mrs C Teggart, Head of Finance
Mr M Cox, Board Secretary

Mrs W Rodgers, Personal Secretary (Minutes)

1. OPENING REMARKS AND CONFLICTS OF INTEREST

The Chairman welcomed and thanked everyone for attending this Special Board meeting. The meeting had been called for a single item, however it is noted from the agenda that a second item had been added as Board approval is required within a short timeframe.

There were no conflicts of interest declared.

2. APOLOGIES

Apologies received from: Mrs J Erskine, Deputy Chair; Mr D Brown, Member; Ms A Matthews, Member; Mrs P Shepherd and absence was noted from Mr T O'Hanlon, Member; Mr H Hamill, Director of Operations.

3. PROBATION STAFF – APPROVAL OF TERMS AND CONDITIONS

The Chairman introduced the paper and thanked the Head of HR for setting out the position and options.

The Members were taken through the background by the Head of HR. There were five points to discuss as laid out in the paper. At a recent meeting with the Chairman, Chief Executive, Head HR and the Director of Safer Communities, the Director had expressed his personal view that it was desirable that the Terms & Conditions (T&Cs) of PBNI should reflect those of the NICS. This would make the transition to Shared Services in the future easier. It was advised by the Director that he would support the decision not to follow the NICS policy on Managing Attendance if that is what was decided by the Board, however, it was important to understand if the DOF had an appetite to approve any policies that did not follow NICS policies as they have the final sign off on all T & Cs related policies. It was agreed that it was important to establish the DOF's view on approval of policies.

There was discussion around the options of T & Cs available. It was advised the Youth Justice Agency had recently gone through a process to align them to NICS T & Cs. The Members were advised that the Administration staff of PBNI are already on NICS T & Cs but follow PBNI policies. Also administrative staff are members of the NILGOCS pension and not the Principal Civil Service Pension Scheme. The Board was reminded that there is a declared expectation to move to Shared Services, where possible. .

Discussion ensued on the role of the employer and the statutory requirement of the Board, as laid out in the 1982 Order, to provide an 'Adequate and Efficient' Probation Service. The Board approved the new Managing Attendance Policy in June 2017 to address the specific issue of high absence levels. The issue of approval and implementing policies has arisen because the DOJ and then DOF must approve any change to the policy. The response from the DOJ on it being desirable to move to NICS's T & Cs has highlighted the need to consider other HR policies. A number of existing policies are on hold until it can be established if DOF will only approve NICS aligned policies. The Members agreed that the DOF's opinion should be sought. There is a need for an informed debate with senior officials which would provide an opportunity for the Department to advise why a policy intended to address the specific issue of poor attendance would not be approved and its view on the longer term implications for the review of NNC/SCCOG T and C's.

Following discussion on the five main points highlighted, Mr OhEara proposed that the two recommendations as laid out in the paper be approved. Mr Mullan seconded the proposal. The Board agreed the two recommendations as the way forward. After clarification is received, the Board will further consider the wider implications.

4. LEGAL COSTS

The Director of Rehabilitation provided background into the requirement for Board approval for the legal costs. A legal challenge against the Department of Justice and PBNI had been found in the applicant's behalf. PBNI were advised of the ruling on 12 September 2017. The Department was the main respondent but the PBNI was also. Following Crown Solicitor's advice PBNI's liability is for £17,629.64, half of the applicants' legal fees. Under the delegated limits any amount over £10,000 requires Board approval. In response to a question, the Head of Finance confirmed that there had been provision made for this amount.

The Members were advised that there was another case in which the applicant had has been successful and PBNI are awaiting clarification on this. The Director of Rehabilitation advised that PBNI are receiving approximately 10 cases a quarter and in the past five years has lost only two cases.

Following discussion the Board approved the payment.

5. ANY OTHER BUSINESS (VERBAL)

The Chairman expressed her and the Board's appreciation on how the Organisation and staff have dealt with the current difficult situation. There has been exceptional work and excellent communications. The staff do appreciate the level of support from the Management Executive Team and all the briefings that have been provided. The work and long hours has been exceptional and we wish to thank them on behalf of the Board in this difficult situation.

Vilma Patterson
Chairman

Date