

**BOARD MEETING – 15 DECEMBER 2017**

**9.30 AM – PBNI HEADQUARTERS**

**392nd MEETING – 24th of THE ELEVENTH TERM OF OFFICE**

**ATTENDANCE**

Mrs V Patterson (Chair)  
Mr D Brown                      Mr E Jardine  
Mrs J Gillespie                Mr I Jeffers  
Mrs A Matthews                Mr R Mullan  
Mr G OhEara                    Mrs P Shepherd  
Mr D Wall  
Mrs D Groves, Board Apprentice

**Officials**

Ms C Lamont, Chief Executive  
Mr P Doran, Director of Rehabilitation  
Mr H Hamill, Director of Operations  
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 everyone to the December Board meeting.

Items would be deferred to committees as appropriate.

No conflicts of interest were declared.

**2. APOLOGIES**

Apologies were received from: Mrs J Erskine, Deputy Chair and absence was noted of Mr T O'Hanlon, Member.

**3. CONSIDERATION OF MINUTES**

**Board Meeting – 17 November 2017 (M11/17)**

The minutes of the Board meeting held on 17 November 2017 were accepted as an accurate account of the meeting with the agreed amendments.

**4. MATTERS ARISING FROM THE MINUTES (PAPER 124/17)**

It was noted that all Matters Arising have been completed. The Chairman advised that under Action 2 the Business Case for Crawford Square had been submitted. The Director of Operations will provide an update on the 'tablet' upgrade under Policy & Practice Committee business.

**5. CHAIRMAN'S UPDATE – VERBAL**

The Chairman advised members of her conversation with the Permanent Secretary on 7 December 2017. In the broad discussion three main areas were covered; the wider role of Probation, the staffs' Terms & Conditions and the NILGOSC pension issue. Probation is waiting for a decision on the DOJ's preferred approach to these matters which is currently being progressed. It was advised that there would be capital funds for 2018/19 but pressures on resource.

The Chairman attended an event on Arm's Length Bodies, in London, and how they can work more constructively with their sponsor departments. There are two workshops arranged in Northern Ireland for the end of February 2018.

It is anticipated that work will start on the appointment of a new Board in Spring of 2018 as the term of the sitting Board ends on 30 November 2018.

Notes from the Union Meeting held on 31 October 2017 have been sent to the Unions for an accuracy check and we await feedback from them.

Engagement with the Justice representatives from the political parties continues and members will be kept advised. Discussions are taking place with the Permanent Secretary to arrange the Annual Accountability Review, members will be contacted reference their availability. Secretariat will be in touch with members to arrange dates for members' annual meetings with the Chairman, it is hoped that these will be completed during January/February.

**Action: Secretariat to arrange annual meetings with the Chairman, Secretariat**

The Chairman advised that Ronnie Armour, Director of Reducing Offending and Head of NI Prison Service, will be attending the March Board meeting to discuss the delivery of Outcome 7 and other relevant matters.

The Board noted the update.

## **6. CHIEF EXECUTIVE'S UPDATE – VERBAL**

The Chief Executive updated members on matters arising since the November Board Meeting.

Members were advised that the budget for the financial year 2017/18 was confirmed on 21 November 2017.

The Chief Executive provided members with a summary of the launch of the Enhanced Combination Order (ECO) Research Report which took place on 4 December 2017. The Lord Chief Justice attended as the key note speaker. He is very supportive of ECOs. The event drew good media coverage both on television and in print. The Chief Executive thanked all the staff involved in the organisation of the event.

Discussions on Shared Services are ongoing. The Chief Executive and Head of Finance attended a meeting on Estates as it is reported there is a 50% surplus across the Civil Service establishments. This means best value is being reviewed. It was suggested the SIB could be invited to address the Board to provide the Members with information on the way forward on developing an overarching Estates Strategy.

**Action: SIB to be invited to CRC, Secretariat**

The Chief Executive updated members on the current security position and the impact this has had on the Organisation and practice. She is liaising with the PSNI and is awaiting an update on the current threat assessment. There was discussion around the importance of receiving an up to date threat assessment from the PSNI. It was agreed that the Chairman would write to the Chief Constable seeking an updated risk assessment, as a matter of urgency.

**Action: Chairman to write to the Chief Constable, Chairman**

The Board noted the update.

## **7. CORRESPONDENCE (PAPER 125/17)**

There was two pieces of correspondence for the Board to note.

7.1 Letter received by the Chief Executive from Alderman Brian Kingston, Chair, West Belfast DPCSP

7.2 Letter received by the Chairman from Anthony Harbinson reference the Accountability Review 2016/17

The Chairman advised that the Permanent Secretary will chair the Accountability Review meeting in the absence of a minister.

The Board noted the correspondence.

## **8. POLICY & PRACTICE COMMITTEE BUSINESS**

The Chair of the Committee provided members with an update of the meeting held on 24 November 2017. An update on the 'tablet' upgrade is available for members' information in the Management Information Report provided to this meeting and will be discussed under agenda item 8.2.

Mr Wall advised members on the provisional arrangements for the Annual Conference. Members were advised of the timetable for Problem Solving Courts and there was a discussion around resettlement and rehabilitation being key elements. It was suggested that the Annual Conference could focus on Probation's knowledge and skills in this area. The Conference will be held in the Long Galley, Stormont, on 15 March 2018, commencing at 10:45 am. Raymond McCartney and Paul Frew are sponsoring the event. Mr Wall informed the meeting of the suggested speakers and the overall plan for the event. There was discussion around the venue and its capacity to hold the number of invitees. Following a full discussion the Board agreed to endorse Mr Wall's proposals.

### **8.1 Management Information Report (Paper 126/17)**

The overall Caseload is marginally down against the background of a significant decline in the numbers in custody. There has been a reclassification of ROSH (Risk of Serious Harm) and SLAs have been signed off with NIPS. It was noted that the crime statistics have been affected by the end of the legal dispute with reports down by 8% in 2017.

There was one Serious Further Offence report. There were no significant practice lessons to report.

The Board noted the paper.

### **8.2 Update on upgrade of 'tablets' (Verbal)**

The Director of Operations advised that there are two 'tablets' were being upgraded at present and he referred members to the Management Information Report for a full update. He will report back to the Board with any further update in due course.

The Board noted the update.

## **9. CORPORATE RESOURCES COMMITTEE BUSINESS**

### **9.1 Update by Committee Chair (Verbal)**

The Committee Chair provided members with an update on the Committee meeting held on 1 December 2017. The financials were the main area of discussion with the Committee expressing concern over the lack of monitoring rounds and the 2017/18 budget only being

approved on 21 November 2017. The additional work for staff that this situation has caused was discussed and the impact it had on the Committee to carry out its role.

The Board noted the update.

## **For Decision**

### **9.2 Estates Strategy (Paper 127/17)**

The presented paper was discussed at the Committee meeting on 1 December 2017. The Committee requested that an additional comment on working with partnerships be added. Following full discussion the Committee agreed to recommend approval of the Strategy to the Board.

The Board discussed the issue of the Condition Surveys and that a number of properties, particularly in the Urban area, were not fit for purpose as they were in a poor state of repair. The Head of Finance highlighted areas of the Strategy and advised on business cases which need to be prepared. It was reminded that Probation has a zero delegated limit for leases.

Discussion ensued on using shared space and using partnerships. In particular discussion around monies being available to ensure staff have properties to work out of was discussed.

Following a full discussion the Board agreed to approve the three year Estates Strategy.

### **9.3 NILGOSC Administrative Pension Contributions (Paper 128/17)**

The Head of HR presented the paper to the Board and gave background into the issue that has arisen with the Administrative Pension Contributions. The paper was discussed at the Corporate Resources Committee on 1 December 2017. The Committee agreed to recommend to the Board that the current position be held and wait for an explanation of DOF's position before deciding the next steps.

The guidance states that no staff member should be any better or worse off in relation to the Terms & Conditions from that of the NICS. Members were advised of the schedule for increases in contributions by staff. It was confirmed that it will be July 2018 before there will be an impact on staff being any better or worse off.

The Members discussed the legal advice that had been received and the potential to seek further legal advice. It was agreed that once DOF's rationale has been provided specific legal advice on their points could be sought. It was also agreed that the Chairman should write to the Permanent Secretary to request his engagement in the issue.

#### **Action: Chairman to write to the Permanent Secretary, Chairman**

Following a full discussion the Board agreed to wait for DOF feedback and continue with the current position.

The Board approved the recommendation as laid out in the paper.

## **For Discussion**

### **9.4 Cultural Survey Update (Paper 129/17)**

The Head of HR presented the paper to members. The Survey had been discussed by the Corporate Resources Committee at its meeting on 1 December 2017.

Members were advised that work is ongoing and progressing. A staff representation group has been set up which involves all grades of staff. Paul McIlwaine, Deputy Head of HR, is

leading the work and he has engaged a consultant to look at the qualitative and quantitative data. The Action Plan will be brought back to the Board in March.

**Action: Action Plan to be presented at the March Board, Head of HR**

The Board noted the update.

**For Noting**

**9.5 Financial Outturn – November 2017 (Paper 130/17)**

The paper was presented to members for their information. It was advised that there would be a monitoring round in January and this would allow for the budget to be re-profiled and therefore provide the Members with more realistic accounts.

The Board noted the paper.

**9.6 Programme and Project Management (Paper 131/17)**

The Board noted the paper.

**9.7 HR – Managing Attendance Update (Paper 132/17)**

The paper was presented to members for their information. It was reported that the Working Days lost to absence is on the rise due to the winter weather and ‘cold’ season. It is expected that rise in the figures will be short term. The Board commented on staff who did not have any absence and they must be supported.

The Board noted the paper.

**10. BOARD’S POSITION IN RESPECT OF THE TPMOS (Paper 133/17)**

The Director of Operations presented the paper setting out the background and impact on the current practice. It was noted that the DOJ has not, as yet, set out its position and therefore it was not possible for the Board to reach a definitive position on TPMOs. It was also noted that the Trade Unions side had raised concerns about the risk raised against the Probation staff.

Concerns were expressed about the impact on the wider service delivery due to current circumstances and it was agreed this, along with the risks to staff, were the prime concerns.

It was also agreed that the DOJ should be pressed for change to the legislation to remove PBNI from work with the TPMO cohort. The Board also endorsed the interim measures taken by Senior Managers.

The Director of Rehabilitation drew the Members attention to the ‘Nash’ Judicial Review, where it confirmed that staff do not have the assessment wherewithal to supervise TPMOs. In this regard a member observed that it was important to note that the differential between the staffs’ capability to supervise the TPMOs and the lack of willingness to do so. The current limitations, of supervision of offenders were noted and endorsed.

After discussion the Chairman summarised the position as Probation is not equipped and cannot practically work with the TPMO cohort and other agencies in the Criminal Justice System are much better placed to fulfil this role.

**Action: the Chairman is to write to the Unions, chairman**

The Board noted the paper

**11. PROGRAMME OF VISITS AND BUSINESS (PAPER 121/17)**

The Board noted the paper.

**12. ANY OTHER BUSINESS**

There was no other business.

**13. BOARD SECRETARY'S BUSINESS**

**13.1 Board Work Plan 2017 – 2018 (Paper 122/17)**

The Board noted the paper.

**13.2 Preparation for Register of Interests (Verbal)**

The Board Secretary gave members early warning of the need to complete the Register of Interests.

**14. DATE OF NEXT MEETING**

The next meeting will take place on Friday 26 January 2018 in PBNI HQ, Conference Room, commencing at 10.30 am.

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Vilma Patterson  
Chairman

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Date