

## PROBATION BOARD FOR NORTHERN IRELAND

**BOARD MEETING – 20 APRIL 2018****9.15 AM – PBNI HEADQUARTERS****396th MEETING – 28th of THE ELEVENTH TERM OF OFFICE**ATTENDANCE

Mrs V Patterson (Chair) (Items 1-7)

Mrs J Erskine (Deputy Chair)

Mr D Brown

Mr E Jardine (Items 1-7)

Ms A Matthews (Items 1-10.1)

Mr G OhEara

Mrs J Gillespie (Items 1-7)

Mr I Jeffers

Mr R Mullan

Mr D Wall

Officials

Ms C Lamont, Chief Executive (Items 1-11)

Mr P Doran, Director of Rehabilitation

Mr H Hamill, Director of Operations (Items 1-11)

Mr P McIlwaine, Deputy Head of HR

Mrs C Teggart, Head of Finance (Items 10.1– 10.4)

Mr M Cox, Board Secretary

Mrs W Rodgers, Personal Secretary (Minutes)

**Guest – Dr Geraldine O’Hare – Presentation**

The Chairman welcomed Dr O’Hare to the meeting. The Chairman congratulated Dr O’Hare on the Domestic Abuse Team winning the Northern Ireland Social Work Team Award for 2018.

Dr O’Hare provided background into the Team’s work which comprises; Innovative Practice in Domestic Abuse, Problem Solving Courts, Non-Adjudicated Programme, Training, Research and Evaluation. The process of Problem Solving Courts was described which included the victims being kept informed after every meeting with the offender. There are two judges who will facilitate the Domestic Abuse Court and they have had discussions with Judge Jackson of the US. Depending on the outcome and the offender’s participation in the process, this will be considered in the final disposal by the court. The non-adjudicated programme is for people who have not entered into the justice system.

Dr O’Hare reported that Probation is now regarded as the leaders in this area. Probation is providing training to other organisations.

A member commented that the approach involved in this area of work shows the need for Probation Officers to be Social Work qualified and perhaps PBNI can influence the work across the UK.

The Chairman thanked Dr O’Hare for her presentation and advised of the Board’s continuing support for this area of work.

**1. OPENING REMARKS AND CONFLICTS OF INTEREST**

The Chairman welcomed everyone to the April Board meeting. Mr McIlwaine was welcomed to the meeting, he will be deputising for Mrs Robinson. Items will be referred to committees as appropriate. The Members were advised that the Chairman, Mrs Gillespie and Mr Jardine will withdraw from the meeting at 10.30 am as there is a meeting with the Permanent Secretary at 11.30 am at Stormont. The Chief Executive and Director of Operations will also be attending the later meeting.

No conflicts of interest were declared.

## **2. APOLOGIES**

Apologies were received from: Mr T O'Hanlon, Board Member; Mrs P Shepherd, Board Member; Mrs D Groves, Board Apprentice and Mrs G Robinson, Head of HR.

## **3. CONSIDERATION OF MINUTES**

### **Board Meeting – 23 March 2018 (M03/18)**

The minutes of the Board meeting held on 23 March 2018 were accepted as an accurate account of the meeting with a small number of amendments agreed.

## **4. MATTERS ARISING FROM THE MINUTES (PAPER 43/18)**

The Matters Arising were noted, one action is in process and all other actions have been completed. Mr Wall advised that it would be useful for a working group to meet about the lunchtime workshop on 4 June 2018.

**Action: Secretariat to arrange a meeting for the working group. (Secretariat)**

The Board noted the position.

## **5. CHAIRMAN'S UPDATE (VERBAL)**

The Chairman had also received a card from Prof Mary Rogan, thanking the Board for the opportunity to speak at the Annual Seminar. She asked for her thanks to be passed to Mr Doran, Ms McGreevy and Mr Avneri.

Members were advised that the Chairman intended to hold a closed session quarterly with the first happening at the May Board. The session will commence at 9.30 am with the Board meeting starting at 10 am.

The Chairman wished to congratulate Ms McGreevy and her team on winning App of the Year for the Changing Lives App. This is the second award that the App has received.

The Chairman brought attention to the paper on TPMOs and correspondence received by the Chief Executive from the Permanent Secretary about the DOJ's proposed revised guidance. At the last Board it had been agreed to arrange a meeting with the Permanent Secretary, following the Accountability Review, to ensure there was no confusion or misunderstanding of the work that Probation do with TPMOs since 2010. The Chairman advised that depending on the outcome of the meeting with the Permanent Secretary there may be a requirement for a Special Board Meeting.

The Board's position was agreed at the last Board under three main points which balance delivering the probation service and protecting the staff. It was stated that there is no suitable assessment tool to assess the risk of reoffending by TPMOs, this was recognized in the 'Nash' judgement handed down by the Court of Appeal. It was discussed that the PSNI currently recall TPMOs under licence. It was agreed that the most appropriate way forward is to work with TPMOs on a voluntary basis until the legislation can be changed. A member commented that there is little or no material impact on the management of risk to public safety by PBNI's work with TPMOs as there is no assessment tool.

Changes to legislation were discussed, specifically whether the Department was supportive of any change in the future. It was reported that no commitment had been made so far.

It was agreed that the Chairman would report to the Members after the meeting with the Permanent Secretary.

**Action: Chairman to report back to members after the meeting with the Permanent Secretary on 20 April 2018. (Chairman)**

The Board noted the update.

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

The Chief Executive advised members that consultation work continues to resume full working practices in all areas. Senior Management has been visiting teams and a meeting with the unions has taken place this week. This has proven to be very helpful in seeking to resume normal service delivery and meetings will continue.

The Board noted the update.

## **7. CORRESPONDENCE (PAPER 44/18)**

The tabled letter received from the Permanent Secretary to the Chief Executive with reference to work with TPMOs was noted.

**The Chairman, Mrs Gillespie and Mr Jardine withdrew from the meeting. Mrs Erskine chaired the meeting**

## **8. Audit and Risk Assurance Committee (ARAC)**

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

The Committee Chair provided an update on the ARAC meeting held on 13 April 2018. The Committee had returned a Customer Satisfaction Survey to Internal Audit, DOJ, as requested. The Committee's own annual self-assessment is under way. There was one report from Internal Audit presented to the Committee, in respect of Health and Safety. It received a 'satisfactory' rating with one priority 2 recommendation which was partially accepted. The Audit Plan for 2018/19 was agreed with an extra 10 days allocated to audit GDPR. Preparation of the annual accounts is on schedule with a draft being brought to ARAC on 4 May 2018.

There were two issues referred from the last Board. There was good news on the Electronic Case Management System (ECMS). After a follow up review of the action plan coming out of the Gateway Review, the Delivery Confidence Assessment rating has been reduced from 'red' to 'amber'. Reputational risk was also discussed in relation to the Community & Voluntary Sector. Assurance was given by the Officials that all the necessary safeguards and checks are in place.

The next meeting of the Committee is on 4 May 2018.

The Board noted the update.

## **9. POLICY AND PRACTICE COMMITTEE**

For noting

### **9.1 Management Information Report (paper 45/18)**

The Director of Rehabilitation reported that the caseload remains largely static. There are reduced numbers going through the courts but there are growing numbers coming out of prison on licence. A member asked that although numerally the figures are reducing, is the complexity of the cases impacting on the workload? The Director advised that there are more examples of individuals with long term licences being supervised but he could not be unequivocal in this assessment. The report will be revised in due course to show the workload of complex cases.

One Serious Further Offence was reported. There will be an internal review carried out however the charges may be dropped in this case.

The Board noted the paper.

## **10. CORPORATE RESOURCES COMMITTEE BUSINESS (CRC)**

### **10.1 Update from Committee Chair (Verbal)**

The Committee Chair updated the Members on the meeting that took place on 13 April 2018. There were no papers from the Committee being brought for the Board's attention. There were four items discussed which the Committee wished to bring to the Board's attention.

The proposal for changes to the premises due to the security assessment was discussed. The Committee agreed that the matter was of sufficient significance to bring this to the Board for discussion. The Head of Finance was invited to set out the background and the implications of using ballistic security glazing in PBNI properties. Following the review, the PSNI had suggested two types of security glazing. They had not made a firm recommendation. The CRC had discussed that it had concerns on the implications for service delivery in the community and the signals such a development would have on it. Discussion ensued with members expressing concern on the development and the direction of travel, should this be carried out.

The cost of the suggested glazing options was discussed and the timeframe for assessment. The Board agreed that the Head of Finance should also do the costing exercise of the options. The Board will discuss the issue further after the costing has been completed, and consideration of the risk.

#### **Action: Costing for glazing to be prepared. (Head of Finance)**

The Director of Operations reported that 22 'tablets' have had their power setting changed in order to improve WIFI connectivity. Feedback will be sought from Members on whether this has improved the connectivity. In response to a question the Director advised that the 'tablets' could not be 'written off' as they were only half way through their life cycle at this point. There was agreement from the Members that the 'tablets' should not be written-off.

The Committee also reviewed the ECMS project plan timeline chart.

The positive outcome of the Assurance Action Plan for the ECMS was also discussed at the Committee. The report affirmed that the confidence rating would have been 'amber/green' but for the fact that the OBC had yet to be approved. It was also noted that the DOF (Centre for Expertise) had confirmed in writing that there would be no need for a Gateway 2 Review.

The Board noted the update.

### For Noting

### **10.2 Financial Outturn – March 2018 (Paper 46/18)**

The Head of Finance introduced the paper to members. The provisional position at year-end is an underspend of £24k. She advised that all provisions and accruals have been posted, however the outturn is provisional and subject to the external audit report. The Draft Annual Report and Accounts are on schedule to be presented to the ARAC meeting on 4 May 2018. The Deputy Chair congratulated the Head of Finance and her team on achieving a spend close to the balanced budget.

The Board noted the paper.

### 10.3 **Budget 2018/19 Update (Paper 47/18)**

The Head of Finance advised members that the paper presented was a summary paper showing the opening 2018-19 allocation including pressures.

The baseline for 2018/19 has been increased by 1.7% or £277k. There are however still unavoidable pressures of £462k which includes the programme for estates and the pay award increases. The Members were taken through the paper and the various options. PBNI are expecting an additional £2.2m programme funding which has been confirmed by the DOJ but not yet allocated, only half of the Inspire Fresh Start monies has been confirmed at this stage. The one year budget allocation is proving difficult to manage resource both within PBNI and with partners in the Voluntary & Community Sector.

Annex A of the paper sets out the balanced budget with known pressures being shown. The Head of Finance advised that there were no contingencies in the 2018/19 budget. There was discussion on the percentage of the budget that was spent on staff costs and the implications of this model. If there was a reduction in budget allocation for 2019/20, then a Voluntary Exit Scheme (VES) may need to be considered. The Members discussed the VES and the impact this had on the NICS when it carried out VES. The Members were advised of other potential finance matters to be addressed during the year which included NILGOSC Admin Pension and the potential Corporation Tax on sale of buildings. There are ongoing discussions with the DOJ on the potential to obtain VAT registration which could result in additional income for VAT being reclaimed. There was discussion on the risk of NIPS reducing its payments to PBNI and the impact this might have on PBNI's budget. The Board noted the papers.

### 10.4 **Business Cases, Programme and Project Management (Paper 48/18)**

The Head of Finance provided an update on current Business Cases, Programmes and Projects. The lease for Shipquay Street has been signed and Properties Division are now revising the floor plans in advance of starting building work. The Downpatrick business case is still with the Department awaiting approval. The Coleraine lease has been signed and the Omagh lease has been received.

The Board noted the paper

### 10.5 **HR – Managing Attendance Update (Paper 38/18)**

The Deputy Head of HR presented the paper to members. He advised that the target was a 5% decrease in sickness absence for the 2017/18 year; this has been achieved with a 8% reduction although there is more work to be done. There are workshops being held for middle managers on managing attendance to ensure that everyone complies with the procedures.

The Board noted the paper

## 11 **GOVERNANCE ACTION PLAN 2018/19 (Paper 50/18)**

The Board Secretary presented the paper and advised members that this was a summary of the workshops held in January and February this year. He drew attention to the action plan coming out of the workshops.

The Board approved the Action Plan.

The Board Secretary suggested that a meeting be set up between the Committee Chairs and Deputies to discuss the plan.

**Action: Meeting to be set up for Chairs and Deputy Chairs. (Secretariat)**

**The Chief Executive and Director of Operations withdrew from the meeting.**

**12. PROGRAMME OF VISITS AND BUSINESS (PAPER 51/18)**

The Board noted the paper.

**13. Any Other Business**

The Deputy Chair advised members of the change to the timings for the ARAC and PPC meetings on 4 May 2018.

**14. BOARD SECRETARY'S BUSINESS**

The Board Secretary advised that feedback from members had asked for the doubling up on committee dates cease. The ARAC and PPC meetings in October will be re-arranged.

**Action: ARAC and PPC in October to be re-arranged. (Secretariat)**

**14.1 Board Work Plan 2017/18 (Paper 52/18)**

The Board noted the paper

**14.2 Draft Work plan 2018/19 (PAPER 53/18)**

The Board noted the paper.

**DATE OF NEXT MEETING**

The next meeting will take place on Friday 18 May 2018 in PBNI HQ, Conference Room, commencing at 9.30 am.

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Vilma Patterson  
Chairman

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Date