

## PROBATION BOARD FOR NORTHERN IRELAND

**BOARD MEETING – 18 MAY 2018****10.00 AM – PBNI HEADQUARTERS****397th MEETING – 29th of THE ELEVENTH TERM OF OFFICE**ATTENDANCE

Mrs V Patterson (Chair)  
Mrs J Erskine (Deputy Chair)  
Mr D Brown  
Mr E Jardine  
Ms A Matthews  
Mr T O'Hanlon  
Mr D Wall

Mrs J Gillespie  
Mr I Jeffers  
Mr R Mullan  
Mrs P Shepherd

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  
Ms G McGreevy, Head of Communications (Item 9.3)  
Mr M Cox, Board Secretary  
Mrs W Rodgers, Personal Secretary (Minutes)

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

The Chairman welcomed everyone to the May Board meeting. The Members were advised that there were a number of papers that have come through committees and these, where appropriate, will be noted. Correspondence has been received from the Trade Unions which will be tabled. A Business Case for Enhanced Combination Orders will also be tabled.

The Chairman wished to record the Board's condolences to Mr OhEara on the passing of his father earlier this month.

No conflicts of interest were declared.

**2. APOLOGIES**

Apologies were received from: Mr G OhEara, Board Member.

**3. CONSIDERATION OF MINUTES****Board Meeting – 20 April 2018 (M04/18)**

The minutes of the Board meeting held on 20 April 2018 were accepted as an accurate account of the meeting with one small amendment agreed.

**4. MATTERS ARISING FROM THE MINUTES (PAPER 54/18)**

All Matters Arising have been completed.

The Board noted the position.

## 5. CHAIRMAN'S UPDATE (VERBAL)

The Chairman provided an update on her meeting with the Permanent Secretary on 20 April 2018 on Probation staff working with TPMOs. Mrs Gillespie, Mr Jardine, Ms Lamont and Mr Hamill attended the meeting with the Chairman. It was a robust meeting with the issue of reputational risk being discussed. Following lengthy discussion, it was agreed that joint legal advice should be sought. Members were advised that the legal advice has been delayed due to the Supreme Court sitting in Belfast. Without the legal advice, Probation and the Department cannot move forward. The 'Nash' judgement was discussed together with the wider statutory duties of Probation. The Chief Executive advised that the Executive Team would be meeting with the Department to ensure that there is common understanding of legislative requirements. The duty of care to staff and reputational risk were further discussed by the Members. The Chief Executive advised that she would represent the Organisation in the event of any media interest.

The Chairman provided an update on the Chairs and Deputy Chairs' meeting which was held to discuss the action plan coming out of the self-assessment exercise. The actions were agreed and will be sent to committees to take forward. The Board Secretary is currently working on this.

The Chairman, Chief Executive and Head of Communications met to discuss Board engagement and how to take this forward with both internal and external stakeholders.

The Board Members, during their closed session prior to this meeting, agreed to hold a half-day session to review the work and achievements of the Board over the last two Corporate Plans and to prepare for the handover to the new Board. This is particularly important as this term of this Board will end on 30 November 2018.

The Lunchtime Workshop being held on 4 June 2018 will be chaired and facilitated by Mr Wall. The theme of the Workshop is Rehabilitation and a Focus on Mental Health Issues. The Conference Room can hold 40 people, members were asked to advise if they will be attending so numbers can be confirmed.

**Action: Members to advised Secretariat if they are attending the workshop. (Board Members)**

The Board noted the update.

## 6. CHIEF EXECUTIVE'S UPDATE – VERBAL

The Chief Executive advised members of the resumption of full service delivery across Northern Ireland from 9 May 2018. There has been a lot of work done by the Senior Team to build confidence with the staff and unions (NAPO and NIPSA) to allow service to resume. The Unions are satisfied with the resumption of work but have made it clear they will not supervise the cohort of TPMOs. The Chief Executive issued a communique to all staff at the end of April and senior staff are continuing to have a visible presence. The Chief Executive advised that the threat level remains unchanged and she will continue to keep the Board updated.

The Director of Operations will be hosting the overseeing body for 'Fresh Start', The Independent Reporting Commission (IRC), who will be visiting the 'Aspire' and the 'Engage' projects, both of which are funded under the 'Fresh Start' Agreement.

The Chief Executive had received a letter requesting that a representative from Probation be part of the NI Public Sector Innovation Labs. The Director of Rehabilitation will be representing Probation. The Director of Rehabilitation has also been invited as a speaker at the 23rd Council of Europe Conference Director of Prisons and Probation in Estonia in June and travel costs will be covered by the conference hosts.

The Chairman welcomed that the Organisation was getting back to working in all areas across Northern Ireland. She congratulated all of those who had contributed to the resumption of working and added that it is a step further to normal business being resumed.

The Board noted the update.

## 7. CORRESPONDENCE (PAPER 55/18)

There was one letter to note.

### 7.1 Letter from Alison Linton by the Chief Executive – Outcome of 2018/19 Transformation and Capital Exercises

There were two letters tabled at the meeting:

- a) Letter received from NAPO reference working with TPMOs
- b) Letter received from NIPSA reference working with TPMOs

Both unions have written asking for support and commitment from the Board. The Chairman advised that until legal advice was received, there cannot be an informed response provided to the Unions. The Chairman will write to both unions to advise that the Board is awaiting legal advice and will be in contact when all the information required is received.

**Action: Chairman to write to NAPO and NIPSA in the interim whilst awaiting legal advice. (Chairman)**

The Board noted the correspondence.

## 8. AUDIT AND RISK ASSURANCE COMMITTEE (ARAC)

### 8.1 and 8.2 Update by Committee Chair (Verbal); Draft 2017/18 Year-end Accounts (Paper 56/18)

#### For Approval

The Committee Chair provided an update on the ARAC meeting held on 4 May 2018. The main business of the Committee was the preparation of the Annual Accounts. At its meeting on 4 May 2018 the Committee reviewed the draft accounts in detail. It was noted that there was a £25k underspend for the 2017/18 year. The Committee Chair asked that the Board approve the accounts and delegate approval of the final accounts to the Committee at their meeting on 25 May 2018.

The Head of Finance advised that she had received all outstanding information and the final version will be ready to be presented to the ARAC on 25 May 2018. The Committee Chair asked for any comments from members to be forwarded to the Head of Finance by 21 May 2018. Members were advised that the Auditors had commenced their work on 8 May 2018 and it has been advised that there were no recommendations for this year's accounts.

The Members were asked to delegate responsibility of the Annual Accounts to the ARAC as long as there are no major changes. Any major changes will be referred to the Chairman. The Members approved the proposal. The Committee Chair asked members of the Committee to ensure that there was a quorum at the meeting on 25 May 2018 to allow the Annual Accounts to be approved.

The Chairman congratulated the Head of Finance and her team for their work on the accounts throughout the year.

The Board approved delegation of responsibility for approval of the Annual Accounts to the ARAC.

### 8.3 Pension Valuations and Assumptions (Paper 57/18)

The Head of Finance advised that the paper presented had been prepared by an actuary and advised that the report and assumptions appeared to be reasonable.

The Board approved the Pension Valuations and Assumptions paper.

### 8.4 The Q4 Strategic Risk Register 2017/18

The Director of Operations presented the paper to members and advised that the number of 'risks' remained at 7 with the ratings unchanged. The draft 2018/19 Strategic Risk Register will be brought to the ARAC on 25 May 2018 for discussion. The ECMS project has been approved by FSD and has now been sent to DOF, on 15 May 2018, for final approval.

The Chairman congratulated the Director of Operations for the work on the Strategic Risk Register.

The Board approved the 2017/18 year-end Strategic Risk Register.

#### For noting

### 8.5 Draft minutes from 4 May 2018 (Minutes)

The draft minutes from 4 May 2018 were presented for members' information. The next meeting of the Committee is 25 May 2018 at 9.30 am

## 9. POLICY AND PRACTICE COMMITTEE (PPC)

### 9.1 Update from Committee Chair – meeting on 4 May 2018 (Verbal)

The Committee Chair advised that there were two policies being brought to the Board for approval and two reports for noting. The Committee had discussed the current caseload statistics and the Q4 Business Plan. Draft minutes from the meeting held on 4 May 2018 will be available to members, for their information, at the next Board. The next meeting of the Committee will be 3 August 2018.

#### For Decision

### 9.2 Remote Working Policy (Paper 59/18)

The Director of Rehabilitation introduced the Remote Working Policy to members for approval. The Policy was first approved by the Board in February 2017. Following a review it was considered that the Policy had been used appropriately but a small number of changes were required. Following discussion at the PPC the Committee considered the changes to be minor and therefore agreed to recommend approval to the Board. The Committee also agreed that the Policy was now an operational matter and agreed to remit the Policy back to the Chief Executive.

The Board approved the Remote Working Policy.

### 9.3 GDPR Policy (Paper 60/18)

The Chairman welcomed the Head of Communications to the meeting. The Head of Communications advised members that the legislation related to GDPR comes into effect on 25 May 2018. The legislation affects all business and organisations. A temporary Data Protection Officer has been brought in with the experience and knowledge required. He will be training a member of staff to take the Policy forward. The Committee Chair advised members that the Committee had discussed obtaining 'consent' at some length and the

requirement for training. The Committee also discussed resourcing and suggested that the Corporate Resources Committee could look at this. Following discussion the Committee had agreed to recommend approval of the Policy to the Board.

The Board Apprentice provided some insight into her work on GDPR within the voluntary sector. She commented that there needed to be an adapting of working practices and educating staff on what was a breach.

The Committee Chair congratulated the Head of Communications and her team on the work that had been done.

The Board approved the GDPR Policy.

#### 9.4 **Business Plan 2017/18 (Paper 61/18)**

The Committee Chair advised that the Committee had reviewed and discussed the four business objectives that come under the work of the Committee. It was reported that six of the seven objectives had been achieved for 2017/18. Following discussion the Committee had agreed to recommend approval to the Board. The Members discussed objective one having a 'red' rating. The Members discussed that as the objective was partially met, how this could be shown on the report. The Committee Chair also suggested that the outcomes of the Business Objectives should be translated onto the Annual Report to note the achievements of the Organisation during the year.

Following discussion the Board agreed to approve the 2017/18 Business Plan.

#### For Noting

#### 9.5 **Annual Serious Further Offences Report (SFO) (Paper 62/18)**

The Committee Chair advised that the Committee had discussed the 'spike' in the number of SFO notifications in 2017/18 in some detail. The Director of Rehabilitation advised members that he was satisfied that the case management had been appropriate in all cases. The highest category was Attempted Murder. Following some analysis it appears that alcohol and drugs have played a part in these cases. It was agreed by members that PPC should look at further analysis of the offences. The Director of Operations advised that although the report shows the notifications, not all the charges remain as notified, these can often be reduced when the offender is finally charged. The Director of Operations also relayed that in future the Annual Reports will report on the result between charge and final conviction outcome. It was agreed that future reports will also provide detail on the type of order / licence of those charged with a SFO.

**Action: Future reports will detail the types of orders when reported to PPC (Director of Operations)**

**Action: PPC to look at analysis of SFOs in the context of wider crime statistics. (PPC)**

The Board noted the report.

#### 9.6 **Sentencers' Survey (Paper 63/18)**

The Committee Chair advised that the Report had been discussed by the Committee and the positive outcomes were noted. There was a response rate of 47% with 16 of the 18 respondents indicating that they were satisfied. There were some suggestions of refining of reports and resourcing. Overall the Report was positive and the Committee had asked that it be distributed to staff.

The Board noted the paper.

### 9.7 Management Information Report (paper 64/18)

The Committee drew attention to the caseload statistics, noting that those in custody has reduced by 18% since December 2013 whilst Probation's caseload has reduced by 9% over the same period. The Committee discussed the allocation of resources on projects such as ECO and Problem Solving Justice and how this would be reflected in the caseload statistics as more complex cases.

The Director of Rehabilitation reported that there were three consultations for response.

Two Serious Further Offences were reported. An independent review will be commissioned on one case.

The Board noted the paper.

## 10. CORPORATE RESOURCES COMMITTEE BUSINESS (CRC)

### For Noting

### 10.1 Business Cases, Programme and Project Management (Paper 65/18)

The Head of Finance provided an update on current Business Cases, Programmes and Projects. The Downpatrick Business Case has been approved by the Department and the Coleraine lease has been signed.

Discussion ensued on the type of glazing that has been suggested by the PSNI being installed in PBNI premises. The Chief Executive, as Accounting Officer, asked for clarity on how and who was ultimately responsible for taking the final decision on which glazing was to be installed. The Department had suggested consulting with staff on the issue. The Board discussed the possible change to how Probation could be perceived and the associated security implications for staff. It was agreed that it is novel and contentious and that the Board would have the responsibility for the final decision. The need for balance was discussed. The suggested glazing that maybe installed may not just have a cultural, style and change of environment implications for staff. It was agreed that the implications of the staff's environment would need to be assessed and considered,

The Head of Finance provided members with information on the funding of ECO through the Transformation Fund and how the existing pilot and new pilot have been funded. It was confirmed that this was different funding to that of 'Fresh Start'. Aspire funding will not be effected by the Transformation Fund. It was advised that ECO will have an economic report commissioned to show the saving across the Criminal Justice System.

The Board noted the paper

### 10.2 HR – Managing Attendance Update (Paper 66/18)

The Head of HR advised members that the business objective of a reduction of 5% in the annual sick absence had been achieve and was in fact an 8% reduction. The Head of HR advised that she had written to the Director of Safer Communities, on behalf of the Board, for approval of the revised Management Attendance Policy and in turn approval from the DOF. Training of middle managers continues.

The Board noted the paper

## 12. PROGRAMME OF VISITS AND BUSINESS (PAPER 67/18)

The Board noted the paper.

**13. Any Other Business**

No other business was discussed.

**14. BOARD SECRETARY'S BUSINESS**

The Board Secretary asked members to ensure that the personal information held by PBNI is correct that all respond to the request for confirmation to ensure that each member is content with the information held.

**14.1 Draft Work plan 2018/19 (Paper 68/18)**

The paper provided sets out the forthcoming business of the Board and Committees.

The Board noted the paper.

**DATE OF NEXT MEETING**

The next meeting will take place on Friday 15 June 2018 in PBNI HQ, Conference Room, commencing at 9.30 am.

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Vilma Patterson  
Chairman

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Date