

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – 15 JUNE 2018**10.00 AM – PBNI HEADQUARTERS****398th MEETING – 30th of THE ELEVENTH TERM OF OFFICE**ATTENDANCE

Mrs V Patterson (Chair)
Mrs J Erskine (Deputy Chair)
Mrs J Gillespie
Mr I Jeffers
Mr G OhEara

Mr E Jardine
Ms A Matthews
Mr R Mullan

Officials

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)

Observer

Ms F Vaughan, PBNI Staff

1. OPENING REMARKS AND CONFLICTS OF INTEREST

The Chairman welcomed everyone to the June Board meeting. The Members were advised that the paper on the security review of the Shipquay premises would be taken first.

No conflicts of interest were declared.

2. SHIPQUAY SECURITY REVIEW

The Director of Rehabilitation presented the security review of the Shipquay premises which had been received from the PSNI. The Review made recommendations including consideration for the installation of ballistic resistant glazing to meet the particular security situation in the North West. The Management Executive Team (MET) has, in consultation with local managers, considered the report and reluctantly supports the installation of ballistic resistant glazing.

The Head of Finance provided members with details of her conversations with the Landlord on the installation of the glazing. The Landlord is in agreement to the glazing as long as it blends in with the local area, which is a conservation area. Discussion ensued on achieving planning permission and what would be allowed in the area. Also the style and appearance of the glazing was discussed. It was noted that members of MET had viewed a building which had recently had ballistic resistant glazing installed. The need for 'discreet' glazing was emphasised. There was agreement that there was little scope to ignore the PSNI's recommendation.

If the ballistic resistant glazing was installed then there was a need for air conditioning to be installed. The Head of Finance advised that the decision on the air conditioning was required urgently as this would require further work to be done to the building. The glazing would need to be ordered as there was a 12 week installation period. The Chairman expressed her concerns on the timeline of work required to the premises, which will result in a delay in the programme.

The Members discussed the type of threat and what other security measures were suggested in the Report. The Members were advised that the next update on the level of the security threat

was due but the level of threat was unlikely to change. It was agreed that this was a fluid situation and what was being discussed was a long term investment. It was confirmed that the lease on the premises was for ten years. The Members also discussed what effect this decision would have on any other PBNI premises in Derry as premises were being sought for the delivery of the ECO project.

Following a full discussion on the issues around installing ballistic resistant glazing, planning permission, the types of threats and how PBNI could be perceived, the Board reluctantly approved the installation of the ballistic resistant glazing and air conditioning but consciously decided not to approve the 'stand-off' element partly due to the conservation area. This was noted as the least obtrusive response but would be kept under review.

3. LEGAL ADVICE

The Director of Rehabilitation informed members on the awaited legal advice in relation to working with T/PMOs had been received. A meeting has been arranged with the Crown Solicitor's Office. The Chairman advised that a Special Board meeting may be required due to the legal advice received.

The Board noted the update.

4. WELCOME

The Chairman welcomed Ms Vaughan to the meeting as an observer and expressed the hope that she would find the meeting informative.

5. APOLOGIES

Apologies were received from: Mr D Brown, Board Member; Mr T O'Hanlon, Board Member; Mrs P Shepherd, Board Member; Mr D Wall, Board Member and Ms C Lamont, Chief Executive.

6. CONSIDERATION OF MINUTES

Board Meeting – 18 May 2018 (M05/18)

The minutes of the Board meeting held on 18 May 2018 were accepted as an accurate account of the meeting.

7. MATTERS ARISING FROM THE MINUTES (PAPER 70/18)

All Matters Arising have been completed.

The Board noted the position.

8. CHAIRMAN'S UPDATE (VERBAL)

The Chairman advised that following the outworking of the legal advice there may be a requirement for a Special Board meeting. Although a date cannot be set at this time, members were advised that the date may be 20 July 2018.

Members were reminded of the Board's Overview meeting which is taking place on 25 June 2018. The Chief Executive and Mr Brendan McGuigan, Chief Inspector of Criminal Justice in Northern Ireland, will be attending. The meeting will be looking at the achievements and reflecting on Probation and how it has evolved over the last three and six years. This will be in preparation for handing over to the newly constituted Board in December 2018. The Chairman asked for those members who may now be available to attend to advise Secretariat.

Action: Members to advised Secretariat if they are available to attend the meeting on 25 June 2018. (Board Members)

The Chairman advised that Mr Brendan McGuigan had received a CBE in the Birthday's Honours and she had written to him on behalf of the Board. ACC Steven Martin received an OBE and the Chairman will be writing to him.

The Chairman drew attention to Public Appointments and the correspondence from the DOJ on this. She advised that she had not received any timeline from the DOJ and advised of the DOJ's approach to the appointments of a newly constituted Board. She will keep members updated on the process as and when she is advised.

The lunchtime seminar on 4 June 2018 was very well attended and was an excellent event. The Director of Rehabilitation will be providing an update later in the meeting.

The Board noted the update.

9. CHIEF EXECUTIVE'S UPDATE – VERBAL

The Director of Rehabilitation provided the Chief Executive's update since the last meeting in May as she was on annual leave. The Members were advised, at the March Board meeting, of a complaint of maladministration which had been received. This had been a complex case but the Ombudsman had, after an assessment, rejected the complaint.

A significant report on resettlement by the Criminal Justice Inspectorate for Northern Ireland (CJINI) had been received on Probation and Prison and this will be brought to the PPC in August. It will also form the subject for the next lunchtime seminar.

The 'Doubleband' Film Company has been in contact to do a documentary on Probation in the community. They have been in touch with the BBC on making this. It is recognised that there is an element of editorial risk in making a documentary however it was noted that if production proceeded, it is unlikely to happen before 2019.

The Secretary of State visited Hydebank on 14 June 2018 during which she met with Probation staff. She is keen on the seamless transition between prison and the community.

The Board noted the update.

10. CORRESPONDENCE (PAPER 71/18)

There were seven letters to note.

- 10.1 Letter received from the LCJ by the Chief Executive on the ECO Pilot (Paper 71-2/18)
- 10.2 Letter received from the LCJ's office on the Sentencers' Survey (Paper 71/3/18)
- 10.3 Letter received from Maura Campbell, DOJ, reference Reconstitution of Probation Board for Northern Ireland (Paper 71-4/18)
- 10.4 Letter from the Chairman to Ms F Vaughan, Chair of NAPO on Management of TPMOs by Probation Staff (Paper 71-5/18)
- 10.5 Letter from the Chairman to Mr F McCann, Chair of NIPSA on Management of TPMOs by Probation Staff (Paper 71-6/18)
- 10.6 Letter from the Chief Executive to the Permanent Secretary – Arrangements to Manage Dissident Republicans Post-Release (Paper 71-7/18)
- 10.7 Letter received from the Chief Electoral Officer to the Chief Executive – Online Registration (Paper 71-8/18)

The Members discussed the correspondence from the Department (item 10.3) on the reconstitution of the Board. The risk of members not reapplying was discussed. The process, as confirmed, was

noted as not being compatible with the MSFM. It was also discussed that other departments were not following the appointment process as laid out in the DOJ's letter. The Chairman encouraged those members who could return for a second term to apply. She advised that she would raise the Members' concerns on the process with the DOJ's Deputy Secretary.

The Chairman drew attention to items 10.4 and 10.5. Following correspondence from both unions presented at the May Board meeting, the Chairman had written to both unions advising that she was still awaiting legal advice and she will respond to them when the advice is received.

The Board noted the correspondence.

11. AUDIT AND RISK ASSURANCE COMMITTEE (ARAC)

11.1 Update by the Committee Chair (Verbal)

The Committee met on 25 May 2018. Martin Pitt from PWC, external auditor, is retiring at the end of June. The Committee thanked him for all his support and help and wished him a happy and long retirement.

The Committee has completed its annual self-assessment and members were content that no gaps have been identified.

The Board had delegated responsibility to the ARAC to approve the final accounts. Since the Board last had sight of the accounts in May, there were a few minor changes made but no changes to figures. How to represent the partial delivery of one of the strategic risks had been agreed and this has been shown in the final accounts. The Chief Executive has now signed the accounts and they are currently with NIAO awaiting final approval before being laid.

The Committee had its annual closed session with the Internal and External Auditors. The feedback was positive with no issues raised.

For Decision

11.2 Draft Strategic Risk Register 2018/19 (Paper 72/18)

The Committee Chair advised that the Committee had discussed the 2018/19 Strategic Risk Register at its meeting on 25 May 2018. GDPR has been added as a strategic risk. Following discussion the Committee agreed to recommend approval to the Board.

The Board approved the Strategic Risk Register for 2018/19.

For Noting

11.3 Final 2017/18 Year-end Accounts (Paper 73/18)

The Board noted the final accounts are awaiting the Comptroller General's approval.

11.4 Report on Those Charged with Governance (Paper 74/18)

The Committee had gone through the report in detail with Mr Pitt and noted his comments. It was a very positive report.

The Board noted the report.

11.5 Draft Minutes from 25 May 2018 (Minutes)

The draft minutes from 25 May 2018 were presented for members' information. The next meeting of the Committee is 5 October 2018 at 9.30 am unless a meeting is required in the interim.

12. ANTRIM ROAD BUSINESS CASE (PAPER 79/12)

The Head of Finance presented the Business Case to members. She summarized the reasons for the sale of the property, including the cost of rates and the state of repair of the building. The Head of Finance advised that she was looking for alternative premises, as 72 North Street was not available in the long term. The Members discussed the receipts for the sale of the premises. The Head of Finance advised that the receipts could only be retained if spent in the same year. The Members discussed the current costs of the property and the liability it posed due to its structural condition. It was noted that the Business Case had not been presented the CRC due to the timing of meetings.

The Board agreed to approve the Business Case.

13. POLICY AND PRACTICE COMMITTEE (PPC)

For Noting

13.1 Management Information Report (paper 64/18)

The Committee Chair advised that members had received a comprehensive update at the May Board Meeting and there had not been another committee meeting since then. The caseload remains static. The Director of Rehabilitation advised that on return of the DP Statistician from absence the Management Information Report will be reformatted.

The Director of Operations provided an update on the Electronic Case Management System. It is awaiting final approval and a letter of confirmation that the project can go ahead.

There was one Serious Further Offence reported. The Director of Operations provided background into the case and advised that an independent review will be commissioned. He would keep the Board apprised.

It was noted that Raymond McCartney MLA has visited the Inspire / Aspire office.

The first Supervised Activity Order has been made.

The Board noted the paper.

13.2 Lunchtime Seminar – 4 June 2018 (Verbal)

The Director of Rehabilitation provided an update on the Lunchtime Seminar held on 4 June 2018. It was attended by 32 stakeholders including Mr Harbinson, Mr Armour and Mr Lavery, from the DOJ. There were positive presentations from Prof Siobhan O'Neill and Dr Geraldine O'Hare on mental health. Mr Wall chaired the subsequent discussions. The next seminar will be held in October with the theme of Rehabilitation and Resettlement, specifically looking at employment and accommodation.

The Board noted the update.

13.3 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 3 August 2018 at 9.30 am.

The Board noted the minutes.

14. CORPORATE RESOURCES COMMITTEE BUSINESS (CRC)

For Noting

14.1 Financial Outturn – May 2018 (Paper 76/18)

The Head of Finance presented the paper and summarised the various issues. The paper shows the opening balance with the increase of £277k on last year. Pressures and programme funding of £3.6m are set out in Table 2 of the paper. Estates and pressures have been flagged for consideration in the June Monitoring Round. The Chief Executive and Head of Finance will be meeting with Glyn Capper to express their concern that these monies have yet to be allocated resulting in an overspend being shown. Members were provided with an update of the monies being allocated from the Transformation Fund.

The Chairman asked that the CRC consider the Estate Strategy at its next meeting. She also expressed concern on the utilisation study that is being carried out in Headquarters and its timing. She asked that the Head of Finance caveat the report with staff being on annual leave and that this be taken into account. She also requested that a second study be carried out in the Autumn when fewer people are on leave. The Head of Finance advised that the lease for Headquarters is up next year and that all estates of organisations will be having this study carried out.

Action: The CRC to review the Estate Strategy going forward and look at the new premises ie sharing or stand alone. (CRC)

Action: The Head of Finance has been asked to caveat the Report that staff have been on annual leave and a second study should be carried out in the Autumn.

The Board noted the paper.

14.2 Business Cases, Programme and Project Management (Paper 77/18)

The Board noted the paper

14.3 HR – Managing Attendance Update (Paper 78/18)

The Head of HR introduced the paper and provided a summary of the 2017/18 year-end report. Long term absence is still a significant issue. There were 17.7 working days lost per staff year at a cost of about £825k. The age group of 55+ has the highest absence level in 2017/18 with days lost of 21.8. It was agreed that the length of service related to absence, needed further analysis. The highest reasons for absence are cancer and anxiety / stress / depression / other psychiatric illness. The Head of HR advised that she had written to the Department, on behalf of the Board, asking for approval of the revised Managing Attendance Policy.

The Members agreed that the absence level should be reviewed against the reducing caseload. The more complex cases being supervised need to be taken into account and could create further challenges to the Organisation as a whole. It was also noted that the way sickness absence was calculated was changed in the year 2014/15 and this would reflect on the statistics presented particularly the 2015/16 year.

Action: The CRC are to review the statistics presented and report back to the Board. (CRC)

The Board noted the paper

15. PROGRAMME OF VISITS AND BUSINESS (PAPER 80/18)

The Board noted the paper.

16. Any Other Business

The Chairman reminded members of the Overview meeting on the 25 June 2018.

17. BOARD SECRETARY'S BUSINESS

Members were advised that due to GDPR all members were requested to sign the Photography, Recording and Filming Consent Form.

17.1 Governance Action Plan (Paper 81/18)

The Board Secretary presented the paper. The Governance Action Plan has been developed from the two workshops held in January and February of this year. The main theme was engagement with a strategy being developed between now and the end of November. It was agreed to add a column on 'outcomes' to the Action Plan to facilitate monitoring.

The Board Secretary advised that he will be reviewing Managing Board Business now that it has been in place for a year.

17.2 Work plan 2018/19 (Paper 82/18)

The paper provided sets out the forthcoming business of the Board and Committees. The Board Secretary suggested that the Work Plan should be reviewed to take account of any gaps in committees meetings. The Work Plan should advise of upcoming requirements for committees to meet.

Action: The Committees to reflect on the timetable and the MET needs. (All committees)

The Board noted the paper.

The Chairman thanked everyone for attending and in particular the Chairman thanked Ms Vaughan for attending the meeting and hoped that she had found it informative.

DATE OF NEXT MEETING

The next meeting will take place on Friday 17 August 2018 in PBNI HQ, Conference Room, commencing at 9.30 am.

Vilma Patterson
Chairman

Date