

## PROBATION BOARD FOR NORTHERN IRELAND

**BOARD MEETING – 17 AUGUST 2018****10.00 AM – PBNI HEADQUARTERS****400th MEETING – 32nd of THE ELEVENTH TERM OF OFFICE**ATTENDANCE

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

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 P McIlwaine, Deputy Head of HR (Item 10)  
 Mr M Cox, Board Secretary  
 Mrs W Rodgers, Personal Secretary (Minutes)

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

The Chairman welcomed everyone to the August Board meeting. Members were advised of the timings of the meeting and reminded of the event taking place directly after the meeting to mark the 400<sup>th</sup> meeting of the Board.

No conflicts of interest were declared.

**2. APOLOGIES**

Apologies were received from: Mr T O'Hanlon, Board Member; Mrs P Shepherd, Board Member.

**3. CONSIDERATION OF MINUTES****Board Meeting – 15 June 2018 (M06/18)**

The minutes of the Board meeting held on 15 June 2018 were accepted as an accurate account of the meeting with one agreed amendment to point 14.3.

**Special Board Meeting – 20 July 2018 (M07/18)**

The minutes of the Special Board meeting held on 20 July 2018 were accepted as an accurate account of the meeting.

**4. MATTERS ARISING FROM THE MINUTES (PAPER 86/18)**

All Matters Arising from the meeting on 15 June 2018 were noted as completed. The Chairman advised that action 2 (Legal advice being sought) from the meeting on 20 July 2018 was in progress with action 4 depended on the outcome of action 2. The Board will be kept informed of progress.

The Board noted the position.

## 5. CHAIRMAN'S UPDATE (VERBAL)

The Chairman advised that this meeting would be Mr Doran's last meeting with the Board before his secondment as Director of Rehabilitation to the Prison Service. She thanked Mr Doran for all his work and the commitment that he had shown to the Board and committees and wished him success in his new post. An internal competition for Mr Doran's replacement will take place later in the month.

The Chairman thanked Mrs Groves for her contribution to the Board during her time as Board Apprentice. The Board appreciated her input and hoped that Mrs Groves would continue to be an advocate for Probation. The Chairman wished her every success in the future.

The Board Secretary is in communication with the Crown Solicitor's Office on obtaining legal advice on the Board Members' position with regard to delivering Probation's statutory duty. Members will be advised when advice has been received.

Brendan Mooney, of Kainos and an ex Board Member of Probation, will be attending the October Board meeting. He will be presenting on how he uses data in his business. Peter May, the incoming Permanent Secretary for Justice, will also be attending the October meeting.

The Chairman will be writing to the Unions on T/PMOs now that legal advice has been received.

At the Overview Meeting held on 25 June 2018 data on the Board's work over the last six years was reflected on. A short report will be collated in preparation to hand over to the newly constituted Board to inform them appropriately on key matters. This will assist them when setting their strategic priorities. Both Mr Wall and Mrs Gillespie attended the meeting and have subsequently met to review the outcomes. It was agreed that the Report would be delegated to the Committees for their thoughts and then brought back to the Board for final approval.

### **Action: The Committees to discuss the Board Overview Report. (Committees)**

The Chairman had met with Brendan McGuigan and Nick Perry during the month.

Recruitment for the reconstituted Board was launched on 16 August 2018. The Secretary of State will bring legislation to Westminster in the autumn to allow for the appointments to be made.

The Board noted the update.

## 6. CHIEF EXECUTIVE'S UPDATE – VERBAL

The Chief Executive advised that she, the Directors and the Head of HR had met with the Unions on 20 July 2018 to advise on the working with the T/PMO Loyalist cohort. The Director of Operation and Head of HR will be meeting again on 28 August 2018.

The Department, led by Brian Grzymek and Karen Pearson, is co-ordinating an annual seminar which they have asked for a representative from Probation to be involved. The Head of Communications will represent Probation on the Seminar Planning Group.

Peter May takes over as Permanent Secretary of Justice on 5 September 2018 with the Management Executive Team meeting with him on 17 September 2018.

The Chief Executive thanked Mr Doran on behalf of the Executive Team for his work and valued contributions to the Board and Committees. Members were advised that there will be a coffee event on 29 August 2018 to mark Mr Doran's secondment and all members are invited.

The Board noted the update.

## 7. CORRESPONDENCE (PAPER 87/18)

**There were three letters to note.**

- 7.1 Letter received from the Public Service Ombudsman by the Chief Executive on a complaint (Paper 87-2/18)
- 7.2 Tender document for Recommendations for a Social Work Criminal Justice Organisation (PBNI) for a Practice Framework for Working with T/PMOs (Paper 87-3/18)
- 7.3 Letter sent to the Permanent Secretary from the Chairman reference T/PMOs (Paper 87-4/18)

The Board noted the correspondence.

## 8. POLICY AND PRACTICE COMMITTEE (PPC)

The Committee Chair advised that the meeting held on 3 August 2018 had had a full agenda with three items being brought to Board for approval. He provided a summary of the meeting.

Mr Wall had presented a paper to the Committee on 'Reflections on Community Voluntary Sector (CVS) funding'. Mr Wall provided the Board with a summary of his conclusion which were brought about through his research for his PHD. He commented that Probation has a positive position within the community and is well placed to work alongside the CVS. There was discussion around small community projects and the work that they do and the benefits that they bring.

The next Lunchtime Workshop will be on Homelessness on the 26 October 2018.

The Director of Rehabilitation provided the Committee with an update on Brexit and the paper is available for members' information.

### For Decision

#### 8.1 **New Practice Standards (Paper 88/18)**

The New Practice Standards were presented to the Committee on 3 August 2018. The Standards are being revised to take account of budget restraints and wider changes in the operating environment. There has been wide consultation with unions and staff throughout the process. The revision has involved extensive work and the Committee suggested that the Board receive a presentation; this has been scheduled for the September Board. The Committee, following a full discussion, agreed to recommend approval to the Board.

The Director of Operations outlined, to members, the key changes made and advised of the reduction in bureaucracy for staff. Case contact will remain 'tight' in line with the Ministry of Justice's recent consultation document. Psychology provisions are now included in the Standards. In response to a member's question on the staffing balance between Probation Officers and Probation Service Officers being provided within the Standards, it was advised that it was.

The Board approved the New Practice Standards.

#### 8.2 **Freedom of Information Policy (Paper 89/18)**

The Freedom of Information Policy was presented to the Committee at its meeting on 3 August 2018. The Policy was required to close any loop holes in the GDPR Policy and it is a separate policy. Following full discussion, the Committee agreed to recommend approval to the Board.

The Board approved the Freedom of Information Policy.

### 8.3 Whistleblowing Policy (Paper 90/18)

The Whistleblowing Policy was presented to the Committee at its meeting on 3 August 2018. The review of the Policy takes into account the Employee Act (NI) 2016 together with changes to titles and personnel. The Members were advised of the two main changes to the Policy. The Committee had discussed the requirement of a Whistleblowing Champion and the Board Secretary advised that he is named as the Board representative.

Discussion ensued on ensuring that the Organisation had a culture of openness.

The Board approved the Whistleblowing Policy.

#### For Noting

### 8.4 Management Information Report (Paper 91/18)

The Members were advised that there was one Serious Further Offence reported.

The Board noted the paper.

### 8.5 Current Criminal Justice Trends (Paper 92/18)

A paper on Current Criminal Justice Trends had been presented to the Committee and is included in the papers for members' information.

The Board noted the paper.

### 8.6 Draft Minutes from 3 August 2018 (Minutes)

The Draft Minutes from 3 August 2018 were presented for members' information. The next meeting of the Committee is 26 October 2018 at 9.30 am.

The Board noted the minutes.

## 9. CORPORATE RESOURCES COMMITTEE BUSINESS (CRC)

The Committee Chair advised that the Committee had met on 27 July 2018. There were two business cases and a Terms and Conditions paper being brought to the Board for decision. He provided a summary of the meeting.

The Committee received a presentation from SIB and DOJ Estates on the work being carried out to rationalise the NICS estate. The utilisation study of PBNI HQ, the lease for HQ North Street and sharing premises with other organisations were discussed at length.

The CEO had confirmed that there were no legal cases currently requiring Board approval.

The PPC had asked the CRC to look at resourcing required for GDPR. The Head of Communications presented a paper on this. The Committee was content that the resourcing had been reviewed and is currently being addressed.

An update was provided on the ECMS (it is now out for tender) and the IT Assist Business Case has been re-submitted to the DOJ.

Succession planning was discussed; the Head of HR is to present a paper at the next Committee meeting.

The Committee have agreed to hold their November meeting off site in the Omagh Office.

For Decision**9.1 Business Case for 72 North Street (Paper 93/18)**

The Head of Finance provided members with background into the business case and how, due to human error, an irregular payment had occurred. The Committee had reviewed the Business Case in detail and agreed to recommend approval to the Board. It was confirmed that the irregular payment would not affect the qualification of the Annual Accounts for 2017/18. ARAC will discuss the business case at its next meeting.

The Board approved the Business Case for 72 North Street.

**9.2 Addendum to the Shipquay Street Business Case (Paper 94/18)**

The Head of Finance presented the Business Case to members and advised on the reasons why an addendum was required, as laid out in the presented paper. The increase of £210k required expenditure was above the 10% tolerance for a business case. Discussion ensued on the resulting timeframes for occupancy. The Head of Finance advised that she had met with suppliers and will be meeting with the landlord to discuss the style of windows for the ballistic glazing. She informed that the lead in time will be 20 weeks for the ballistic glazing. Due to the work required to install air conditioning, it was advised, that the work required must be done at an early stage. The Members agreed that the installation of the air conditioning should proceed. In response to a question the Chief Executive confirmed that she had had no further contact with residents and had not received a request to do so.

The Board approved the Addendum to the Shipquay Street Business Case.

**9.3 NNC SCCOG pay negotiations, including an update on the NILGOSC issue**

The Head of HR presented the paper to members. It was advised that the NILGOSC issue is not solely a Probation issue and a number of other organisations have the same issue. However they received advice from the Departmental Solicitor's Office (DCO) whereas Probation had received advice from the Crown Solicitor's Office (CSO). Probation is currently awaiting legal advice from the Departmental Solicitor's Office (DSO). The Members noted the position and will be kept updated as the situation evolves.

The Head of HR provided background and an update to the NNC SCCOG pay negotiations. Parameters for the Public Pay Policy are being discussed with DOJ officials. The issue of terms and conditions in general will be discussed with the incoming Permanent Secretary.

Discussion ensued on the wider Civil Service pay and conditions and the comparing and contrasting of these. There was discussion on adding the risk to the Strategic Risk Register. The Head of HR advised that it is on the HR Departmental Register and it may be elevated to the SRR.

**Action: NNC SCCOG risk to be discussed at ARAC.**

The Board approved the suggested approach to the NNC SCCOG pay negotiations.

For Noting**9.4 Financial Outturn – July 2018 (Paper 93/18)**

The Board noted the paper.

**9.5 Business Cases, Programme and Project Management (Paper 94/18)**

The Board noted the paper

**9.6 HR – Managing Attendance Update (Paper 95/18)**

The Board noted the paper

**9.7 Draft Minutes from 27 July 2018 (Minutes)**

Draft minutes were provided for members' information. The next meeting will be held on 7 September 2018.

**10. EQUALITY ANNUAL PROGRESS REPORT – SECTION 75 (PAPER 99/18)**

The Chairman welcomed the Deputy Head of HR to the meeting. He took the Members through the key points of the Report as laid out in the paper. He advised of the main groups that work had been undertaken with over the past year. Of the 15 actions, 6 have been completed and 9 are ongoing. Mrs Gillespie advised that she had an interest, not a conflict, in the Report as a member of the Equality Commission and had seen the Report when attending the Good Relations Group; she said that it was a positive report. It was advised that the new ECMS will be able to provide data on 7 of the 9 areas. The Members commented that it was an excellent report setting out positive and proactive work for the past year.

The Board agreed to recommend forwarding the Report to the Equality Commission in line with Probation's Section 75 Equality Scheme commitments.

**11. PROGRAMME OF VISITS AND BUSINESS (PAPER 100/18)**

The Board noted the paper.

**12. ANY OTHER BUSINESS**

12.1 The Chairman advised that Brendan Mooney of Kainos would be meeting with SMT to discuss how data analysis can benefit and inform an organisation and in particular how Probation might use it. The Chairman commented that as Mr Mooney was a past Board Member he knows the ethos of Probation and is keen to lend his experience in data analytics and forecasting to the Organisation. The Chief Executive advised that she and her team will be meeting with Mr Mooney on a date to be agreed. She also suggested that it would be useful to link with DOJ. Mr Jeffers noted that these developments will be incremental and take some time but that Probation is extremely fortunate to have Mr Mooney as a subject expert giving his time in this way. The Chief Executive will provide a verbal update to the Board in October.

**Action: Verbal update on the outcome of the meeting with Mr Mooney at the October Board meeting. (Chief Executive)**

**12.2 Business Plan Objectives Q1 2018/19 (Paper 105/18)**

The Performance against 2018/19 Business Plan Objective Q1 was presented to the Board for noting

The Board noted the paper.

**13. BOARD SECRETARY'S BUSINESS**

The Board Secretary advised that conversations are ongoing with the Department on the review of the MSFM. The reviewed MSFM will be presented to the ARAC at its October meeting and then brought back to the Board.

**Action: Reviewed MSFM to be presented to the ARAC at its October Meeting. (Board Secretary)**

**13.1 Board Overview (Paper 101/18)**

The Board Secretary presented the paper and advised that it was a summary of the outcome of the meeting held on 25 June 2018. This would provide a matrix with appropriate information and allow for relative questions. There should be no more than five points. It allows for the learning points and the posing of questions in a more proscriptive way. It will be remitted to the three main committees for their advices and then presented to the Board at its November meeting.

**Action: The acronyms paper is to be reviewed. (Secretariat)**

The Board noted the paper.

**13.2 Provisional Meeting Dates 2019 (Paper 102/18)**

The Board noted the paper.

**13.3 Work plan 2018/19 (Paper 103/18)**

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

The Board noted the paper.

**DATE OF NEXT MEETING**

The Chairman thanked everyone for attending and in particular the Chairman thanked Mrs Groves for her time as the Board Apprentice and wished her every success in the future.

The next meeting will take place on Friday 21 September 2018 in PBNI HQ, Conference Room, commencing at 9.30 am.

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Vilma Patterson  
Chairman

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Date