

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – FRIDAY 22 FEBRUARY 2019

9.40 AM – PBNI HEADQUARTERS

406th MEETING – 3rd OF THE TWELFTH TERM OF OFFICE

ATTENDANCE

Mr Dale Ashford (Chair)	Mrs Judith Gillespie
Mr Neil Bodger	Ms Patricia Keenan
Dr Jonny Byrne	Mr Max Murray
Dr Kelly Clark	Mr Gearoid OhEara
Mr Kieran Donaghy	Mr Alastair Ross
Mr Paul Douglas	
Ms Brenda Henderson ('Boardroom Apprentice')	

Officials

Ms Cheryl Lamont, Chief Executive
Mr Hugh Hamill, Director of Operations
Dr Geraldine O'Hare, Director of Rehabilitation
Mr Paul McIlwaine, Deputy Head of HR
Ms Kathryn Connor, DP Finance
Mr Michael Cox, Board Secretary
Mrs Wendy Rodgers, Secretariat (Minutes)

1. OPENING REMARKS AND CONFLICTS OF INTEREST

The Chair welcomed members and officials to the meeting. He noted that Karen Pearson, DoJ, had been unable to attend, as arranged, because of conflict of appointments.

The Board Chair advised that he was a Non-executive Director of NIPS but will be leaving that position soon. No other Conflicts of Interests were declared.

2. APOLOGIES

Apologies were received from Mr D Wall, Member; Dr Theresa Donaldson, Member; Mrs Gillian Robinson, Head of Human Resources and Mrs Catherine Teggart, Head of Finance.

3. CONSIDERATION OF MINUTES – BOARD MEETING – 18 JANUARY 2019 (M01/19)

The Minutes of the Board Meeting held on 18 January 2019 were recorded as an accurate record of the meeting.

4. MATTERS ARISING FROM THE PREVIOUS MINUTES (PAPER 6/19)

Action 1 – 16 November 2019 – Board Annual Seminar / Workshop – The Chair advised that this would be discussed later in the meeting.

Action 1 – 18 January 2019 – Additional Funding – The Chief Executive provided the meeting with an update on this action. The Chief Executive and the DP Finance had met with FSD who agreed to provide a letter on additional funding for ECO for one year and on three other projects for three months. It was noted that the Chief Executive had not received the letter at this time. The Chief Executive advised the meeting that she did not envisage the closing of any pilots and confirmed that the Department are supportive of the initiatives.

The Board noted that all other actions had been completed.

5. BOARD CHAIR'S UPDATE

The Chair updated on the following:

- Lunchtime Workshop - Victims – The Chair thanked those members who attended the Seminar held on 21 February 2019. He advised that the Seminar was well attended and the Belfast Telegraph had published a good article. The Board Chair thanked Mr Wall who chaired the seminar and the team who made the seminar so successful.
- Meeting with the Trade Unions – Members were advised that the Chair, the Board Secretary and Mr McIlwaine had met with the Trade Unions (NAPO and NIPSA) on 25 January. It was a constructive meeting with no new issues being raised.
- Business Planning Event – The Chair advised that he had attended the Annual Business Planning Event for managers on 24 January 2019; he had found it a positive meeting.
- Stakeholder Meetings – The Chair has had meetings with Paul Frew, MLA; Raymond McCartney, MLA and Doug Beattie, MLA. Other meetings are being arranged. The meetings were positive and supportive of Probation and it was an opportunity to introduce himself as Chair and for the Chief Executive to raise points of note. The Chair has also visited the Public Protection Team at Seapark and the Coleraine offices, both the old and new premises. The Chief Executive had accompanied the Chair to meetings with the Chief Executives of both NIACRO and Extern.
- Policy & Practice Committee – The Board Chair reported that he had attended the PPC meeting on 1 February 2019, in an ex-officio capacity.
- Criminal Justice Inspectorate, Northern Ireland – The Chief Executive has been notified that the CJINI intends to carry out an inspection of Probation during this year. No Terms of Reference have been received, to date.
- Boardroom Apprentice – The Chair advised that he has discussed the next year's recruitment exercise for Boardroom Apprentices with Eileen Mullan. This will be an agenda item at the next Board. In the meantime if any members wish to be part of the recruitment process, please advise the Chair.

Action: Members interested in taking part in the Boardroom Apprentice recruitment process to advise the Chair. (Board Members)

Action: Boardroom Apprentice to be on the Agenda of the March 2019 Meeting

- Guidance – Guidance on relationship of sponsorship and Arm's Length Bodies will be shared when received. It is expected that the guidance will replace the Management Statement of Financial Memorandum (MSFM), in due course.
- Deputy Board Chair – Confirmation has been received from the Department on its intention to proceed with the selection of a Deputy Chair. A letter will be sent to all members inviting applications. The process will be by way of a paper shift by the Board Chair and a Departmental representative.
- PBNI Passes – Secretariat will arrange for photographs to be taken of each member at the next Board meeting. These photographs will be used for the PBNI passes.

6. CHIEF EXECUTIVE'S UPDATE

The Chief Executive reported on the following:

- Assistant Director Recruitment – Gillian Montgomery, Assistant Director had been the successful candidate. The CEO thanked Mr Wall for his participation on the selection panel.
- Internal Review – The Chief Executive updated on the completion of the internal review and has asked that the Directors take forward the recommendations. The key issues for Board are to confirm that there had been no formal whistleblowing and the individual has been removed from the project, with a recommendation that he should not work on a client facing basis on the project until at least his period of Registration comes to an end and he could be re-assessed. PBNI has requested that NIACRO, as the employer, provide a suitable alternative for the individual to allow his transition.
- Criminal Justice Inspectorate NI – The Members were advised that CJINI had indicated that there would be a holistic inspection of Probation covering governance, strategy, delivery and outcomes. The timing is unknown at this point. The last operational inspection was carried out in 2013. Since then, there have been baseline budget cuts amounting to 18%. The last governance inspection was in 2006.
- Permanent Secretary's Visit – Peter May visited to the Probation Office in Enniskillen. Dr O'Hare had also hosted a visit to the Substance Misuse Court for Peter May. This was a successful visit, with the Permanent Secretary of Finance now seeking to have the Secretary of State for Health attend a court session, along with three other Permanent Secretaries in the near future.
- Brexit Update – The Chief Executive invited Dr O'Hare to update the Members on Brexit and the impact on Probation. Dr O'Hare advised that she had represented Probation in DOJ meetings over the last six months and had attended a number of workshops. She advised that there were a number of areas critical to Probation. Information sharing – work is being done with colleagues from Probation Service to ensure that information sharing can continue and she advised that she is confident that this can be managed. European Arrest Warrants – this is still being worked on. The Central European Probation (CEP) have advised that PBNI will continue to be a member of CEP post Brexit, with the Secretary General noting the positive input by PBNI. Karen Pearson is taking this forward and contributing to the SCR.

Discussion ensued on protocols and the work with colleagues from the Probation Service to ensure continued joint working. There was discussion around social workers working in different jurisdictions, post Brexit. It was noted Ms Pearson has been invited to the next Board meeting to give a presentation.

7. CORRESPONDENCE (PAPER 7/19)

The Board noted that there was no correspondence to note.

COMMITTEE BUSINESS

8. POLICY AND PRACTICE COMMITTEE BUSINESS

8.1. Committee Chair's Update, including Corporate Planning (Verbal)

The Deputy Chair of the Committee provided a summary of the Policy & Practice Committee meeting held on 1 February 2019. The Committee agreed to recommend Alastair Ross for appointment of the Deputy Chair of the Committee. The Committee also agreed that its Terms of Reference would be reviewed after the Committee has met for 2-3 occasions. This would allow a more meaningful insight into the Committee's work. The Corporate Plan 2020 – 2023 will be developed in 2019 and will be brought to the Board for approval. The Committee discussed the importance of the full Board's input into the plan. Topics for the Annual Seminar were discussed.

Discussion ensued on data mining to inform on strategic evaluations. The Chief Executive advised that NISRA (Northern Ireland Statistical and Research Agency) are reviewing their work as the Department wishes for a more analytical approach. Probation has been providing a 'trends' paper to the Department for some years. The Application of Artificial Intelligence on the data analyses was also discussed.

The Board noted the update.

For Decision

8.2. Appointment of Deputy Chair of PPC

The Board approved the appointment of Mr Ross as Deputy Chair of PPC.

8.3. Gifts and Hospitality Policy (Paper 8/19)

Members were advised that the PPC had reviewed the Policy and Procedures at their meeting on 1 February 2019 and agreed to recommend approval to the Board. A member requested an amendment to 4.4 on page 5 of Procedures and Guidance on the Acceptance of Hospitality to include gifts of chocolates, wine and spirits not being offered.

The Board agreed to approve the Gifts and Hospitality Policy subject to the above change.

8.4. Secondment Policy (Paper 9/19)

Members were advised that the PPC had reviewed the Policy and Procedures at its meeting on 1 February 2019 and agreed to recommend approval to the Board.

The Board agreed to approve the Secondment Policy.

8.5. Substance Abuse Policy (Paper 10/19)

Members were advised that the PPC had reviewed the Policy and Procedures at its meeting on 1 February 2019 and agreed to recommend approval to the Board.

The Board agreed to approve the Substance Abuse Policy.

For Noting

8.6. Management Information Report (Paper 11/19)

(A) Serious Further Offences

The Director of Operations reported on one Serious Further Offence to the Board.

The Board noted the report.

(B) Communications

Members were advised of ongoing engagement between the Chair, the Chief Executive and stakeholders. PBNI facilitated a BBC NI briefing on the Substance Misuse Court to raise awareness. The Chair had an article published in the February addition of the magazine 'AgendaNI'. A supplier has been appointed through the CPD tendering process to work with PBNI on Phase 2 of the development of the mobile phone app 'Changing Lives'.

The Board noted the update.

9. AUDIT & RISK ASSURANCE COMMITTEE BUSINESS

9.1. Committee Chair Update (Verbal)

The Committee Chair advised that the Committee had its first meeting of this term on 15 February 2019. He advised that he and the Committee Members had met with Internal Audit, External Audit and the NIAO in closed session prior to the formal meeting. The newly appointed External Auditor (Deloitte) and representatives from the NIAO attended the first meeting. The Internal Auditor provided positive feedback to the Members.

The Committee Chair advised that governance training will be provided for all Committee Members and it will be open to other Board Members or Officials who wish to attend. It was also agreed that the Committee would not review its Terms of Reference at this time rather, after a number of meetings it will review the Terms of Reference, to make the exercise more meaningful.

Two pieces of correspondence were noted. The Chief Executive advised that she would ensure that Risk Management was on the next Overview meeting and will report to the Committee in due course.

Internal Audit awarded 'satisfactory' ratings to the three audits brought to the Committee for noting. The Committee congratulated the Executive and Staff on this attainment. The Internal Auditor will be liaising with the Chief Executive regarding the 2019/2020 audit plan and will inform the Committee in due course.

There was an in-depth discussion on the National Negotiating Council and the Standing Committee for Chief Officer Grades (NNC/SCCOG) as this was a new risk added to the Strategic Risk Register (SRR) in Quarter 3. It was suggested that the Board may wish to raise this formally with the Department.

The Director of Operations provided a comprehensive explanation of each risk on the SRR for the Committee's understanding. The Audit Control log was reviewed with the Committee noting the paper.

The preparation for the Annual Accounts is continuing with meeting having been arranged with the External Auditors. The DOF and Other Guidance was discussed with the Conflicts of Interest paper to be sent to all members.

There were no incidents of Fraud or Losses to report to the Committee. The Committee suggested that there should be Fraud/Losses Log to show any incidents.

The Draft Audit & Risk Assurance Committee minutes from 15 February 2019 will be presented at the next Board for noting.

The Board noted the update.

10. CORPORATE RESOURCES COMMITTEE BUSINESS

10.1. Financial Outturn – January 2019 (Paper 12/19)

The DP Finance talked to the presented paper. Members were advised that the accounts were on target with a slight underspend with relates to pay. The January Monitoring Round will allow for the accounts to adjusted to show and easement of £242k. The Capital underspend has been declared. It is mainly due to the underspend for Shipquay Street as the timing of the completion of the work has extended into the next financial year.

PBNI's request for registration of VAT is ongoing, with no further updates.

The Board noted the paper.

10.2. Management Information Report (Paper 11/19)

(C) Human Resources – Terms & Conditions, NILGOSC, Managing Attendance

The Deputy Head of HR provided the Members with background into the Terms & Conditions issue, as previously outlined under the ARAC update. Members were also briefed on the NILGOSC issue around Administration staff pension contributions. Members were advised that the union, NIPSA, are expected to lodge papers at court in relation to this issue. There was

a query on the conflicting legal advice and the Deputy Head of HR provided a summary of the two positions. Mrs Gillespie, Chair of the Corporate Resources Committee (CRC), asked that her committee review this issue at its next meeting.

Action: CRC to consider the implications of the NILGOSC Pension issue (CRC)

The Board noted the update.

(D) Estates

The DP Finance provided an update on Estates. Shipquay Street has a programme of works but it has been halted due the discovery of dry rot and asbestos material. Staff will be moving into the new Coleraine office on 25 February 2019. A suitable property has been located in Duncairn Gardens to replace 72 North Street. The Chief Executive advised that she had highlighted delays in building work throughout the PBNI Estate before Christmas. It is an ongoing strategic issue with Properties Division across the NICS and she will be raising the issue again with the Department.

The Board noted the update.

(E) Information Systems

The Director of Operations provided an update on the Electronic Case Management System (ECMS) and advised that the Gateway 3 Investment Decision Review provided 4 recommendations – 2 essential and 2 recommended. These recommendations have been accepted by the Senior Responsible Officer for the Project. The ICT Delivery Options is now in the design stage.

The Board noted the update.

FOR DECISION

11. PBNI BUSINESS PLAN 2019-2020 (PAPER 13/19)

The Director of Rehabilitation introduced the paper on the Draft Business Plan 2019/20. 2019/20 is the final year of the Board's current Corporate Plan 2017/20. There are five Strategic Priority Headings. A middle and senior managers' meeting had been held in January where their input was sought, together with that from the Department of Justice.

There was discussion around objectives and challenging targets on Sickness Absence and Victims. Following clarification members were assured that both targets were achievable. Members asked about the measurement of and the training of staff on operational procedures for vulnerable adults. It was advised that training would be provided and the new ECMS will provide the equality data. The definition of a vulnerable adult was discussed in relation to different definitions used by different departments. The meeting commended the Chief Executive on the ongoing work of Aspire and Inspire.

The Board approved the Draft Business Plan 2019/20.

12. BOARD SECRETARY'S BUSINESS

12.1 Register of Members' Interests (Paper 14/19)

The Board Secretary talked to the presented paper, which would be posted on PBNI's intranet. Any changes to members' or officials' register of interest should be notified to Secretariat.

The meeting agreed that the Register could be published on the PBNI Website

12.2 Board Workplan (Paper 15/19)

The Workplan enables the Board, Committees and officials to plan their business for the year. The Committees will commence work on drafting their workplans and will be added to agendas.

The Board noted the paper.

12.3 Members' Visits

The Director of Rehabilitation was invited to take the members through the schedule of visits and what the Board Members will expect to see and meet. Each visit should take approximately 1 ½ hours. The Board Chair asked members to contact the Board Secretary with their availability. he advised that this would be an ongoing process as more visits will be arranged and he would encourage members to visit the outer offices.

Action: Board Members to contact the Board Secretary with their availability (Board Members)

The Board noted the paper

13.0 ANY OTHER BUSINESS

The Board Secretary reminded members that a copy of their current car insurance and driving licence was required to all Board Members to claim expenses. Members were also reminded that claims must be made within three months.

DATE OF NEXT MEETING

The next Board Meeting will take place on Friday 15 March 2019 at 9.30 am in PBNI Headquarters.

Dale Ashford QFSM
Board Chair

Date