

## PROBATION BOARD FOR NORTHERN IRELAND

**BOARD MEETING – 16 NOVEMBER 2018****10.00 AM – PBNI HEADQUARTERS****403RD MEETING – 35th of THE ELEVENTH TERM OF OFFICE**ATTENDANCE

Mrs V Patterson (Chair)  
Mr D Brown (Items 1 – 10)                      Mrs J Gillespie  
Mr E Jardine    Mr I Jeffers  
Mr R Mullan    Mr G OhEara  
Mrs P Shepherd (Items 6 - 12)              Mr D Wall  
Mrs B Henderson, Boardroom Apprentice

Officials

Ms C Lamont, Chief Executive  
Mr H Hamill, Director of Operations  
Dr G O'Hare, Acting Director of Rehabilitation  
Mrs G Robinson, Head of HR  
Mrs C Teggart, Head of Finance  
Mrs W Rodgers, Personal Secretary (Minutes)

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

The Chairman welcomed everyone to the November Board meeting which is the last meeting of this constituted Board.

No conflicts of interest were declared.

**2. APOLOGIES**

Apologies were received from: Mrs J Erskine, Deputy Chair; Ms A Matthews, Board Member; Mr T O'Hanlon, Board Member.

**3. CONSIDERATION OF MINUTES - BOARD MEETING – 19 OCTOBER 2018 (M10/18)**

The minutes of the Board meeting held on 19 October 2018 were accepted as an accurate account of the meeting.

**4. MATTERS ARISING FROM THE MINUTES (PAPER 118/18)**

All action points have been completed. The Board noted the position.

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

The Chairman advised that she had written to the Director of Safer Communities for an update on the reconstituting of the Board. She had received a response advising that he was hoping to meet with the Secretary of State soon and a decision should be forthcoming thereafter. As agreed in the closed session, in the event that the Board has not been appointed prior to the end of this constituted Board, the Chairman will write to the Department setting out the statutory role of the Board as employers and from a governance perspective that any delay in appointing Board would cause.

Under agenda item 13.1 of this agenda the Board will reflect on the work of the Board during this term.

The Chairman advised that she had attended a Board Apprentice Scheme meeting. The Head of the Civil Service was also in attendance with other non-executives. The Chairman invited Mrs Henderson to provide some feedback on the event. Mrs Henderson advised that she was enjoying the process and it gave her an opportunity to give something back and make a positive difference. The Chairman wished to record her thanks to Mr Brown who had acted as 'Board Buddy' for both Board Apprentices who have attended the Board under the Scheme.

The Chairman informed that during the closed session the Members had reflected on the work of the Board, the challenges faced and the positive position of the Organisation.

The Board noted the update.

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

The Chief Executive advised that the Permanent Secretary, Peter May, will be chairing a round table meeting on TPMOs on 27 November 2018 with all organisations involved attending. She advised that correspondence had been received from the Unions who had lodged a formal dispute, specifically on the management of loyalist TPMOs. The Chief Executive invited the Head of HR to brief the Members on the issue.

A Social Work Task Force had been set up by Sean Holland, Department of Health, to look at protecting social workers against violence and abuse across Justice. The Executive is meeting with Sean Holland and will be requesting that the Head of HR, Gillian Robinson, is invited to sit on the Task Force.

The Chief Executive invited the Director of Operations to brief members on the Independent Review Commission Report on Fresh Start. Members were advised that there were 43 recommendations with Probation being involved in 4. The Director of Operations gave a summary of each of the recommendations related to Probation.

Following on from Mr B Mooney's presentation to the Board the Acting Director of Rehabilitation has been looking at the presentation of data analysis and trends across the Criminal Justice System and there will be some changes to Board papers going forward.

The Chief Executive wished, on behalf of herself and the Executive Team, to thank all members of the Board for their work over this term of the Board. The Executive Team have enjoyed working with the Board and have learnt from it. She also thanked the Chairman for her time as a Board Member for 3 years and then 6 years as Chairman and her dedication to the role. The Chief Executive presented the Chairman with a bouquet for flowers. The Board Members made a presentation of a gift to the Chairman.

The Board noted the update.

## **7. CORRESPONDENCE (PAPER 132/18)**

There were seven letters to note.

- 7.1 Letter received by the Chairman from NAPO reference working with loyalist T/PMOs (Paper 132-2/18)
- 7.2 Response letter sent by the Chairman to NAPO in reply to their letter on working with T/PMOs (Paper 132-3/18)
- 7.3 Letter received by the Chief Executive from NAPO reference working with loyalist T/PMOs (Paper 132-4/18)

- 7.4 Letter received by the Chief Executive from NIPSA reference working with loyalist T/PMOs (Paper 132-5/18)
- 7.5 Response letter sent by the Chief Executive to NAPO in reply to letter working with T/PMOs (Paper 132-6/18)
- 7.6 Response letter sent by the Chief Executive to NIPSA in reply to letter working with T/PMOs (Paper 132-7/18)
- 7.7 Letter received by the Chief Executive from NIAO reference contracting out of External Audit (Paper 132-8/18)

The Chairman advised that she had received a letter from NAPO which she had responded to, ensuring that their comments were right sized. Both letters are included in the papers.

The letter from the NIAO was noted with a comment that it was hoped that the procurement process will be awarded in time for the Annual Accounts.

The Board noted the correspondence.

## **8. AUDIT & RISK ASSURANCE COMMITTEE (ARAC) BUSINESS**

The Chairman advised that the ARAC had provided the Board with a detailed update at the last Board meeting in October. The Committee meeting held on 5 October 2018 was the last constituted meeting of the Committee of this Board. The Chair and members of the Committee have agreed the minutes from 5 October 2018. The Chair of the Committee has signed the minutes as an accurate account of the meeting held.

## **9. POLICY AND PRACTICE COMMITTEE (PPC)**

### **9.1 Committee Chair's Update (Verbal)**

The Chair of the Committee advised that the PPC had met on 26 October 2018 which was its last meeting of this constituted Board. There are two policies being brought to the Board for approval. The draft minutes from the meeting will be agreed by Committee Members at this meeting.

The Committee received a mid-term health check on the Corporate Plan achievements to date. It was noted that good progress had been made and there were no 'red flags'.

A substantial report on Older People in the Criminal Justice System was reviewed by the Committee and they made some comments on how to develop the Report with a sharper focus on the key themes.

The Committee reviewed all the presented statistical reports in the context of the wider Criminal Justice System. It was noted that the number of remand prisoners has increased but the number of sentenced prisoners has reduced. The re-offending Cohort Report 2015-16 was also reviewed. The Committee had asked for a Crime Statistical Report which the DP Statistician presented. Crime data is provided by the PSNI. It was noted that violent crime has doubled in the 1998/99 to 2016/17 period with burglary reducing.

The Chair of the Committee advised that the lunchtime workshop due to be held on the 26 October 2018 was postponed due to another seminar being held on the same day on the same topic by another organisation. The Committee had looked at rescheduling the workshop for November but due to other Probation events taking place, identifying a suitable topic and availability of speakers and Board Members, the Committee agreed that it was not possible to reschedule for November.

The Committee at its meeting had contributed to the Overview paper to be discussed later in the meeting. The Chair thanked the Officials for their support to the Committee and it was appreciated. There had been 65 policies brought through the Committee in the three year term. The Chair commented on the interesting and more relevant papers now being brought to the Committee. He thanked the Chief Executive and her staff for their work.

### For Decision

**9.2 Transfer Mobility Policy and Procedures (Paper 133/18)**

The Head of HR presented the paper to members and advised that this policy does not exist in any other organisations. The Policy enables Probation to have people in the right place to meet operational needs as well as individual needs. It is a tool to allow the Organisation to operate effectively.

The Chair of the Committee advised that the Committee had reviewed and discussed the Policy and agreed to recommend approval to the Board. It was noted that this policy did not require DOJ or DOF approval.

The Board approved the Transfer Mobility Policy.

**9.3 Disciplinary Policy and Procedures (Paper 134/18)**

The Head of HR introduced the paper to members advising that as this relates to Terms and Conditions it does require approval from the DOJ and DOF. The Policy was due for review and the Head of HR confirmed that the review ensured that it still met with statutory requirements. In response to a question from a member it was confirmed that the Code of Ethics did apply through the NICS and the NISCC's Codes of Conduct.

The Chair of the Committee advised that the Committee had reviewed and discussed the Policy and agreed to recommend approval to the Board.

The Board approved the Disciplinary Policy and its onward transmission to the DOJ and DOF for further approval.

**9.4 Draft Minutes from the meeting held 26 October 2018 (Minutes)**

The Committee Chair presented the draft minutes from the meeting held on 26 October 2018 to PPC Committee Members for their approval at this meeting. It was advised that as this term of the Board finishes on 30 November 2018, minutes require approval by Committee Members prior to the term ending. The PPC Members approved the minutes as an accurate account of the meeting. The Committee Chair signed the minutes.

For Noting

**9.5 Management Information Report (Paper 135/18)**

The Committee Chair advised that the presented paper was as of 30 September 2018.

The Director of Operations informed members of one Serious Further Offence to report.

The Board noted the Report

The Chairman commented that it was the right decision to postpone the workshop on the 26 October 2018 given another seminar had been arranged by another organisation. The Chief Executive informed that the new Standards were appropriate for the current resource however anything below these Standards would be inappropriate. The Senior Executive Team would be continuing preparation work in the area of resourcing for the new budget for 2019/20.

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

- 11.1 The Committee Chair advised that the last meeting of the CRC was held in the Omagh office on 2 November 2018. He particularly wished to thank the staff for their enthusiasm and dedication and for hosting the meeting. There is one business case to come to the Board for approval.

The Committee discussed the September Outturn and noted the paper. An update was provided on the VAT issue by the Head of Finance. There was no update to report on the 2019/20 budget. A comprehensive update on Estates was provided and this is available to view on the draft minutes from the meeting. The draft minutes from the meeting will be agreed by Committee Members at this meeting.

Progress was reported on the ECMS and IT Assist Service Delivery. The Committee Chair invited the Director of Operations to provide Board Members with an update. The Director of Operations

advised members that the tender process for the ECMS was complete. Letters of offer regret will be sent out next week with a 10 day stand down (to allow for challenges and queries from unsuccessful bidders) period after that. The IT Service Delivery OBC has been approved and is now in the planning process with a Project Board being formed. The target for moving across to IT Assist is September 2019.

Shipquay Street will be having secondary glazing installed as there is no need for planning permission. Properties Division are currently procuring for a supplier to produce and implement the glazing.

The Chief Executive asked if the Head of HR could update Board Members on a legal case. Members were advised that the settlement required Board approval but due to the timeframe for a response the Chairman and approved this on behalf of the Board. The Head of HR gave assurance that she had carried out all the checks and balances and the Department was also content for approval. The Committee Chair of CRC advised members that the legal case had been notified to them at the meeting on 2 November 2018. Board Members confirmed that they were content with the Chairman's approval.

#### For Decision

##### **11.2 Working Well Business Case (Paper 136/18)**

The Chair of the Committee advised that the Business Case was presented to the Committee at its meeting on 2 November 2018 and following a review and discussion, the Committee agreed to recommend approval to the Board.

It was noted that on page 5 of the Business Case, that following a query from a member, the statistical analysis had been simplified and made the figures clearer to take account of a one year outcome target. The Director of Operations informed members that Working Well is a successor but not a replicant to previous employability schemes – Access and Jobtrack. It has been evidenced that employability leads to a reduction in re-offending. The scheme will be delivered by NIACRO with funding coming through the European Social Fund. PBNI and NIPS, as partnering funders, will be providing matching funding of £100k per year each. Probation can only fund from year to year as it is subject to affordability and performance.

The Board approved the Business Case for Working Well.

##### **11.3 Draft Minutes from 2 November 2018 (Minutes)**

The Committee Chair presented the draft minutes from the meeting held on 2 November 2018 to CRC Committee Members for their approval at this meeting. It was advised that as the term of this constituted Board finishes on 30 November 2018, minutes require approval by the Committee Members prior to the term ending. The CRC Members approved the minutes as an accurate account of the meeting with one amendment to page 3 paragraph 3. The Committee Chair signed the minutes.

#### For Noting

##### **11.4 Financial Outturn – October 2018 (Paper 137/18)**

The Chair of the Committee advised that the Committee had reviewed the September Outturn at its last meeting. The Head of Finance presented October's Outturn to members. There was a slight decrease in the underspend from September with an explanation of why there is an underspend. Some monies from the ECO project will be returned to the Department due to the late start of the project, highlighting the difficulties in resourcing the project on a temporary basis. The Head of Finance advised that she is forecasting a balanced budget for year end at this stage in the financial year. The Chairman noted that the Members had discussed the issue of working with a one year budget with the Permanent Secretary when he visited the Board.

There has been no feedback on the 13 ARAC bids made from July 2018.

The Head of Finance advised that the DOF are now looking at Probation's VAT issue. Probation's expenditure could equate to approximately £400k of VAT recoupment per year.

The Head of Finance confirmed that she had not received any information from the Department on the 2019/20 budget although the indication was that there would be no major cuts in the one year budget.

There was discussion on recruitment of Psychology staff and the issues that Probation have in recruiting temporary staff.

The Board noted the paper.

#### **11.5 Business Cases, Programme and Project Management (Paper 138/18)**

The Head of Finance advised that the Addendum to Shipquay Street Business Case has been approved and the Business Case for 72 North Street has also been approved.

The Board noted the paper

#### **11.6 HR – Managing Attendance Update (Paper 139/18)**

The Head of HR advised that absence has decreased by 13.7% on the previous year. The new Managing Attendance Policy was implemented on 1 November 2018

The Board noted the paper.

The Chair of the Committee recorded his thanks to the Board Members, the Committee Members, the Executive Team and the Secretariat for the support and work that they had provided to the Committee.

### **12. PROGRAMME OF VISITS AND BUSINESS (PAPER 140/18)**

The Board noted the paper.

### **13. Board Secretary's Business**

#### **13.1 Final Report of the Board Overview and Summary of Achievements (Paper 141/18)**

The Chairman introduced the paper to members and advised that it was an 'end of term record' with a summary attached. The Committees have looked at the design and delivery of the Corporate Plan and Strategic Themes. The Report shows the engagement with key stakeholders and politicians. It is important to note the learning points and the current and emerging issues. The Chairman asked if there was any further comment to make. There were three suggestions made which the Chairman agreed to include in the Paper. Once completed the Chairman would send a copy to all members for their record. She thanked all committees for their input. This has also been compiled as a handover document for the new Board and a copy will be provided to the Chairman and members at the December meeting.

The Board were content with the paper.

#### **13.2 Work plan 2018/19 (Paper 142/18)**

The paper was noted as presented.

### **14 ANY OTHER BUSINESS**

#### **CHAIRMAN'S COMMENTS**

The Chairman wished to record her thanks to members, officials and staff as this is the last meeting of this constituted Board. She thanked the Members for investing so much time and passion in the work of the Board. The commitment of the Members is critically important in helping to turn around the lives of offenders and support victims. She stated that it has been a privilege to work for the Board.

The Chairman expressed her appreciation for the work the Deputy Chair had carried out and the commitment she had given to PBNI.

The Committees have been successfully restructured and the Chairman thanked each of the Committee Chairs, Deputy Chairs and members for the Committees for the support they shown to the Chairman. This enabled her to continue to have belief in what the Board was doing.

The Chairman thanked the Board Secretary for his support, constructive challenge and strategic thinking. The Board Secretary has improved papers coming to the Board and is working on further changes to meet requirements. She thanked the Senior Executive Team for their work and engagement and providing reassurance to the Board. Secretariat was thanked for providing excellent support to the Board. The Chairman also thanked the Communications Team for their support to the Board and the delivery of Board seminars and events.

The Chairman thanked all the Probation staff and the Leadership Team. They are the people who make our lives safer everyday with their effective management of risk by challenging which leads to positive results. It has been a privilege to Chair the Board.

The Chairman thanked the Board Members for their thoughtfulness and generosity. She also thanked the Executive Team for their kind gift and thoughts. She wished all the Members good wishes for the future and hoped they would continue to be ambassadors for Probation.

**DATE OF NEXT MEETING**

The next Board meeting is scheduled for 14 December 2018 at 9.30 am.

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 Vilma Patterson  
 Chairman

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 Date