

PROBATION BOARD FOR NORTHERN IRELAND

BOARD MEETING – FRIDAY 17 JANUARY 2020

9.30 AM – PBNI HEADQUARTERS

418th MEETING – 15th OF THE TWELFTH TERM OF OFFICE

ATTENDANCE

Mr Dale Ashford (Chair)
Mr Neil Bodger
Dr Jonny Byrne
Mr Kieran Donaghy
Dr Theresa Donaldson
Mrs Judith Gillespie
Mr Gearoid OhEara
Mr Max Murray
Mr Alastair Ross
Mr Dave Wall

OFFICIALS

Ms Cheryl Lamont, Chief Executive
Dr Geraldine O'Hare, Director of Rehabilitation
Mrs Gillian Robinson, Head of HR
Ms Catherine Teggart, Head of Finance
Ms Joyce Mercer, DP Statistician (Item 12)
Mr Michael Cox, Board Secretary
Mrs Wendy Rodgers, Secretariat (Minutes)

1. WELCOME AND CONFLICTS OF INTEREST

The Board Chair welcomed everyone to the meeting.

No conflicts of interest were declared beyond what has already been declared.

2. APOLOGIES

Apologies were received from Dr Kelly Clark, Member; Mr Paul Douglas, Member; Ms Patricia Keenan, Member; Ms Sarah Bruce, Boardroom Apprentice; Mr Hugh Hamill, Director of Operations.

3. MINUTES OF BOARD MEETING 13 DECEMBER (PAPER M12/19)

The minutes of the Board Meeting held on Friday 13 December 2019 were agreed as a true and accurate record with one minor change.

4. MATTERS ARISING FROM BOARD MEETING HELD ON 15 NOVEMBER 2019 (1/20)

Action 4 – Draft Corporate Plan – The meeting agreed that now the Justice Minister has been appointed, the publication of the Corporate Plan should be delayed by three months so any new direction on the Programme for Government could be incorporated.

Action 5 – Consultation Update – the Draft Response of the Sentencing Review Consultation will be discussed under agenda item 17 of this meeting.

It was noted that all other actions had been completed.

The Board noted the paper.

5. BOARD CHAIR'S UPDATE (Verbal)

The Board Chair opened by thanking members and officials for attending the Special Board meeting on 10 January 2020.

The Board Chair commented that it was welcome news that a new Minister was in place and he had written to the Minister to welcome her and to invited her to a number of events. He also invited her to meet with the Board.

Julie Harrison is to start on 20 January 2020 as the new Grade 3 within the Department, she will be replacing Anthony Harbinson.

TPMOs were discussed at the Special Board on 10 January 2020. Members were advised that the minutes of the meeting with Peter May on 7 January 2020 had been received. Members have been identified to sit on the TPMP Working Group. The Board Chair will draft Terms of Reference for the Working Group and it will meet as soon as possible.

The Board Chair advised that he had attended a number of events since the last Board meeting in December 2020. He had also visited the new Duncairn property and the staff were positive about about the premises. He noted that it had a room that could accommodate a committee meeting. The Board Chair and Mr Donaghy visited the Dungannon office on 16 January 2020, and this was a very positive and worthwhile meeting.

The Board Chair had met with John Tully who is involved in community planning for the Belfast City Council, this had been a useful meeting.

Mr Bodger had provided feedback on the Risk Management approach of the Department and the Board Chair had written to Peter May asking for this to be an agenda item at the next Arm's Length Bodies meeting.

Members were reminded that the Audit and Risk Assurance Committee will be leading the February Board with Risk being the topic. It was advised that the Conference Room is not available for the March Board. The Members agreed that the March meeting will take place in the Shipquay Street Office.

A member suggested that engagement with the Justice Committee at the earliest opportunity would be useful. The Chief Executive and Head of Communications have started conversations regarding engagement with the Committee.

The Board noted the update.

6. CHIEF EXECUTIVES UPDATE (Verbal)

The Chief Executive advised that the Director of Rehabilitation, Dr O'Hare, had attended the Senior Civil Servants meeting on her behalf. Dr O'Hare advised that the Minister had attended and set out her priorities.

Members were advised that the minutes of the meeting with Peter May, 7 January 2020, had been received and that the Chief Executive was content with some minor changes.

Staff have moved into the Shipquay Street premises as of 15 January 2020 with positive feedback. Peter May has asked to visit the premises in January / February to meet with staff.

The Confederation of European Probation has asked Dr O'Hare to join as an expert on Domestic Violence.

The Launch of Four Corners is taking place at Hyde Bank College this evening and is being co-hosted by NIPS/PBNI.

Correspondence has been received from Peter May and the Chief Executive will be reviewing and responding to it.

A meeting has been arranged to meet with Julie Harrison on 31 January 2020.

The Board noted the update.

7. CORRESPONDENCE (PAPER 2/20)

There were two items of correspondence to note:

- 7.1 Correspondence received by the Chief Executive from Peter May with reference to Terrorist Related Offenders
- 7.2 Correspondence sent to Peter May from the Chief Executive with reference to Terrorist Related Offenders

The Board noted the correspondence

8. BOARD BUSINESS

There was no Board Business to report.

AUDIT & RISK ASSURANCE COMMITTEE BUSINESS

9. Update by Committee Chair

The Chair of the Committee confirmed that there had not been a meeting of the Committee since the last Board and therefore there was no emerging business in the interim. The next meeting of the Committee is on 24 January 2020.

The Board noted the update.

10. CORPORATE RESOURCES COMMITTEE UPDATE

The Chair of the Committee confirmed that there had not been a meeting of the Committee since the last Board. She advised members that there was concern on pay scales for Social Workers, in particular, the difference in Probation and Health pay scales. The Committee had discussed their concerns at the last meeting on recruitment and retention. The Head of HR advised that the Unions had agreed to meet on this and now that a Minister is in place a fundamental review should be carried out.

The Board noted the update.

11. FINANCIAL OUTTURN SUMMARY (PAPER 3/20)

The Head of Finance set out the financial position as at the end of December highlighting some areas. There was an underspend as of 31 December of £320k or 2.2%. The underspend in pay is decreasing each month as staff appointments are made. The overall budget is forecasted to be on target for the year end at this point. IT Assist does provide some risk as they are reviewing their costs. The Capital budget is on target however there is a dependence on receiving receipts for the sale of Antrim Road, Limavady Road and Crawford Square by financial year end. Limavady Road has been sold and the other properties are marketed for sale. The financial planning exercise for 3 years (up to 2022-2023) was submitted to the Department in November 2019 but there has been no further updates. Probation have still not been advised of their budget for 2020 – 2021 at this point. It was noted that the base line of £16m does not include additional funds for Programmes although ECO has been approved for another 2 years. The Prompt Payment Performance Targets are slightly below target. This is due to one supplier who was invoicing for goods before the goods had been received and another supplier not submitting payable invoices. The 30 calendar day target in December 2019 was 98.50%.

The Board Chair expressed his gratitude for IT Assist for the support that they have provided across the Organisation.

The Board noted the paper.

12. STATISTICS AND RESEARCH UPDATE (PAPER A-4/20)

The Board Chair welcomed Ms Mercer to the meeting. Ms Mercer presented the paper and highlighted a number of points:

The paper reports on three sections; PBNI Workload Snapshot, Criminal Justice Context and Management Updates. The number of Orders being supervised has decreased by 2% on the previous quarter. There has been an increase of 16% of the female caseload compared to the previous year. This is the highest number since records have been kept. There has also been a rise in the 40 and above category (32%). Discussion ensued on the rise in the female caseload. There was also discussion on the suicide rates and organisations that Probation are engaging with. It was advised that the emerging trends will be presented to the Policy & Practice Committee who will then bring a paper to the Board.

The Board Chair noted the difficulty of getting people released from custody registered with a GP although this was improving.

The Board noted the paper.

13. HUMAN RESOURCES (PAPER B – C-4/20)

13.1 Sick Absence Report (Paper – appendix-4/20)

Mrs Robinson presented the paper and advised that the absence rate was 31.9% higher than last year and therefore the Business Plan target will not be met this year. Mrs Robinson advised of identified reasons for absence. She confirmed that the CRC had had a lengthy discussion at their meeting on absence. As Probation is a small organisation the figures can appear to be disproportionate. Discussion ensued on the number of places at Queens and Ulster University for Social Work training. There is a large adverse gap between the number of vacancies and the number of trained Social Workers graduating. Mrs Robinson advised that focus groups with staff are being set up to supplement culture surveys.

The Board noted the paper

13.2 NNC and SCCOG Update (Paper C-4/20)

The Business Case has been approved and the pay remit has been submitted for approval to pay. Payment is likely to be February.

The Board noted the paper.

13.3 NILGOSC (Paper C-4/20)

Members were advised that Mrs Robinson is still awaiting Counsel response, she is following this up.

The Board noted the paper.

13.4 Health & Safety (Paper J-4/20)

The Board noted the paper.

13.5 Employee Relations Cases & Tribunals (Paper K-4/20)

Mrs Robinson confirmed that the cases roll over quarter to quarter.

The Board noted the paper.

14. ESTATES AND BUSINESS CASES (PAPER – D- 4/20)

The Head of Finance provided an update on Estates as laid out in the paper. She advised that the Estates Strategy is due to come to the Board in February 2020.

The Board noted the paper.

15. INFORMATION SYSTEMS (PAPER E – 4/20)

In the absence of the Director of Operations, Dr O'Hare provided an update on the Electronic Case Management System. Training will commence in March for Train the Trainers and then training for all staff will be mandatory

The Board noted the paper.

POLICY & PRACTICE COMMITTEE UPDATE

16. UPDATE BY COMMITTEE CHAIR (VERBAL)

The Chair of the Committee advised that the Committee had met on 18 December 2019 to discuss items not covered at the previous meeting. The Committee agreed that the Annual Seminar had been successful and increased Probation's profile. The next lunchtime seminar is on 'homelessness' with Tracy Meharg, Permanent Secretary of Communities, being the lead speaker.

There was lengthy discussion on Aspire focusing on what work should be provided to adults over 25. The Committee was reluctant to be involved in this as this may include TPMOs. Dr O'Hare advised the Board that the short term project will not be progressing at this stage as it should not be viewed as a separate project to the existing Aspire project.

The use of language was discussed by the Committee.

The Board noted the update.

17. SENTENCING REVIEW CONSULTATION (PAPER 5/20)

Dr O'Hare presented the draft response to members. She advised that it was decided that the response would benefit from an accompanying letter which is included in this meeting's papers. Dr O'Hare took the Members through the response pointing out areas that did not fall under Probation's area of work and Probation had therefore not responded to. The response notes that the public are not aware of different sentences. Probation have responded by supporting the Sentencing Review and welcoming the use of Community Sentences. The response makes the suggestion that the public should be given more information to enable a greater understanding on what Community Sentences are. There was discussion around Domestic Violence offenders. Members also discussed Hate Crime and that a conviction will not be for hate crime, it could be, for example, drug or criminal damage. Justice Marianne is reviewing Hate Crime legislation.

The Board agreed that it was content with the response.

18. SERIOUS FURTHER OFFENCES (SFOs) (PAPER B- 4/20)

The paper reported on 3 SFOs, however Dr O'Hare advised that this had now increased to 4. She provided background into the offences. There was discussion around the pattern of SFOs. The Chief Executive advised that if a particular pattern emerged she would report on this.

The Board noted the paper.

19. COMMUNICATION AND ENGAGEMENT (PAPER – F – 4/20)

The Director of Rehabilitation provided an update on current Communications and Engagement as laid out in the paper.

The Board noted the paper.

20. CONSULTATION UPDATE (PAPER G – 4/20)

The Director of Rehabilitation provided an update on consultations as laid out in the paper.

The Board noted the paper.

21. PBNI QUARTERLY COMPLAINTS REPORT Q3 2019/20 (PAPER H-4/20)

Members were advised that the majority of complaints do not progress to a further stage.

The Board noted the report as laid out in the paper.

22. REQUESTS FOR INFORMATION RECORDED FOR THE PERIOD SEPTEMBER – NOVEMBER 2019

There were a total of 19 requests received over the period on various different subjects.

The Board noted the paper.

23. SUMMARY OF LEGAL CASES OCTOBER – DECEMBER 2019 (PAPER M-4/20)

The Board noted the paper.

24. BOARD SECRETARY'S BUSINESS

24.1 Board Work Plan (Paper 6/20)

The Board Secretary advised that the Work Plan is a working document and is used to advise on work that is coming to the Board in the future.

The Board noted the paper.

24.2 Verbal update

Members were advised of the annual update for the Register of Interests. Forms will be sent to members for completion

Action: Members to complete and return their Register of Interest forms. (Board Members)

Members were reminded that Probation email addresses have been changed to name.surname@probation-ni.gov.uk.

Members were reminded that there is a 3-month limitation on expenses or the Accounting Office will require an explanation.

To note that the May ARAC has been moved from 12 May to the 1 May to facilitate the Annual Report.

25. OTHER BUSINESS

The Board Chair thank everyone for attending.

DATE OF NEXT MEETING

The next Board Meeting will take place on Friday 21 February 2020 at 9.30 am, Conference Room, 4th Floor, PBNI HQ.

**Dale Ashford QFSM
BOARD CHAIR**

Date