

PROBATION BOARD FOR NORTHERN IRELAND

**BOARD MEETING – FRIDAY 22 JANUARY 2021**

**9.30 AM – WEBEX VIDEO CONFERENCE**

**430<sup>th</sup> MEETING – 26<sup>th</sup> OF THE TWELFTH TERM OF OFFICE**

ATTENDANCE

Mr D Ashford, Chair  
Mr N Bodger  
Dr J Byrne  
Dr T Donaldson  
Mr K Donaghy  
Mr P Douglas  
Mrs J Gillespie  
Ms P Keenan  
Mr M Murray  
Mr G OhEara  
Mr D Wall

OFFICIALS

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

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

The Board Chair welcomed everyone to the meeting, which continues to be conducted via video conferencing.

The Board Chair commented that it had been almost a year of 'lockdown' due to the pandemic and he wished to thank Board Members, the Management Team and staff for their work, despite the restrictions, throughout a difficult year.

No potential Conflicts of Interest were declared.

**2. APOLOGIES FOR ABSENCE**

Apologies recorded from Dr K Clark, Member.

**3. MINUTES OF BOARD MEETING HELD ON THE 18 DECEMBER 2020 (M13/20)**

The minutes of the Board Meeting held on Friday 18 December 2020 were agreed as a true and accurate record of the meeting.

#### **4. MATTERS ARISING FROM THE MINUTES (PAPER 1/21)**

The Board Chair requested that any outstanding Board appraisal forms be returned to him so Action 1 can be completed. All other actions were noted as completed.

The Board noted the paper.

#### **5. BOARD CHAIR'S UPDATE**

The Board Chair provided members with an update of his meetings and events attended since the last Board meeting.

He commented that it had been a quiet over the Christmas holiday period. He had kept in touch with officials and no new issues emerged.

The Board Chair advised that he had attended the virtual Business Planning event. Dr Julie Harrison of the DOJ also attended to provide the DOJ's view of the forthcoming year.

A number of members attended the Governance Training, which was useful and informative. He suggested running another session for members, who were not available to attend the first session.

The Board Chair had a meeting with Dr Harrison when a number of topics were discussed. Terms and Conditions for staff is a continuing concern with the implications for the retention of staff. This matter was also the cause of concern for the Unions. The likely budgetary position next year was also discussed. The CJI (NI) report's Recommendation 1 was reviewed with the Board Chair offering the Board's assistance to help deliver it. There is no update on the Arm's Length Bodies' Review. Dr Harrison agreed to work with the Board on the matters discussed.

The Board Chair spoke at the Chairs Forum event on Leading Arm's-Length Bodies.

Members were reminded of the Domestic Abuse Seminar scheduled for 3 February 2021. Any members wishing to attend are to contact Secretariat.

The Board noted the update

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

The Board Chair invited the Chief Executive to provide the Board with her update since the last Board meeting.

The Chief Executive advised members that her update was related to the correspondence received under agenda item 7 of this meeting.

The Board noted the update.

#### **7. CORRESPONDENCE (PAPER 2/21)**

There were five items of correspondence to note and discuss.

7.1 Problem Solving Justice/Fresh Start Funding - Letter from Cheryl Lamont to Julie Harrison

- 7.2 Problem Solving Justice/Fresh Start Funding - Email Response from Julie Harrison to Cheryl Lamont
- 7.3 Pay Remit Negotiations - Letter from Maura Campbell to Cheryl Lamont
- 7.4 Vaccinations – Letter from Cheryl Lamont to Peter May
- 7.5 Vaccinations - Response letter from Peter May to Cheryl Lamont

The Chief Executive advised that Items 7.4 and 7.5 will be covered by Mrs Robinson, Head of HR, under the Covid update (Item 8 of this agenda).

Items 7.1 and 7.2 refer to the pressures of the roll out of Problem Solving Justice without certainty of the funding. Senior colleagues have discussed the impact that this would have on key community partners in the voluntary sector. Dr Harrison was unable to provide any clarity at this time but will advise of any decisions when received.

Item 7.3 referred to the Pay Remit Negotiations. Ms Campbell of the DOJ had written to the Chief Executive laying out the position of the Department and the difficulties, as seen by it, of requesting a remit of 2.7%, which is over the 2% limit allowed. The Head of Human Resources briefed members on the difficulties that the Organisation is experiencing due the lower pay scale of Probation to other organisations, which employ social workers. The Unions have been briefed on the current situation and have been frank and robust in their response. The Chief Executive advised that the retention of staff is becoming more difficult and this may impact of Probation's ability to deliver on its statutory duties.

A detailed discussion followed, looking at affordability, recruitment, training costs and the consequences for staff morale. Benchmarking against a 'family' of relevant organisations was discussed. It was noted that there is a small pool of graduates and that it was a competitive recruitment market. Discussion ensued on the role of the Board and Management and the possible next steps. The Board agreed that the Chief Executive would reply to the Department. After that, a meeting would be arranged with the Permanent Secretary.

**Action: The Chief Executive will brief the Board Chair when a response from DoJ is received and an indication as to timescales for sending onto DoF. Depending on the DoJ response, the Board Chair may wish to call another meeting of Board prior to next planned meeting to discuss next steps as discussed at today's meeting. (Board Chair / Chief Executive)**

The Board noted the correspondence and discussion.

## **8. COVID 19 UPDATE (VERBAL)**

Mrs Robinson provided members with an update on PBNI's measures on Covid. She and Dr O'Hare have arranged a meeting with the Belfast Trust to discuss prioritising vaccinating PBNI staff against Covid. There was discussion on the Justice Family being prioritised as front line staff however there was also recognition that prioritisation of more vulnerable groups was a priority.

Probation remains in Phase 1, of the Recovery Plan. Under Phase 1 'high risk' service users are seen face to face in PBNI offices. It was confirmed that PPE is in plentiful supply in all offices. Community Service Orders continue to be limited to outdoor assignments. This results in limited numbers due to social distancing requirements. All measures are being taken to keep both staff and service users safe.

Communications to staff continues as does separate briefings with unions.

The Board noted the update.

## **9. MANAGEMENT INFORMATION PAPER (PAPER 3/21)**

The Board Chair invited the Executive Team to take members through the Report.

Mr Hamill advised that since the report had been circulated there had been one Serious Further Offences to report. He provided details of the case.

Mr Hamill provided an update on the Electronic Case Management System (ECMS) and IT, more generally. The ECMS is live and working with only some final improvements to be made. Ms Teggart has applied for funding for change controls and this will come from the draw down budget. It is hoped to close the project at the end of March when the improvements have been made. The IT Strategy for 2021 – 2024 will be presented to the next CRC on 5 February 2021 and then on to the Board for approval. A member commented on the issues being experienced with 'Decision Time'. This will be investigated.

Dr O'Hare, Director of Rehabilitation, provided an update on Communications and Engagement as laid out in the paper. It was noted that a significant number of consultations have been received. Probation will be responding to a consultation received on 'Women and girls within the Justice system'. The Annual Seminar is taking place on 3 February 2021 via Webinar and Dr O'Hare would encourage members to attend if they are available.

The Board Chair welcomed Ms Mercer, DP Statistician, to the meeting. Ms Mercer provided an overview of the Q2 statistics for the members as laid out in the paper. It was noted that September 2020 registered the lowest number of Orders coming from courts due to the pandemic. However, numbers are now returning to near normal levels. The Q3 Official Statistics will be available in February and will be brought to the PPC and after that, the Board for information. Victim registrations are continuing to increase. There has been a decrease of 5.7% in crime recorded by the PSNI. The Prisons have 600 people on remand with a population of 883 sentenced prisoners. A member highlighted the continuing increase in the 40 and over age group. Ms Mercer advised that she would keep it under review.

Dr O'Hare highlighted the quarterly report on complaints and legal cases. It was noted that there were 17 judicial reviews recorded on the report. Dr O'Hare advised that there were more than usual.

Mrs Robinson provided an update on HR. The main issue is the delay in the approval of the pay remit. Linked to this, is the revision of pay scales and making a business case for change to the Department. It was suggested that an outline business case should be sent to the Department to establish, in principle, if the case would be accepted.

The Sick/Absence rate has reduced by 30% during the pandemic but there is an expectation that levels may rise again. Wellbeing continues to be a focus of efforts. Details will be reported to the CRC and the Board as part of the reporting on the People Strategy.

There has been no further development regarding NILGOSC to report.

Ms Teggart, Head of Finance, provided a comprehensive update on estates and business cases, as laid out in the paper. She advised that the Estates Team is working on delivering the Estates Strategy and on 'Covid' related work. Members were advised that the sale of Antrim Road has fallen through and the property is now back on the market. This is worrying as the receipts from this sale were needed to balance the capital budget this year. The Department are aware of the issue and a bid for the shortfall in Capital will be submitted to the Department, if necessary. Work on business cases for leases continues. In response to a question, Ms Teggart advised that bureaucracy did not play a part in the loss of the sale for Antrim Road.

The Board noted the paper.

#### **10. BOARD SECRETARY'S BUSINESS (VERBAL)**

Mr Cox, Board Secretary provided the Members with a number of points of information. Work on the Register of Interest for 2021 is starting; each member will receive their record to advise if it is up to date before it is published on PBNI's website. Members' 'probation' email address will be used for correspondence with members' personal email addresses being use only in the most exceptional of circumstances. Mr Cox reminded members of the invitation, extended by the PPC Chair, to attend a presentation by Dr Siobhan O'Neill at the next PPC on 26 February 2021.

**Action: Members to advise Mr Cox if they wish to attend the presentation by Dr O'Neill so an invitation can be issued. (Board Members)**

The Board noted the update.

#### **11. BOARD AND COMMITTEE MEETING DATES 2021/22 (PAPER 4/21)**

Mr Cox presented a paper laying out the proposed meeting dates for the 2021/22 year. The pattern follows previous years. It was noted that the CRC in October will be changed.

Members agreed to the Board and Committee meeting dates for 2021/22.

#### **12. BOARD WORK PLAN (5/21)**

Mr Cox introduced the paper, which shows the scheduled work going to the Committees and Board in the next number of months.

The Board noted the paper.

#### **13. CJI(NI) RECOMMENDATIONS ALLOCATION (PAPER 6/21)**

Mr Cox introduced the paper to members advising that its purpose was to ensure that there was no duplication of work between the Committees. Recommendation 1 falls to the Department. All other recommendations have been allocated to CRC and PPC, depending on the committee's remit, for scrutiny with the ARAC having the oversight of all the recommendations. It was noted that all Operational Recommendations are for the Chief Executive to deliver with assurance being given to the Board on their status. Mrs Gillespie advised that the Good Relations Group was meeting and equality will be discussed at the meeting.

The Board agreed to the allocation of recommendations.

#### **14. COMMITTEE CHAIR'S UPDATE – AUDIT & RISK ASSURANCE COMMITTEE (ARAC)**

Mr Bodger, Committee Chair, advised that there had not been a meeting since the last Board. The issue of the pay remit will be raised at the Committee meeting scheduled for 29 January 2021.

The Board noted the update.

#### **15. COMMITTEE CHAIR'S UPDATE - POLICY AND PRACTICE COMMITTEE (PPC)**

Mr Wall advised that there had not been a meeting since the last Board and there were no emerging issues. He reminded members of the Domestic Abuse seminar being held on 3 February 2021 via Webinar.

The Board noted the update.

#### **16. COMMITTEE CHAIR'S UPDATE - CORPORATE RESOURCES COMMITTEE (CRC)**

Mrs Gillespie, Committee Chair, advised that there had not been a meeting since the last Board and there were no emerging issues to bring to the Board's attention.

The Board noted the update.

#### **17. FINANCIAL OUTTURN – DECEMBER 2020 (PAPER 7/21)**

Ms Teggart provided an update on the December Financial Outturn as laid out in the paper, highlighting a number of points. There is a projected underspend of 2.4% on Resource expenditure, which is mainly due to underspends on travel and accommodation. The potential overspend of £147K to cover the cost of the pay remit for 2020/21 was not allocated in the January Monitoring Round, PBNI will be able to cover this pressure in year but it remains a pressure in future years. The Capital budget position was advised with a pressure of £145k mainly due to the Antrim Road property not being sold within this financial year.

The outcome of the financial planning exercise for the DOJ has not been received. However, the DOJ have indicated that there would be a flat settlement for next year with funding pressures considered. It was noted that Problem Solving Justice is not in the core budget.

There has been a dip in Prompt Payment Performance Targets but this is due to one supplier.

The Board noted the paper.

#### **18. OTHER BUSINESS**

There was no other items of business reported. The Board Chair thanked Officials for providing the papers.

The next meeting of the Board will be 19 February 2021 via WebEx.

Meeting ended at 11.30 am

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D Ashford QFSM  
**Board Chair**

**Date**

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