



5. **Matters arising from the meeting of 27 March 2009**

5.1 Regarding minute 7, Malcolm Fearn reported that he had signed and returned the Service Level Agreement for 2009-10, subject to Ministerial approval of targets for the year, which had still not been confirmed. Any differences when targets were agreed would be handled through the formal change procedure.

5.2 **Action list**

Malcolm Fearn said he had yet to consider who should replace Annette Griffiths on Committees and groups. He would do so within the next few days.

*Action carried forward*

Gerry Marshall had not yet received the final report on the black staff event and would bring it to the Board as soon as it appeared.

*Action carried forward*

All other actions from previous meetings had been completed or were ongoing.

6. **Chairman's oral report**

6.1 **Oxfordshire re-site project**

Malcolm Fearn reported that he and Gerry Marshall had met Dr Evan Harris MP and one of the residents of Mill Street on Friday 17 April. Notes were taken and would be made available. A key outcome had been the offer of a public meeting to explain the project, and a group visit to an existing TVP probation office had also been offered, possibly Greyfriars House in Reading.

6.2 **Letter from Tony Baldry MP (Banbury)**

Malcolm Fearn had circulated copies of this letter and advised the Board that Mr Baldry had obtained an adjournment debate about probation in Oxfordshire in the House of Commons on Tuesday 28 April. Malcolm said he had been able to rebut assertions made about TVP, including the claim that no contact was made with MPs and that the relocation project was kept secret. TVP material has been sent regularly (at least annually) to all MPs in the Thames Valley, and the Oxfordshire re-site project has been mentioned in the Board's public minutes in every year since 2003 and several times in most years.

Malcolm Fearn added that at the beginning of April all Thames Valley MPs had been invited in party groups to meet him and Gerry Marshall for discussion of the trust bid and future budget constraints. Group meetings were proving to be difficult to organise but he would be seeing Andrew Smith MP (East Oxford) on 28 April and Mr Baldry on 8 May. The possibility of a meeting in Westminster was being examined but there were political problems with that.

Hirak Chakravarty and others expressed their dismay at both the tone and content of Mr Baldry's letter. They felt it cast unwarranted aspersions on the work of a lot of dedicated people and did not appear to be based on correct facts about the probation service in Oxfordshire. Malcolm Fearn agreed that it was not helpful. He had responded appropriately and would now await the outcome of the adjournment debate. Sue Seager warned that if misinformation was allowed to remain on the record unchallenged, it would be assumed to be correct. If (for example) Mr Baldry's letter were to appear on his website or reach the Press it might be necessary to issue a comprehensive rebuttal. Malcolm Fearn agreed.

7. **Public representations on the Mill Street proposal**

Mr Matthew Savage spoke to the meeting and has provided a transcript of his address which is attached to these minutes and forms part of them.

8. **Performance report April 2008 to March 2009 (TVPB/P28/2009)**

Sean Quiggin presented the report. He emphasised that it contained locally produced figures. The national report would not be published until early May. However there was a strong indication that the final assessment for the year would be amber – by a thread – rather than green as had been hoped. If amber was confirmed he expected to be recommending that we seek moderation of the overall assessment on the basis of a record of continuing, sustained improvement and the very slim margin by which green was missed.

He acknowledged that the expectation of an amber score was in conflict with the intention described on another agenda item to apply for trust status in May. No application would be accepted if the performance was amber. If amber was moderated to green the application could proceed in July; if not, it would be necessary to wait until September. He confirmed that the green score required to support applications for trust status is cumulative, not based on individual quarters.

He drew attention to key measures in the Public Protection domain where only a small number of cases needed to be correctly handled to turn the overall score green. These were being addressed, as was underperformance by trainee POs. He warned the Board that in 2009-10 the Public Protection domain will contain only 6 items, in three of which we will depend on the performance of partner organisations. This presents new risks beyond our direct control.

Malcolm Fearn expressed disappointment. He said that many Areas had achieved a green score, and this raises the bar. There must be serious concerns about the first quarter of 2009-10. Options would soon begin to run out. Gerry Marshall said that in his view the probability of a green score in Q1 was evenly balanced. He expected that the raw scores would be green but when they were collated with the scores of other Areas, which were themselves improving, the relativities might knock this back to amber. Summarising, Malcolm Fearn said that it looked as if we would be on a knife-edge for the next few months.

Paul Gillbard outlined factors relating to individual performance. The most important positive factor was that the ability to manage performance had recently improved and it was now possible to identify individuals to target for attention and support. Malcolm Fearn asked if it would be useful for a Board Member to attend the monthly performance meeting and Gerry Marshall said that this would be worthwhile if they were attending as a witness rather than a participant. Michael Day, Mike Nolan and HIRAK CHAKRAVARTY expressed interest and Malcolm Fearn undertook to mediate selection outside the meeting. Sean Quiggin agreed to include a brief comment on the performance management meetings in future reports to the Board on performance.

***Action***

The Board **noted** the performance report.

9. **Finance report: year to date and budget 2009-10**

Anne Whitworth said that the timetable for preparation of the accounts grew tighter each year, and this year's submission date is 27<sup>th</sup> April. She was pleased to report that the underspend was likely to be around £200k, of which £125k can be carried

forward, and she assured the Board that no frivolous or unnecessary expenses had been incurred to achieve this good result. The £75k at risk of being lost coincides with a late, unanticipated refund from the SE Regional Training Consortium and she would be making representations to NOMS centrally about retaining this.

Anne Whitworth added that the auditors would start work on 5<sup>th</sup> May and there will be some debate about subjective items. She would alter figures if this was necessary to avoid qualification of the accounts, but not otherwise. She undertook to come back to the Board with firmer figures at the workshop on 28 May.

**Action**

Yashpaul Anderson asked whether any additional allocation that might be received if the letter to Michael Spurr was successful would create difficulties in 2009-10. Anne Whitworth said not. Gerry Marshall added that final budgets for the year were not yet available. Anne Whitworth reported that she had done more work with Assistant Directors on allocation of funds. She did not foresee an overspend, and would recommend deploying any savings on restructuring costs.

Ian Menzies-Conacher asked about the expectations for a budget exchange scheme at the end of 2009-10. The answer was that there would be no scheme, and nor would Trusts enjoy a carry-forward flexibility, by analogy with the prisons which have none. This was a very disappointing reduction in flexibility.

The Board **noted** the finance report.

10. **Strategies and plans for approval**

Sean Quiggin introduced five papers, which were brought to the Board for review before being finalised as supporting material for the trust application:

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|---|---------------|
| • Performance and quality management plan | TVPB/P29/2009 |
| • Partnership Strategy                    | TVPB/P30/2009 |
| • Workforce Strategy                      | TVPB/P31/2009 |
| • Offender Management Strategy            | TVPB/P32/2009 |
| • Stakeholder Management Strategy         | TVPB/P33/2009 |

He explained these were still working drafts and asked the Board to adopt the principles contained within them rather than poring over the precise wording. He also asked Board Members to review the papers for errors and omissions.

Yashpaul Anderson suggested that each document should begin with a brief paragraph containing a statement of purpose and identifying the target audience. Sue Seager recommended mention of efforts to strengthen linkages with partners and to use the extranet. Sean Quiggin agreed to include some forward-looking comments.

The plan and strategy documents were **approved** in principle and the Board noted that final versions would be endorsed to the extraordinary meeting on 14 May. If changes were not too extensive a simple note of the significant ones would be preferable to a full new set of papers.

**Action**

Malcolm Fearn said that in future all plans and strategies should be included in a rolling programme to ensure regular review in a managed and distributed way through the year. Sean Quiggin said he would pull together an annual schedule of

reviews and suggested that these could be undertaken at workshop meetings.

**Action**

11. **Single Equality Scheme (TVPB/P34/2009)**

Lesley Hudson reminded the Board that prior to the requirement for a single scheme TVP had had separate schemes in place. These had been combined at short notice to meet a very tight deadline and consequently there were liable to be errors and typos in the paper. She said that a copy of the scheme had been mounted on the TVP website, and had been submitted to NOMS, by the deadline of 31 March 2009. She proposed to await their comments before further action.

The current scheme and its status were **noted**.

12. **List of Probation Circulars issued since 26 March 2009 (TVPB/P35/2009)**

The list was **noted**.

13. **Any other business (part 1)**

**Oxford re-site project**

Malcolm Fearn reminded the Board how a site-independent business case had been prepared for the replacement of the unsuitable premises in Oxford. He mentioned a number of locations in Oxford that had been considered over a period of several years but had been rejected for a variety of reasons. The increasingly urgent search had culminated in the fairly recent identification of Trajan House as a building of the required size, in a reasonably central location near to transport hubs. Approaches to landlords and negotiations had been handled throughout by HOPG (Home Office Premises Group).

Malcolm Fearn mentioned the classification of probation offices as B1 for planning purposes. It was acknowledged that TVP wished to undertake some staff training in Trajan House. He could not say whether this offered a route for challenge and appeal on planning grounds by local residents or the Oxford City Council. He reminded Board Members to watch the adjournment debate and undertook to report back on his meeting with Mr Baldry.

**Forthcoming meetings**

An extraordinary meeting will be held in private at Bicester Head Office on Thursday 14 May starting at 12 noon, to review and agree the application for trust status. This will precede the twice-yearly meeting of the Oxfordshire Sentencers and Probation Forum, which starts at 3 p.m.

Next workshop meeting: Thursday 28 May, Head Office at 10.30

Next public Board meeting: Thursday 16 June, venue to be confirmed.

**A resolution to meet in private session was proposed and seconded, and agreed by the Board, by virtue of the nature of the business to be transacted:**

Minute 14 includes reference to issues that are commercial-in-confidence.

Minutes 15 and 16 relate to the employment of named individual members of staff.

**ATTACHMENT** forming part of these minutes.

**Consolidation of Oxfordshire Probation Centres on Mill Street, Oxford  
Statement to Thames Valley Probation Service Supervisory Board**

**Maidenhead, 23 May 2009**

**Matthew Savage**

**West Oxford Community Against Mega Probation Centre Steering Committee**

- First, thank you for agreeing to my request to make a statement at this Supervisory Board meeting. I note that there is no opportunity for discussion or questions. I would also like formally to state that we do not regard our ability presence here as any substitute for a full and formal consultation by the Probation Services on their proposals.
- As you will be aware, Thames Valley Probation Service are planning to close their existing operational facilities in Abingdon, Banbury, Central and East Oxford and to relocate them to a single large Probation facility in Oxford. This is being driven by budget cuts to the probation service and the need to delivery efficiency gains.
- It was leaked about 3 weeks ago to the community that Thames Valley Probation Service is currently only considering a single site in a residential area on Mill Street off the Botley Road in West Oxford. TVPA have been coy as to the exact nature of the proposed facility, and have refused to engage in any sort of open and fair consultation until and if a lease is signed. Responses to requests for information to date have been inconsistent, which we can only attribute to plans being under development.
- As far as we are aware, the new facility will have over 23,000 ft of office space and more than 100 staff. In addition to normal office hours, it will be operational at least 3 evenings a week and on Saturdays. The proposed site would be visited by at least 350 probationers per week, including those convicted of violent and sexual offences, and those with records for nuisance crimes, such as substance abuse and petty theft convictions. We also understand that one of the primary attractions of the centralised site is its capacity to house facilities for the Offender Behaviour Programme, delivering education, training and therapy activities to ex offenders.
- We are a diverse community who value the work the probation service does in rehabilitating offenders but feel passionately that this is the wrong location for a probation centre of this size and function. Mill Street, Millbank, Gibbs Crescent and surrounding streets form part of a **residential cul-de-sac**, dominated by vulnerable groups, and with limited vehicle access. We have over 50 children under the age of 11 who live and play on the streets, and a similar number of pensioners. There are also 3 nurseries and a primary school within 500 yards of the proposed site. Probationers themselves may not feel comfortable having to get to their appointments in a residential area.
- What is more, the site is a significant distance from other relevant services, such as the magistrate and crown courts and the police station. It is outside the CCTV system and city centre policing patterns. Mill Street is not in the centre of Oxford, it is on the western fringes. Most visitors and employees would travel by bus, where the most central point of access would be High Street, St Aldates and the Plain.
- The MP, Dr Evan Harris, Oxford City Council and the community, who now have a petition of over 1000 signatures, agree with us.
- The media also seem to have a healthy interest in the potential injustice of such a location. In the last 2 weeks, we have seen an opinion leader in the Times, articles in the Telegraph, coverage on regional BBC and ITV news, and almost daily coverage in the Oxford press. Senior Officials in the probation service and MOJ are rightly concerned about the potential reputational risk that this could pose.

- We are convinced that anyone of right mind who was to visit Mill Street would immediately recognise that this location for such a facility makes little sense. The community would like to invite both the executive and non-executive members of TVPA supervisory board to visit the location to make their own judgements. We would also encourage the Ministry of Justice Estates Department and the Home Office Procurement team to visit, but I understand that they are content to judge the suitability of the site from a glance at Google Earth.
- No lease has yet been signed and we understand that the MOJ and HOPS are still able to continue their search process in their search for best value. We are aware that the central Oxford lease is the time critical element in the relocation and is due to come to an end in March 2009. We understand that the lease holder on the current Albion House site may provide some flexibility that will allow for a continued search for alternative premises. Indeed, Trajan House is currently just a concrete foundation and a few girders, and would certainly not be ready in time to meet the Probation services needs.
- We are keen to engage with the Probation Service to assist them in finding suitable alternative premises. Mill Street is home to a number of legal experts and property developers, and we are trying to engage with the Ministry of Justice's agents to ensure that all options are considered. We are aware that several sites have already been missed in the search for premises, not least Macclesfield House in Central Oxford, which points to a systemic failure in the search and procurement process. We trust that TVPA and the MOJ will be able to demonstrate best value from their exhaustive search.
- Should the probation service and the MOJ choose not to engage in a serious attempt to find more suitable premises, then the community will be forced to use all means to create sufficient legal, reputational and operational risk so that the signing of the lease becomes impractical from the perspective of the Ministry of Justice. We believe that we have a number of credible planning, procedural challenges, that would at least delay the development of the facility required by the probation service, or potentially prevent its occupation.
- We hope that it doesn't come to this, and are keen to approach TVPA in a spirit of openness to ensure that common sense prevails. For us, this is not about defeating the plan, or setting a precedent, but rather about ensuring we can maintain the safety and integrity of our community, who public institutions like your own are meant to serve.
- I'd like to finish with the following quotes from Jack Straw, following a similar event concerning the relocation of another probation centre to Kitts Green in Birmingham in 2007 following a £3million refit. This centre was on a main road and less than half the size of the proposed Trajan House site.
- "We got it wrong", he said. "We accept the handling of the re-location of the probation centre to this site has been appalling. "It has been dreadful and I'm sorry it happened this way. "We got it wrong and the probation centre is still learning lessons from this." "If we can find an alternative place, I'm open to moving the centre as it would clearly be better for the community and the probation service."
- We have asked Dr Harris to remind Jack Straw and David Hanson in the coming days of their comments to save them the embarrassment of a repeat performance in the coming months.

### **West Oxford Community Against Mega Probation Centre (WOCAMP)**