

would be to complete the task within 20 working days, as for requests under the Freedom of Information Act.

Hirak Chakravarty asked if the public reaction to the Trajan House proposal would affect the application for Trust status. Malcolm Fearn said that considerable time and energy was being spent on the issue, for example on responding to requests for information. This was placing an additional pressure on staff, but the aim was to avoid affecting work on the bid.

Malcolm Fearn reported that he was continuing his efforts to meet all Thames Valley MPs to present them with information about TVP's budgetary position and aspiration to become a Trust. So far he had had local meetings with Tony Baldry, Evan Harris twice as a result of the Mill Street issue and Andrew Smith. On 19 May he had met a Labour group in Westminster comprising Dr Phyllis Starkey, Martin Salter, and a representative of Fiona MacTaggart. He was expecting to meet more of the Conservative MPs on Monday 22nd June. (*Note: he met Cheryl Gillan and Dominic Grieve*). MPs would continue to be invited to Board meetings held in their constituencies.

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

Ms Tina Suyajac Lees spoke to the meeting and has kindly provided the note of her address attached to these minutes as annex A (pdf format).

7. **Matters arising from the meeting of 23 April 2009**

Action list

Malcolm Fearn said he would finalise the allocation of local authority areas to Board Members within the next few days and the Board Secretary would then circulate an updated table of responsibilities.

Action

Sean Quiggin undertook to produce an annual schedule of plans and strategies once the trust bid process was completed.

.Action carried forward

Gerry Marshall had received a draft report on the black staff event but it was not yet finalised and he would bring it to the next meeting of the Board.

Action carried forward

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

8. **Notes of the workshop meeting of 28 May 2009** (TVPB/P38/2009)

Ian Menzies-Conacher pointed out that it had been the Chief Officer and not himself who had received an email from the Probation Association shortly before the workshop meeting on 28 May concerning pensions liabilities which he had 'not had time to take on board'.

Allowing for this point, the notes were **agreed**.

9. **Performance report April 2009 to date**

Sean Quiggin gave an oral report on performance from 1 April to 31 May. The overall picture was of a sustained performance, continuing and even improving upon the last, best quarter of 2008-09. Nevertheless as always there were areas that needed – and were receiving - attention. He identified DRR completions, the unpaid work completion rate, the number for offenders in work at the end of the Order or Licence, and the percentage of timely OASys final reviews as four such areas.

Paul Gillbard echoed Sean Quiggin's confidence that the first quarter would be green, and said that the continuing improvement in East Berkshire (Slough) was one welcome reason for this. However, he emphasised that hitting targets was not an end in itself. In fact, he was considering some changes which should improve public protection but could have an adverse effect on measured performance. He planned to explain the background to these changes at the workshop in July. He added that a new measure had been introduced of the percentage of appointments arranged that are attended. We were scoring around 80% but it was hard to maintain this level.

Lesley Hudson reported that sickness absence in the year to date had averaged 7.8 days which was the best on record for the first two months of a financial year and well below the national target.

The Board **noted** the oral performance reports.

Gerry Marshall joined the Board, having been in London for a morning meeting.

10. **Annual accounts for 2008-09** (TVPB/P40/2009)
Governance report from External Audit (TVPB/P41/2009)

Ian Menzies-Conacher confirmed that the Audit Committee had considered the report and accounts, and had agreed them, although he deplored the standardised style and method of presentation which he felt was obscure and uninformative. The auditors had given TVP a clean bill of health and he was pleased to report that they had commented very favourably on the way the accounts preparation process had been handled, especially after the problems encountered in the previous year.

Honor Juniper praised Anne Whitworth's contribution. Gerry Marshall acknowledged this but emphasised the excellent work done by the whole team, and especially by Bridget English.

Malcolm Fearn drew the Board's attention to the proposal that the accounts should be countersigned by the Board Secretary, with the Chief Officer as primary signatory in his role as Accountable Officer. This had been accepted by the auditors and by NOMS, and was **agreed** by the Board.

The Board **agreed** the annual report and accounts for signature and submission to NOMS.

11. **Finance report: year to date and budget 2009-10** (TVPB/P42/2009)

In the absence of Anne Whitworth, Gerry Marshall introduced this report. He said that some natural wastage was occurring which helpfully moved staff numbers towards the reduced total in the budget. There might still need to be some redundancies but these would be designed to achieve management aims, rather than being undertaken simply to reduce staff numbers.

One minor risk had been the possible termination of secondments. This had happened in one case, but the DOM had helpfully intervened to make this less likely in future.

The Board **noted** the finance report.

12. **Sonnex case** (TVPB/P44/2009)

A note produced by the Probation Association on governance issues flowing from the Sonnex case was tabled. Gerry Marshall said that one consequence was that the Probation Inspectorate would certainly focus even more strongly on risk assessments and handling in the next round of inspections.

Paul Gillbard said that he had studied the SFO review and HMIP's interim report on management of high risk cases in the London boroughs concerned. He offered to make these available to the Board.

Action

Commenting on points made in the PA's paper, Paul Gillbard said that the narrow focus on the reporting mechanism alone was regrettable. The data currently requested does not make sense and the answers provided are not used by NOMS.

For TVP he identified 4 key issues that he had reviewed:

1) **Caseloads**, including workload management, prioritisation within workloads, and the identification and monitoring of hot spots. He considered that in TVP workloads were reasonable, and certainly much lower than those reported in London. Lesley Hudson added that she was currently reviewing the supervision and appraisal systems to make them less bureaucratic.

2) **Offender tiering guidance**. We had very recently reviewed our public protection policy, and comprehensive training is in place. A case audit exercise is planned over the next few months to resolve final concerns about the consistency of tiering. Ian Menzies-Conacher reminded the Board of the need for fact gathering and recording to produce an auditable trail of evidence, as no doubt the new NOMS internal auditors will be asked to focus on this.

3) **A robust ICT system**. This is outwith our control and the Board is well aware of the ongoing problems, frustrations and inefficiencies that flow from the inadequacy of the system. Yashpaul Anderson's recent efforts to drill into NOMS ICT and Steria were welcome and the Board congratulated him on his appointment as a member of the national NOMS ICT Board.

4) **Governance issues**. The Sonnex case highlighted the question of how much and what the Board needs to know about day-to-day operations, and about the effect of changes such as budgetary reductions, to enable it to discharge its responsibilities for governance. Malcolm Fearn said that the Board needs to know the implications of changes before they are implemented, and to receive periodic reassurance that appropriate controls are in place, with monitoring reports on an exception basis.

Paul Gillbard said he had made a note of further points prompted by the case. One was the fact that 'information sharing' between HMPS, ourselves and other agencies is not as good as we think it is and need it to be. For example, in the absence of common, joined up systems and fully seamless end-to-end offender management there is a risk of contradiction between assessments made by prisons and by probation. Probation's perception is that HMPS assesses the risk level of offenders largely on the basis of their compliance with the institutional regime whilst in prison. This is not necessarily a good indication of how they will behave when released into the community, and HMPS engagement with OASys appears to be reducing.

Malcolm Fearn pointed out that no details of the new mechanism to be implemented by 30 June had yet been received. Gerry Marshall said that he would be attending a special meeting of prison governors, probation chairs and chiefs on 19 June.

13. **Minutes of the Health and Safety Committee of 27 April 2009** (TVPB/P46/2009)
Minutes of the JNCC meeting of 11 May 2009 (TVPB/P47/2009)
Minutes of the TVP & Sentencers' Forum of 14 May 2009 (TVPB/P48/2009)

Hirak Chakravarty observed that Eddie Eaves, TVP's new Health and Safety Officer, had made an impressive start.

Ian Menzies-Conacher asked why TVP's High Wycombe office was considered not fit for purpose. The answer was that it is not DDA compliant, has no lift, and has inadequate waiting areas and security.

It was noted that the JNCC minutes had yet to be agreed by the Trade Union Side. Lesley Hudson proposed a minor alteration to minute 11 to make it clear that there had been no actual cases of swine flu in TVP and that the sickness policy and targets would only be suspended if there was an outbreak amongst staff.

Paragraph numbering in the minutes of the Sentencers Forum would be corrected.

Subject to these points the three sets of minutes were **noted**.

14. **List of Probation Circulars issued since 23 April 2009** (TVPB/P49/2009)

The list was **noted**.

15. **Application to become a Probation Trust**

The Board agreed that this item should be minuted in Part 1.

Sean Quiggin reported that preparation of the bid was still on target for the submission date of 27 July, although one and a half days had been lost due to IT system problems. An external proof reader who will look at both flow and content accuracy has been arranged. Another meeting of the steering group is planned for 16 July and the final papers will be brought to the Board workshop on 23 July.

Malcolm Fearn reported that of 15 bids put forward in the May round, 5 were rejected including one that involved a merger. 10 areas got through, although 4 were initially sent back, apparently due to conflicts between the business plan and the financial plan. Sean Quiggin assured the Board that TVP's application is fully correlated in this respect.

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

Oxford re-site project

Malcolm Fearn reported on his experience at the Oxfordshire Open Day in Oxford Town Hall on Monday 15th June. The open day had been well attended. The attitudes of the West Oxford residents had varied from reasonable to antagonistic and highly emotional. Some had been aggressive and unpleasant to TVP staff, several of whom had commented that if offenders behaved like this they would be breached. Several Board Members had attended and had had varying types of feedback from visitors.

Malcolm Fearn said that with hindsight arrangements for staffing the open day had been inadequate. No shifts had been organised and by the time packing up was finished at 8 p.m. most staff had been working for 7 solid hours without a break. He had visited Head Office the next day to apologise and thank them personally.

A rough count of question sheets and communications received as a result of the open day was well over 100, to add to about the same number already received and being tackled. This was a significant additional workload at a bad time, but every

effort was being made to protect work on the trust bid and on front line services involving the protection of the public.

Malcolm Fearn said that no requests for information had yet been turned down although not all might be satisfied within the target time of 20 working days. In his view, the whole process, culminating in the open day, had in fact amounted to a 3 month consultation period although no such consultation had been statutorily required. Every question was being answered, as far as possible, and every aspect of the proposal was being thoroughly aired.

Turning to the representations made earlier in the meeting, Malcolm Fearn agreed that due to the time taken and the fast-changing marketplace some new options may have become available and the circumstances of some premises previously considered and rejected may have changed. However, time was becoming ever more pressing and it would not be possible to start the whole process again from the beginning.

Gerry Marshall reviewed some of the risks:

If we do not press ahead with the Trajan House option, Pembroke College will still want us out of Albion House and even if a limited extension to the lease is possible, development work next to the building will start to affect its use.

Whilst the Minister did not say (as has been claimed) that a new search would be started, he did repeat an undertaking made locally that we would look at any new possibilities until the lease was finalised.

Gerry said that in view of these factors the meeting he had attended in London had concluded that the negotiations for Trajan House should be halted and a local search agent should be commissioned to review the Trajan House option and any current alternatives during a six week period starting on Friday 26 June. This would provide a transparent, quality assured response to many of the suggestions and comments made by residents, Evan Harris MP and others. Our objective will continue to be to get the best site we can to provide our services.

The Board welcomed this proposal. Michael Day said that Oxford was a unique place and he urged management to ensure that the new agent had good local knowledge and was aware of how to approach the main land and property owners in the City, including the County and City Councils, the University and the Colleges, and the Diocesan Church Council.

It was agreed that Malcolm Fearn and Gerry Marshall should agree the first communication on this proposal, which should pass between the legal representatives. A press release would be prepared.

Malcolm Fearn undertook to reply on behalf of all Board Members to the invitation to visit Mill Street on 25 June, which had been delivered by Tina Lees earlier in the meeting.

Action

(Secretary's note: The agreed way forward was pre-empted by an approach from the Oxford Mail, when it was decided to issue the press release attached to these minutes. Subsequently the MoJ advised that the six week period should begin on Friday 3 July rather than 26 June.)

Miscellaneous business

Yashpaul Anderson reminded the Board about the NOMS ICT meeting to be held at Bicester on Monday 22 June.

Sean Quiggin reported that he had accepted an invitation from The Corps of Commissionaires to attend their 150th anniversary celebrations, where he and his wife had been honoured to meet Her Majesty the Queen.

Gerry Marshall reported that the programme for the next leadership event on 2nd July would include Sonnex, the Trust bid and the Respect Agenda including the black staff event. Sue Seager, Honor Juniper and Hira Chakravarty expressed interest in attending.

Michael Day would attend the next performance management meeting on 24th June.

Forthcoming meetings

Next workshop meeting: Thursday 23 July, Head Office at 10.30.

Next public Board meeting: Thursday 17 September, 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:

Minutes 17 (Management of Change Protocol) and 18 (New Training Qualification Framework) include reference to issues that are commercial-in-confidence.

Minute 19 (minutes of the TVP Audit Committee) is restricted in accordance with the Home Office protocol for Audit Committees.

Minute 20 relates to a legal issue and the employment of a named individual member of staff.

(Secretary's note: The Board's minutes are normally signed at the next public meeting and published on the website a few days later. However, in view of current public interest and the unusually long interval between 18 June and 17 September, at the request of the Chair Board Members have exceptionally agreed these minutes by correspondence and the Chair signed them on 13 July 2009.)



Press Statement from Chief Probation Officer Gerry Marshall on behalf of Thames Valley Probation Board

Issued: June 19, 2009

'On Monday, June 15, Thames Valley Probation held an open day at Oxford Town Hall, where we had detailed discussions with West Oxford residents and representatives of the WOCAMP group about our proposals to open an office on the former Gillman and Soame site, Trajan House, at the end of Mill Street, Oxford.

'This site had been identified for us as the most suitable in Oxford to meet the needs of our service, within criteria agreed with the Ministry of Justice.

'Since then, we have revisited the proposals with the Home Office Property General (HOPG), who are responsible for identifying and developing properties for the probation service nationally, and we have had a full meeting of Thames Valley Probation Board, which was addressed by three Mill Street residents.

'In the light of these lengthy discussions, we have made the decision to temporarily freeze current negotiations with the developers of Trajan House. The purpose of this freeze is to enable agents on behalf of HOPG to thoroughly review all the alternative sites that were initially rejected and to identify any new ones that have since become available.

'Because of the time constraints on Thames Valley Probation to move out of our existing Oxford property, Albion House, this freeze can only be for a limited period but Thames Valley Probation is serious in its wish to explore any possible preferable site that meets our needs within the search criteria. The freeze starts on Friday, June 26 and will last for six weeks.

'However, we must also make it clear that Trajan House remains in the frame, alongside the other properties identified within the six week timeframe. If, at the end of that period, it still proves to be the most suitable within the criteria, then we would intend to press ahead with our plans for an office on that site.

'In the meantime, we are keen to work with community representatives to ensure the search is comprehensive and explores all possible avenues open to us.'

ENDS

Notes for Editors

Additional information

Thames Valley Probation works with adult offenders, supervising them through their Community Orders and assisting with rehabilitation. We also supervise offenders released from prison on licence and work with victims of serious crime. The main aim of the service is to increase public protection and reduce the re-offending rate. Community Payback is the name and logo used for the Unpaid Work that offenders carry out. It has been designed to highlight the work of offenders to put something back into communities in which they've offended. For more information, visit our website at: www.thamesvalleyprobation.gov.uk or contact Fiona Tarrant, Communications Manager, fiona.tarrant@thames-valley.probation.gsi.gov.uk