

THAMES VALLEY PROBATION BOARD

**MINUTES OF A MEETING HELD ON THURSDAY 29 NOVEMBER 2007
AT HM PRISON SPRING HILL**

COMMENCING AT 1.30 P.M. AND ENDING AT 4.50 P.M.

MEMBERS PRESENT: Yashpaul Anderson
Hirak Chakravarty
Michael Day
Robert Evans
Malcolm Fearn Chair
Honor Juniper
Gerry Marshall Chief Officer
Ian Menzies-Conacher
Michael Nolan
Phillip Perlin
Sue Seager
Richard Stokes

OFFICERS: Paul Gillbard Director, Offender Management
Richard Lawrence-Wilson Board Secretary
Gaynor Mackenzie Director, Human Resources
Sean Quiggin Director, Interventions
Malcolm Vine Treasurer and Director, Finance

PART 1

1. **Apologies**

There were apologies from Annette Griffiths and HH Judge Zoe Smith.

2. **Opening remarks**

Three year strategy and business plan

Malcolm Fearn reported that work was well advanced on finalising the three year strategy and had started on the parallel business plan. These will be brought to the Board in January. Malcolm emphasised the importance of ensuring that Thames Valley Probation would become a trust in the second wave, from April 2009. He would be writing to Roger Hill to assure him of the Board's firm intention of achieving this and to outline the plans for doing so.

Meanwhile, he and the Chief Officer were nearing completion of their round of roadshows in which they were presenting an account of the recent past and a view on the challenges and changes to be expected in the coming months, up to and including the move to trust status. He agreed to send board members a copy of his presentation.

Action

Progress towards trust status

Members asked whether the eligibility criteria for the second wave were known. Malcolm Fearn said that he believed that these would be based on the IPPF. In summary, Areas would need to achieve three-star status. Hirak Chakravarty

asked if a self-assessment could be carried out to scope the challenge this would present. The Chief Officer said that two Areas have done this and he would be seeking their views. The exercise could provide a useful benchmark. Malcolm Fearn said he would be consulting the Performance Unit in NOMS about the best model for self assessment.

Malcolm Fearn added that the six areas that will become trusts in April 2008 are still discussing with NOMS what their powers and responsibilities will be. Richard Stokes said that it would be essential to ascertain the liabilities that trust members would be taking on and what indemnities would be given. Malcolm Fearn agreed and said that this too was still under discussion.

Visit of Lord Carter to Thames Valley Probation

The Chief Officer reported that Baroness Linklater (Liberal Democrat spokesman on the Criminal Justice System) had persuaded Lord Carter to visit Thames Valley prior to finalising two reports on the CJS. He had seen a hostel, an unpaid work team, and presentations on the Domestic Violence programme and drug rehabilitation requirements, as well as spending 90 minutes in discussion with managers, judges and magistrates. His visit had concluded with dinner in Mansfield College with five Judges. A number of important messages about community punishment and the probation service had been delivered to him during the day.

The Carter Report will be another of a series of reports to come out recently and it was agreed that the Board Secretary should send out a note to board members containing the web references of these.

Action

3. **Minutes of the meeting of 27 September 2007 (TVPB/M6/2007) and Notes of the workshop of 18 October 2007 (TVPB/P105/2007)**

The minutes were **agreed** as a correct record and signed by the Chair. The notes of the workshop were **noted**.

4. **Matters arising**

Declarations of interest

There were no new declarations of interest.

Action list from the meeting of 27 September 2007

Malcolm Fearn reviewed the action list.

- He hoped to congratulate Sue Pearce in person later in the meeting.
- The final strategy document will come to the Board in January 2008.
- Year-on-year sickness comparison would be presented at agenda item 8.
- The response on the future of the PBA had been submitted.
- HR policies were still under discussion and should be ready to review at the postponed JNCC meeting on 17 December.
- Board members should continue to suggest audiences for LCCS presentations.
- It has been established that board members are not normally allowed to attend MAPPA meetings.

- Honor Juniper and Mike Nolan are still to spend a day shadowing an offender manager. Arrangements are in hand.

5. **Performance report (TVPB/P106/2007)**

Sean Quiggin tabled an IPPF performance report which had been delayed at national level. He said that the performance trend continued to be positive. He said that as yet it is not possible to reconcile the figures precisely and he has agreed with NOMS that if the difference is modest and the trend is in the same direction we will accept the NOMS figure unless the difference is critical to our overall assessment.

He explained that the targets set out in the three tables in his written report were those where the target was missed and those where performance was deteriorating.

Paul Gillbard wished to highlight some successes. The first was report timeliness, which was improving month on month. Secondly, enforcement within 10 days was at an excellent level. Thirdly, drug rehabilitation results were the best in the country. Performance on end to end enforcement was particularly pleasing and was now generally on target except for the enforcement of warrants which was not wholly within Probation control.

Paul Gillbard mentioned some of the techniques being used to improve compliance, including text messaging and new standards of cover in reception. He said the most important and most difficult part of the IPPF is the National Standards for Offender Management. Cracking this will take time but improvement is steady and encouraging.

Sean Quiggin emphasised the large number of indicators that are embodied in national standards. He reported that TVP has introduced a localised version of the IPPF that works on Excel and offers a real time drill-down tool for individual offices. He had identified some specific points for action on the Interventions side, including too long a delay between sentencing and the start of a community punishment or course, and unpaid work difficulties in Berkshire due to lack of supervisors. Malcolm Fearn and Sue Seager had met with Sean Quiggin and Sue Pearce to consider the issue of unpaid work stand downs.

The performance report was **noted**.

6. **Business planning – finance**

Malcolm Vine said that the new challenge this year had been to produce a three year business plan from the developing strategy. This required us to identify a series of defined aims for the end of the three year period. The centre had provided assistance in the form of some consultancy from Adesse Consulting. The plan assumes flat cash throughout the three year period. It will come to the Board in January.

The immediate task, to be completed by 20 December, is to review priorities. In early January all the decisions made will be reviewed and the business plan will be reconsidered with the consultants.

Malcolm Fearn said that this timetable should allow the Board to consider and approve the business plan at its meeting on 24 January. He was pleased to have discovered that Thames Valley were comparatively well ahead in producing a three year strategy document; three of the six 'first wave' trusts had not yet done so.

Mike Nolan asked if the centre provided data on growth of demand. Malcolm Vine said not. We had to make our own assumptions to underpin our business planning, including our ability to manage demand. Richard Stokes mentioned the growth in population, which (in Slough for example) was not necessarily acknowledged by the government. The Chief Officer said that the overall probation budget was fixed in size so the discussion centres on how to allocate it. He was aiming to let the January Board have as much data as possible to provide a firm framework for decisions to be made.

Malcolm Fearn said that he would be calling together 4 members of the Board as a 'strategy group' to check on the strategic direction as we move towards meeting our aims. The strategy group will report to the Board, which will continue to review the overall financial resources.

The oral report was **noted**.

7. **Human Resources statistics 2006-2007 (TVPB/P107/2007)**

Gaynor Mackenzie presented the annual human resources statistical report and tabled a supplementary graph of sickness absence providing a direct comparison between 2005, 2006 and 2007. She said that an administrative system had now been put in place to track how managers are implementing the sickness absence procedure. She had visited British Airways with Mike Nolan and had been reassured that we had in place all appropriate tools. The main theme of the meeting had been the need to ensure that managers are on board and actually following the system. Mike Nolan added that it had been easier to get engineers to follow an exact plan to the letter. Other disciplines had thought they could do better and by modifying various aspects had undermined the plan's effectiveness.

Gaynor said that a longer period was needed to assess the effectiveness of the new approach. The need now was to keep up the pressure and achieve a sustainable outcome. She added that there had so far been 6 appeals against stage 1 notices and she had been pleased that in all cases the action taken had been shown to be correct and well documented and had been upheld. She had fed back positively to the managers concerned.

Richard Stokes referred to chart 15 showing the reasons for leaving the employment of TVP. He said that in his experience an external assessor was given very different answers to questions about why someone was resigning, as people wanted to leave on a pleasant note, with a good reference and without creating trouble for ex-colleagues. Gaynor said that an external agency had been tried, with disappointing results. She felt that the answers were honest and useful. As evidence she said that this year's top scores (*dissatisfaction with role* and *did not feel a valued member of the team*) were quite different from last year's (*dissatisfaction with pay* and *pressure of work*). She felt this accurately reflected the effect of a good pay settlement and a better staffing situation on reducing the previous concerns, which had been supplanted by new concerns arising from the focus on performance management and from negative external factors and pressure on the service. These new concerns were confirmed in the current stress survey.

Members' attention was also drawn to the national comparisons in charts 55 and 56, showing that Thames Valley Probation has a relatively young workforce and a significantly lower average length of service than any other probation area in England and Wales.

Gaynor concluded by saying that the statistics had been presented in the same format for some years and should be reviewed. She proposed that the Senior

Managers Group and the Workforce Group should each discuss their information needs and make proposals.

Malcolm Fearn agreed that there was currently too much detail. He highlighted a statistical fact which he was including in his roadshow presentations, that the workforce headcount had increased by 40% in two years between 2004-2005 and 2006-2007. This was not detectable from the charts provided.

Members asked how staff in post could exceed 'establishment' as shown in chart 2. It was explained that 'establishment' was no longer a figure handed down by senior management but was the number of staff budgeted for the year. With budgetary control now being devolved to local managers it was possible for them to vire resources to finance staff more flexibly.

The report was **noted**.

8. **Finance – year to date (TVPB/P108/2007)**

Malcolm Vine advised the Board that the second full review of the business plan had been completed on 28 November and an underspend of £75-£100k was now predicted. The main changes had taken place in Programmes and B2E. There would be another review before the end of the year.

Malcolm said that he was still awaiting unit costing data and would produce a comprehensive report when it was all available. Michel Day asked about the agreed specifications of the units that were costed. Malcolm Vine replied that there were no detailed specifications and thus there was room for doubt as to whether Areas were costing different things. For example, the dividing line between Unpaid Work and Offender Management was drawn in a different place by different Areas. Treasurers had tried to agree tighter definitions but this was still 'work in progress'.

Malcolm Vine advised Michael Day that this meant that costs were not sufficiently robust for bidding purposes. Hirak Chakravarty suggested that differences between organisations would always mean that unit costs were only useful to make year-on-year comparisons within a single organisation and were too flawed to form the basis of valid external comparisons.

Finally, Malcolm said that the consultation meeting relating to the new funding formula had been cancelled. He was unable to say what if anything could be read into this.

The finance report was **noted**.

9. **TVP Strategy for Women Offenders (TVPB/P109/2007)**

Sue Pearce had been unavoidably delayed and Sean Quiggin presented her report in her absence. He explained that the strategy aims to create a thread within our business identifying women, to ensure that discrimination is reduced and to add the female dimension explicitly to our work.

Sean Quiggin said that the strategy was needed not only to satisfy the duty to promote gender equality but also because women offenders were small in number but had a disproportionate impact in society, and because of the need to avoid disenfranchising women by the actions of TVP.

Richard Stokes said he greatly welcomed the strategy. He said that research also showed discrimination against offenders with mental health problems and asked whether we also recognised their needs. Malcolm Fearn said that we did. This policy seeks to ensure that we treat women in a fair, equal and transparent way and mental health is part of that.

The Chief Officer said that we know that prison is not the place for people with mental health problems. We also know we are not good at handling them within TVP, and our assessment of mental health problems is not strong although some cases are now dealt with well under MAPPA arrangements.

Hirak Chakravarty asked if there was a separate minority ethnic offender strategy. The Chief Officer said not; this aspect was included within arrangements for handling outcomes and impacts within the context of the Race Equality Scheme.

The strategy was **adopted**.

10. **National audits of interventions (TVPB/P110/2007)**

Sean Quiggin informed the Board that there had been three audits this year, covering Approved Premises, Accredited Programmes and Unpaid Work.

In the first, the focus had been on the handling of high and very high risk individuals in approved premises. The verified scores for all five premises had been 100% and this had been confirmed by a NOMS external inspection. We were the only Area in the country to have scored 100%. We are not resting on our laurels as the next inspection in this area will look at quality. Robert Evans said he had recently visited Great Holm and had been very favourably impressed. He congratulated Approved Premises staff on the outcome of the audit and this was endorsed by the Board.

The score on the audit of Accredited Programmes was satisfactory, at the top of band 2.

Unpaid work was scored as 'inconsistent' and therefore unsatisfactory. Delivery was particularly poor in Berkshire, and this is currently subject to remedial action.

The paper was **noted**.

11. **Offender management inspection – action plan**

Paul Gillbard said that the OMI action plan has been agreed by the Inspectorate. It includes staff training in risk management and a quality performance improvement initiative (QUIPS). The plan has been to the Senior Managers (Ops) meeting and will be fed into the business plan. All actions are to be completed by October 2008.

Paul undertook to report back to the Board on completion, and earlier if any problems were encountered.

Action

The oral report was **noted**.

12. **Resettlement of offenders (TVPB/P112/2007)**

This paper was presented for information. Richard Stokes commented that from 2008 separate funding for Supporting People will cease and unitary authorities in Berkshire will have no money. He said the provision of accommodation for offenders is discretionary and will therefore tend to be abandoned.

Representations on behalf of offenders will in future be through Local Area Agreements, and he advised that TVP must be effectively represented in the discussions on each LAA, especially when the targets are being chosen.

Robert Evans said that an important issue was the future of Supporting People staff and groups. Their future in the new funding regime is not clear.

The report was **noted**.

13. **JNCC minutes, 24 September 2007 (TVPB/P113/2007)**
Health and Safety Committee, 18 October 2007 (TVPB/P114/2007)
Probation & Sentencers' Forum, 8 November 2007 (TVPB/P115/2007)

These three sets of minutes were **noted** for the record.

14. **Probation Circulars issued since 27 September 2007 (TVPB/P116/2007)**

The list of circulars was **noted**.

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

Oral reports from link members

Hirak Chakravarty (**Health and Safety Committee**) reported that the stress survey has begun. He will attend a meeting on the audit of Health and Safety.

Michael Day said he had attended a meeting of the **Offender Management Development Group** at which many important and interesting issues had been discussed. Paul Gillbard said there had been some concern that the presence of a Board member would cause staff to hold back but this had not happened.

Phillip Perlin reported that he had attended a training course on **Best Practice for Audit Committees**. He recommended that the dates of audit meetings should be reviewed to ensure that they took place 2-3 weeks before a Board meeting.

Action

Honor Juniper said that there had been a meeting of the **PSR Timeliness working group**. This had been very effectively organised and Sonia Crozier from NOMS had been fully satisfied by the end of the meeting.

Michael Day said that he had chaired a meeting of members from other Boards in the South East Region to discuss the **training needs of board members**. It was apparent that the induction training provided by Thames Valley had been better than in any of the other Areas in the South East Region. The group would be recommending an annual meeting of members of all Boards in the South East.

Malcolm Fearn said that he and Ian Menzies-Conacher had been to a **risk management meeting**, at which useful time had been spent comparing notes with other Areas.

Audit of Governance

Malcolm Fearn said that one question raised during this current audit had been whether the Board knows what policies are in place and what are the arrangements for reviewing them. The Board Secretary said that he was part way through an updating exercise designed to provide this information in a compact and up to date form.

There was no other part 1 business.

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 16 and 18: Relate to decisions about the Board's employees.

Minute 17: Application of the Home Office standard that Audit Committee minutes and business shall be confidential.

THAMES VALLEY PROBATION BOARD

MINUTES OF THE MEETING HELD ON THURSDAY 29 NOVEMBER 2007

PART 2 (CONFIDENTIAL)

16. **Early release of pension benefits (TVPB/P117/2007)**

Malcolm Fearn explained that he had given Chair's approval to the early release of deferred pension on ill health grounds, as described in the paper. The Board **endorsed** this approval and asked that a suitable letter be sent to the pensioner concerned.

Action

17. **Minutes of the Audit Committee of 21 September (TVPB/P118/2007)**

Ian Menzies-Conacher presented the minutes, noting that he had reported orally at the last Board meeting. The most important continuing issues related to the funding formula and to difficulties with the IT infrastructure.

The minutes of the Audit Committee meeting of 21 September were **noted**.

18. **Any other business**

Malcolm Fearn reported that the scheme for paying car allowances was under review. He had looked at the details, which for some staff included payment of an 'essential user' allowance whether they used their cars or not. It was proposed that from April 2009 staff should receive a straightforward mileage allowance only.

Malcolm Vine explained the financial options. An immediate buy-out could cost around £300k and in-year savings beyond the projected underspend would be needed to finance this. The saving after implementation was estimated as £150k per annum.

Members asked what the performance risks might be. There was a possibility that the level of home visits might fall, and there could be industrial relations problems. Management sought the support of the Board to continue discussions, recognising these risks.

Malcolm Vine said that without a full buy-out the year-end position would be very difficult to forecast.

The overall approach to revising the scheme was **endorsed** and the Board accepted the need for some level of overspend to accommodate a buy-out. A one year notice period was recommended.

There was no other confidential business.

The meeting closed at 4.50 p.m.

Signed Dated: 24 January 2008

CHAIR