

THAMES VALLEY PROBATION BOARD**MINUTES OF A MEETING HELD ON THURSDAY 26 JUNE 2008
AT READING CROWN COURT****COMMENCING AT 1.30 P.M. AND ENDING AT 4.40 P.M.**

MEMBERS PRESENT: Yashpaul Anderson
 Michael Day
 Malcolm Fearn Chair
 Arif Hussain
 Honor Juniper
 Gerry Marshall Chief Officer
 Ian Menzies-Conacher
 Phillip Perlin
 HHJ Zoe Smith

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

A number of Board Members had accepted an invitation to visit the Crown Court during the morning.

PART 1**1. Apologies**

Apologies were received from Hirak Chakravarty, Annette Griffiths, Michael Nolan and Sue Seager.

2. Approval of accounts for 2007-08

Malcolm Fearn explained that the annual accounts had to be signed and delivered to the auditors by courier before close of business, in order to meet the deadline of 27 June for submission to NOMS. He therefore proposed to take them as first business, and this was agreed.

Ian Menzies-Conacher said that the Audit Committee had met on 19th June and had spent some time considering both the Governance Report and the Accounts themselves. He spoke first about the Governance Report, explaining how the concerns of the Committee had been aroused and then allayed, as recorded in the minutes of the meeting. Although the problems encountered during the closure of accounts and final audit had been unwelcome, they were not fundamental and had related largely to the outgoing finance manager. The extent of additional audit work that had been created was indicated by the modest overspend of £2k on the audit fee. The Committee had concluded that this had been an isolated incident, capable of being corrected, and had discussed measures to be taken to prevent recurrence.

Ian Menzies-Conacher reported that a number of relatively minor changes had been made to the Annual Report and Accounts.

Malcolm Vine explained why he had recommended the Committee not to follow the auditors' suggestion that treatment of some transactions should be adjusted. The review that had led to the suggestion had not covered all transactions and he felt that the adjustment would create inconsistencies. Regarding the outgoing finance manager, he felt that everything possible had been done to help her in the role, including a full handover, training and a 6 month lead in before work on the final accounts. The system for reviewing staff performance had worked effectively and she had moved on.

Malcolm Fearn said that as the auditor's opinion on the accounts was unqualified he believed that there would be no effect on Thames Valley's prospect of becoming a Probation Trust. Malcolm Vine added that the auditors had reviewed the underlying controls and processes and were happy with them. The problems had flowed from the additional actions and processes needed at the year end. Gerry Marshall confirmed that Malcolm Vine had identified the risk well before the year end, and had also noted that the audit team themselves would be new and inexperienced. In the event they had worked with us to resolve the problem.

Malcolm Fearn asked the Board if they were content that the Annual Report and Accounts should be signed. The Board **agreed**.

3. **Opening remarks**

Middle management events

Malcolm Fearn reminded the Board that he had asked for expressions of interest in attending meetings for middle managers that would take place on 15 July and 25 November. Michael Day and Ian Menzies-Conacher had already committed themselves to attending the July meeting. Phillip Perlin said he would be pleased to attend the meeting in November.

Additional £40 million allocation to Probation

Malcolm Fearn referred Board Members to the 'national delivery plan' that had been circulated containing details of how the additional money was to be spent to help alleviate overcrowding in prisons. The Thames Valley share was £1,356k. We would be negotiating targets and trajectories against which progress would be monitored. Gerry Marshall said that we had had statistics on the sentencing rates in magistrates courts and crown courts for recent years.

Sickness absence

Malcolm Fearn said that our sickness absence rate now put us amongst the better Probation Areas. The strategy seems to have had an effect but he emphasised the need to continue efforts to reduce the figure.

Local crime, community sentence

TVP has made some nominations for annual awards. The results will be announced in September and there will be a presentation in the House of Lords in November.

Trust status

Malcolm Fearn said that a decision had been expected by now on which Boards would become Trusts in wave 2. However that question had been overtaken by

discussions on how many Trusts there should be. The Board's response to the PA's hurried consultation was later on the agenda. His own concern currently centred on the basis for the decision on Thames Valley. He reminded the Board that we had carried out a Critical Self Assessment, with an overall mark of 'green' that had been endorsed after independent review at regional level. The Self Assessment was said to be intended for use as a qualitative partner to the largely quantitative, target-based IPPF and the judgement on whether a Board should proceed to Trust status was to have taken both into account. However, when the final IPPF appeared, not only had our self assessment mark been changed from green to amber but it had been folded into the calculation of the final IPPF score, which had in turn been changed from green to amber simply by this process.

Malcolm Fearn said he had queried the change in approach and its consequences with Ben Emm, who had explained that Probation Areas that had 'Directed Improvement' status during 2007-08 had been capped at a maximum score of 2 (amber) whatever their actual performance.

Gerry Marshall said that we had seemed to have a good prospect of coming out of 'Directed Improvement' and we had thought this would depend on the final IPPF result for 2007-08. However the rules have changed and it is now dependent upon results in the first quarter of 2008-09, which will include a number of additional targets and measures. While these are not new they have not previously been a focus of attention.

Malcolm Fearn said that the Centre was still debating how the next stage should be approached. Broadly, the options were to amalgamate some Areas first, and then convert the resulting reduced number of Boards into Trusts, or to convert all existing Boards into Trusts and then amalgamate some of them.

Phillip Perlin asked when we are likely to know more. Malcolm Fearn felt that there could be more information by the end of July. However, political considerations were becoming more significant. If the decision was to reduce the number of Trusts to single figures, legislation might be required.

The Casey Review

Gerry Marshall said that 6 out of 32 proposals in the Casey Review relate to Unpaid Work. One is to revert the name to 'community payback', dropped only a short time back. Some of the proposals appear to have been based on a quick look at practices in London, which are not the same as elsewhere. For example, our offenders on unpaid work wear fluorescent clothing and supervisors' vests identify who they are, which is not the case in London.

The publicity generated by the Casey review has been relentlessly negative and Gerry expressed a hope that in future the Chief Officers' body will speak up more loudly. In contrast there has been some good publicity about Circles of Support, a development that has been led by Thames Valley, and about the Restorative Justice project in TV that has shown a substantial reduction in reoffending.

Forthcoming Green Paper

Gerry Marshall reported that a Green Paper due to be published shortly will propose that Probation Areas should become statutory members of CDRPs. This could give us more clout in negotiations. In addition, reduction of reoffending will become a

target for CDRPs in addition to reducing crime . This could have an important underpinning effect for local Probation work.

Best Value

Michael Day said that Magistrates were being consulted on the introduction of 'Best Value' and he would welcome some briefing. Gerry Marshall replied that Best Value is a rolling programme of reviews which will be applied to each area of Probation work in turn. A BV programme and toolkit had been promised. Sean Quiggin is taking the lead for TVP. Consultation through the Magistrates' Association was part of the preliminary work.

Malcolm Fearn added that the Regional Partnership Board had decided to undertake some Best Value reviews. TVP are likely to be involved with one across the South East Region and one sub-regionally with Hampshire.

Gerry Marshall reported that ACECOP has renamed itself the PCA – Probation Chiefs Association.

4. **Minutes of the meeting of 24 April 2008 (TVPB/M3/2008)**

The minutes were **agreed** and signed by the Chair.

5. **Matters arising**

Declarations of interest

There were no new declarations of interest.

Action list from the meeting of 24 April 2008

Malcolm Fearn reviewed the action list.

- Richard Lawrence-Wilson would circulate a document containing the news for staff that appears on the intranet, to see if Board Members are interested in a regular circulation.
- The reported issue relating to court lists appearing in a Google search seemed to have arisen from a misunderstanding.

Other actions had been completed, were on the agenda, or were not yet due.

6. **Performance in 2007-2008 (tabled paper TVPB/P32/2008)**

Gerry Marshall said that, as had been mentioned earlier in the context of Trust status, the Area's performance was on the cusp of amber and green. He felt this was about right and a fair reflection of the position. Sean Quiggin reminded the Board that performance in 2006-07 had been seriously red, and presented the figures showing how significant, steady progress had been made to bring it up to the top of amber.

Sean Quiggin highlighted areas that would need attention in 2008-09, in particular focussing on the need to meet national standards in both Offender Management and Interventions. Priorities were built into the forward look, with assessments during and at the end of an offender's sentence now being prioritised. Some of the

problems continue to arise from the fact that data are not recorded in a way that can be seen by the Centre, even though assessments have been done. All Areas have problems with this and NOMS have recently decided not to add new measures into overall ratings in the first quarter, though they may be introduced in Q2 with an obvious risk for us.

Paul Gillbard described the challenge, and the importance, of explaining to staff exactly what they need to do and when and how to record it in the required manner. Although National Standards have been on file for a long time, we have only known for a short time that they are to be folded into the monitoring system. Some redirection of resources is required, and improved cooperation with other agencies; for example, timeliness of court reports can depend on the availability of videoconferencing facilities, which is uncertain, and on knowing where in the country prisoners are located, which is particularly changeable at present.

Malcolm Fearn said that having seen the first version of the IPPF for April 2008 he asked Sean Quiggin to examine the priorities, taking account of the need to reduce reoffending but also to deliver a better measured score. Phillip Perlin observed that there could be a tension between devoting resources to getting numbers right and actually delivering results. Honor Juniper agreed that some staff have to spend too long managing computers rather than offenders.

Members discussed whether the balance of administrative and professional staff was appropriate. Could more administrators be part of the answer? Gerry Marshall emphasised that OASys assessments are not simply formulaic but involve skilled judgement and require accountability. Sean Quiggin said that the IPPF appears to be developing from the initial 13 indicators to embrace everything we do. The perception is that more and more is required and nothing is ever de-prioritised. Ian Menzies-Conacher expressed concern about prioritisation. What we are asked to measure this month is changed by next month. In his view we cannot do it all and the Board must have a clear focus.

Gaynor Mackenzie referred to progress on reducing sickness absence. We were the second best improver and were now better than average. She said that she was about to review the policy and warned the Board that evidence suggests that after an initial reduction following implementation of a new policy sickness tends to rise again. Challenges to the policy had not held up and she would not be proposing to relax it, although there was a possibility of restoring discretions.

The performance report was **noted**.

7. **Finance report (TVPB/P35/2008)**

Malcolm Vine introduced the report. We had still not received a budget for 2008-09 but certain figures were firming up, including the pensions cost which unofficial advice from NOMS put at £200k against the provision of £500k. (*Secretary's note: The final figure for pensions has now been notified, £438k.*) He added that there is a year to date underspend which mainly relates to the funding related to reducing the prison population.

Malcolm Vine said there was uncertainty about whether the additional funding allocation would be extended into subsequent years. Currently prison population is at a peak and Operation Safeguard has had to be put into effect. Nevertheless we are recruiting people on permanent contracts, as a cohort who can be trained together. He considered the risk of doing this to be low, given our turnover rate.

Zoe Smith expressed concern about a perceived reduction in the availability of interventions. Gerry Marshall said waiting lists were down to an average 12 weeks, with a maximum of 16 weeks as reported at the recent Sentencers Forum. Sean Quiggin explained that he receives a specific report on any individual offender whose programme has not started on these timescales. He said that a few cases have gone spectacularly wrong for specific reasons, but there is no systemic failure. Gerry Marshall said that high volume programmes such as Think First and ART were run frequently and should not be a problem, but the timetable for sex offender programmes was longer. No reduction in programme capacity was envisaged.

Malcolm Fearn said that the Board was giving a steer that budgets affecting the rate of reoffending should not be reduced.

The finance report was **noted**.

8. **Stress survey (TVPB/P36/2008)**

Gaynor Mackenzie said that the outcome of the stress survey and focus group work linked clearly to three themes:

- The need for good communication with staff;
- The critical role of middle managers
- The need to improve monitoring.

Ten Areas had now done stress surveys and the statistical results were very similar. Increasing demand and the pace of change were the main themes. Our score on demand was the worst of the 10.

Gaynor Mackenzie explained that the scoring methodology did not link to any independent measure. However, the scale of 1 (worst) to 5 (ideal) did allow valid comparison nationally with other organisations, between different offices within TVP, and would also (after re-measuring in due course) allow us to assess progress made over time.

Malcolm Fearn emphasised the importance of events held for middle managers. Gaynor said that targeted communications are important but it is vital to ensure that all managers hear the same messages. The survey is the source of the main input to the forthcoming middle managers event.

The report was **noted**.

9. **Staff reward and recognition scheme (TVPB/P37/2008)**

The paper recorded the revised approach agreed after discussion by the Workforce Group. Ian Menzies-Conacher felt that individual awards should not be capped and asked why they were restricted in number and amount as he felt there would be more 'headline value' from larger amounts.

Gaynor Mackenzie explained the constraints that applied. It was agreed that senior managers should review the proposal in the light of Board Members' comments.

Action

The report was **noted**.

10. **JNCC minutes, 19 May 2008 (TVPB/P38/2007)**
Health and Safety Committee, 9 April 2008 (TVPB/P39/2008)

These two sets of minutes were **noted**.

Gaynor Mackenzie reported that interviews for a Health and Safety Officer had taken place on 25 June and she was hopeful that an appointment would result.
(*Secretary's note: The selected candidate accepted a post elsewhere.*)

11. **Minutes of the T V P and Sentencers Forum, 15 May 2008 (TVPB/P40/2008)**

The minutes were **noted**.

12. **Probation Association consultation on Trusts (TVPB/P41/2008)**

The letter to the Probation Association was **noted**.

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

Probation circulars

The list of probation circulars issued since 24 April was noted.

Information security

Sean Quiggin said that as lead on information security he is making unannounced inspections of offices to ensure that restricted material is not lying around. The first inspection, at Head Office, has revealed a need for tightening up. Phillip Perlin asked about copies of restricted material being accessible over the internet. Sean Quiggin said that the main IT systems were generally secure and he felt that copies of printed documents posed a greater risk.

Justice Committee review of the cost of Prison and Probation

Malcolm Fearn reminded Members of the select committee announcement that he had circulated and suggested that they might wish to comment as individuals.

Communications

Honor Juniper said that she was anxious that the Board's focus on communications should not be reduced now that Fiona Tarrant did not regularly attend Board meetings. She reminded the Board that the working of the intranet should be reviewed after it had been running for a few months.

Action

Honor Juniper said that she was concerned that although NOMS had more than once acknowledged the importance of keeping sentencers informed, this was not being done in a systematic way from the centre. Local communication within TVP area through the Sentencers Forum and bench liaison was good. Gerry Marshall added that he kept in regular touch with benches and a Sentencers Conference was currently in preparation, funded from the additional allocation. He hoped that 300 or more magistrates would be attracted to the event, which will be held on the last weekend of September or the first weekend of October. Fiona Tarrant is tendering the project and Su Lutter (Justices' Clerk, Oxford) is involved.

Forthcoming meetings

Next workshop meeting: Bicester Head Office from 10.30 on 24 July.

Next public meeting: 18 September at 1.30 pm at Bicester Head Office.

It was agreed to move the Board workshop meeting scheduled for 10 December to Friday 12th December.

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: Application of the Home Office standard that Audit Committee minutes and business shall be confidential.
- Minutes 15 and 16: relate to decisions affecting individual members of staff.