

THAMES VALLEY PROBATION BOARD**MINUTES OF A MEETING HELD ON THURSDAY 27 MARCH 2008
AT SLOUGH TOWN HALL****COMMENCING AT 1.30 P.M. AND ENDING AT 5.15 P.M.**

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

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

PART 1**1. Apologies**

Apologies were received from Annette Griffiths, Hira Chakravarty and Zoe Smith.

2. Opening remarks**Membership of the Board**

Malcolm Fearn noted that this was the last meeting for Robert Evans and Richard Stokes, who would cease to be members of the Board on 31 March. He thanked both of them for the substantial contributions they had made to the Board's work over the past six years. In reply, Richard Stokes complimented fellow members, past and present, on the commitment and quality of the input they brought to the work of the Probation Service and paid tribute to the dedication and professionalism of probation staff he had observed, often in very trying and stressful circumstances. Robert Evans echoed these comments and added that he saw probation's role as increasingly important when prisons were so expensive and so overcrowded, and when it was recognised that they did not work in any case.

Malcolm Fearn advised the Board that he had chaired interviews in the first week of February for replacement Board Members and had recommended one candidate for appointment. Richard Lawrence-Wilson had contacted the MoJ earlier in the day and had been told that although Ministerial approval had very recently been obtained security procedures were not yet complete. Malcolm Fearn undertook to advise members of the name of the new member as soon as he heard from the MoJ.

Action

Malcolm Fearn added that he would shortly be reviewing membership of committees and groups, and the distribution of link member duties. He asked for expressions of interest, or the opposite, in advance of the April meeting when arrangements would be fixed for the coming year.

Action

Trust status

Malcolm Fearn reported that the documents to launch the six first wave Trusts had been signed, but there remained many opaque areas and caveats.

“Restrictions on sentencing”

Malcolm Fearn referred to this press release from the Unions reporting serious problems including delays in sentencing and waiting lists. He had not identified any resulting media coverage, nationally or locally. Gerry Marshall said that locally the level of stand-downs in unpaid work was the affected area, as previously reported to the Board and now receiving attention.

Reorganisation issues

Malcolm Fearn reported that ROM Sarah Payne had stated at a recent regional meeting that Board Chairs and Chiefs would in future be reporting to her. However he was not convinced that this would in fact be the position and he had written to Roger Hill, who had responded advising him to continue as normal. Malcolm added that it is clear that this cannot be the constitutional position for a Trust. Michael Day observed that the ROM appeared to be implying that she could query decisions of the Board. Malcolm Fearn agreed. In reply to Philip Perlin he said that the ROM had not set up any supervision sessions but she had convened a strategy meeting of chairs and chiefs on 30 April at which clarification might be forthcoming.

Trainee probation officers

Gerry Marshall reminded the Board that the cohort of TPOs taken on in September 2007 had been intended to be the last to be recruited through the regional Training Consortia. However, it has been decided to recruit one more cohort. Some Areas are not participating but we have asked for 20 trainees.

3. **Minutes of the meeting of 24 January 2008 (TVPB/M1/2008)**

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

4. **Matters arising**

Declarations of interest

There were no new declarations of interest.

Action list from the meeting of 24 January 2008

Malcolm Fearn reviewed the action list.

- The completed self assessment had been circulated to board members. It was felt to be inappropriate to issue it as a public document.
- Updates on the business plan and the SLAs had been given at the workshop on 21 February.

The OMI Action Plan had recently been reviewed with Sonia Crozier of the Performance Delivery Unit as part of continuing focus on ‘directed improvement’ and PSR timeliness. No issues had been identified.

5. **Performance report, April 2007 to January 2008 (TVPB/P14/2008)**

Paul Gillbard presented the IPPF performance report. He said that everything was moving in the right direction, although a few targets, such as PSR timeliness, were now being met month by month but would not be met for the full year due to earlier problems. Members were surprised, albeit agreeably, that the TV overall status had apparently moved straight from Red to Green between reports. The Chief Officer said that the apparent Red status was based on incomplete data and was only provisional. It had given an unhelpful impression. Ian Menzies-Conacher asked if we knew the drivers. Malcolm Fearn said that we did, but added that part of the variability is due to scores having a relative component so that the position of the other 41 Areas affects our own. Measures should be more nearly absolute in 2008-09. Sue Seager and Mike Nolan expressed unease about the scoring system.

Summarising, Paul Gillbard said that we had done well over the year to date to improve substantially from a low baseline. However the task of maintaining and further improving the performance should not be underestimated. The risk assessment for 2008-09 identified three high risk areas that should receive attention. Honor Juniper said that the confidence of Magistrates had soared and they now understand better the limitations on programmes. They will continue to receive feedback on the number of sentences including programmes.

Paul Gillbard concluded by saying that there were no difficulties with the SLA and Malcolm Fearn said he was content to sign the main documents. He would sign the associated service delivery plan as soon as revised performance targets have been agreed.

Gaynor Mackenzie reported that sickness absence was continuing to fall. It had been 9.5 days in February, and an average of 10.5 over the 11 months to February. However, she warned that sustaining and improving further might now become harder, because managers were now becoming involved in second reviews of individuals that could lead to their retirement or dismissal. She added that over the past six months 1,976 person hours had been saved, which equated to 8 person years or 2 extra probation teams.

The performance report was **noted** and the Board **agreed** that Malcolm Fearn should sign the SLAs.

6. **Capability assessment framework**

Gerry Marshall explained that the completed version of the Capability Assessment Framework had been checked against the EEM self assessment prior to its submission. It was soon to be read by the Regional Manager and feedback would be forthcoming in a couple of months. Malcolm Fearn said that we had submitted about 50 supporting documents. If we are told that we are not among the Areas selected to become Trusts in wave 2 we will have to have a full re-examination of the assessment.

7. **Business plans (TVPB/P16a, 16b/2008)**

Malcolm Vine said that the business plan for 2008-09, whilst still a draft, now included all main elements of the programme. The recently announced additional funding will not affect the aims or strategy. Yashpaul Anderson asked if the addition was a lump sum or continuing over 3 years. Gerry Marshall stated that one of the aims was to

remove the necessity for Operation Safeguard. It was not clear how much would additional funding be available in the second and third year, but efficiency savings would certainly be required. Ian Menzies-Conacher asked about the extent of ring-fencing, but this was not yet known.

Malcolm Vine introduced the 3-year business plan, linked to the strategy document previously agreed by the Board. He said the plan would be brought back to the Board when the budget was fixed. Detailed plans by department will be available, and beneath this level would be the budgets for teams. The plan assumed that the reduction in pensions contribution would be matched by an equal reduction in grant, but this was a prudent assumption and not yet definite.

It was agreed that the Business Plan should be a public document

Sue Seager asked about monitoring and Malcolm Vine said that the business plan would be reviewed quarterly by senior managers, and team plans at departmental level, also quarterly. Gerry Marshall added that an exception report would be brought to the Board after each review. Malcolm Fearn said that this would be combined with the quarterly review of the Service Progress Plan.

Finally, Malcolm Vine pointed out that the deficits shown were within the margin of 2% per annum and he was confident of breaking even.

The business plans were **agreed**, subject to changes to reflect additional funding.

Ian Menzies-Conacher raised the issue of whether the risk registers should be public as part of the business plans. He believed that they would have to be made available, after advice, should there be an FoI request. In that event, names should first be removed. Malcolm Fearn said that the risk registers should be removed from the plans before publication.

Action

8. **Finance report (TVPB/P17/2008)**

Malcolm Vine advised the Board that the latest forecast was that the underspend in 2007-08 would cover the cost of the essential user buy-out and fall within the permitted carry-forward limit. Due to savings in support services and vacancies at Head Office we continued to underspend on salaries.

Gerry Marshall said that at the workshop meeting in May he proposed to offer sessions on unit costing and Best Value, showing how these work with the probation business model. Malcolm Fearn added that the Areas in the South East Region had jointly agreed to scope Best Value projects on several back office and front line services before deciding which to pursue to a full study.

The finance report was **noted**.

9. **Pensions policy (TVPB/P18/2008)**

Gaynor Mackenzie introduced the policy document, explaining that the Local Government Scheme is due to change from 1 April 2008. Employees' contributions will increase, with increased benefits accruing in due course. The Board needs to have a policy in place to cover the discretionary elements of the new scheme. However, it is not yet possible to present a full new policy because certain aspects have not yet been agreed.

Richard Stokes said that the Board must appreciate that in agreeing the statement it would be setting aside powers which it might, in some circumstances, wish to exercise. Gaynor Mackenzie responded that the Board could always change its mind in future if circumstances changed, but needed to make clear its current position.

Gaynor Mackenzie undertook to bring a full pensions policy to the Board for discussion and approval

Action

The policy statement was **approved**.

10. **JNCC minutes, 8 February 2008 (TVPB/P19/2007)**

Gerry Marshall drew the Board's attention to the position on workload management. The national Workload Measurement Tool project, which Thames Valley had always been reluctant to join, was being frozen. We have used our own local tool, and should continue to do so., though we are still formally in dispute with the unions over this.

Gerry Marshall said that Phil Wheatley was seeking a tool to assess the Probation Service's workload capacity, to enable him to determine when the Service is working at capacity at national, regional, local and team level in the same way that H M Prison Service can say that the prison system is full when all the cells and beds are taken.

Gerry Marshall's recent talk to staff had covered workload issues and was available to staff on the intranet. It was agreed that the Board Secretary should circulate the speech to staff and discuss with Fiona Tarrant how to ensure that in future items of interest on the intranet can be made available promptly to Board Members.

Action

The minutes were **noted**.

11. **Pay update**

Malcolm Fearn said that union representatives had asked to meet him to discuss pay. He had voiced his own concern that both sides of the negotiation were dragging their heels, and he would personally recommend a rapid settlement and negotiations to begin immediately on a three year deal to be done from 2009.

Gerry Marshall said that the unions nationally have registered a dispute over the refusal of the employers to pay increments from 1 April 2008. The parameters for the 2009 award have been announced.

12. **Work placement sourcing brief (TVPB/P20/2008)**

Malcolm Fearn explained the purpose of the brief and asked all Board Members to suggest work projects and organisations that might be approached. It was agreed that Members should be provided with cards giving Sue Pearce's contact details, to hand out when they met anyone who might provide a work placement.

Action

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

Oral reports from link members

Sue Seager tabled a note of the **Communications group** meeting held on 29 February.

IT concern: Honor Juniper said that a fellow magistrate had ‘Googled’ her name and had been presented with the confidential current Oxford Court List containing names of magistrates, defendants etc. How this had come about was being investigated urgently and she undertook to put the Board Secretary in touch with the member of Courts staff who could provide details.

Action

Honor Juniper reported that she had been asked to join the national steering committee for **LCCS**.

Gaynor Mackenzie reported on **health and safety matters** on behalf of Hiram Chakravarty. Training for senior managers had been held on the implications of the Corporate Manslaughter Act 2007. An audit of health and safety had been held at national level and had produced an improved rating of ‘adequately controlled’. Processes were now seen as good but practice was not always as strong. Unpaid work was identified as the clearest area of weakness, and there was some criticism of approved premises, although not in Thames Valley. NAPO had raised concerns about the state of the building stock and had asked for the league tables for health and safety to be published. Ongoing issues were stress, workload and seconded staff.

Robert Evans said that on March 28 he would be attending his final meeting as link member for **Supporting People**, when a new Thames Valley wide cross-authority strategy would be discussed. He urged the Board to find his successor rapidly. Gerry Marshall said that the new strategy would be an important step forward.

The Board Secretary reported that only two new **probation circulars** had been issued since January. These were PC02/2008 - Dynamic Risk Assessment of Sex Offenders and PC03/2008 - Corporate Manslaughter and Corporate Homicide Act 2007. Gerry Marshall reported that Thames Valley is involved in a pilot project under the first of these.

The Board Secretary distributed copies of a NOMS research report entitled **Reconviction analysis of programme data using interim accredited programmes software (IAPS)**.

Forthcoming meetings

The next public meeting of the Board would be on 24 April at 1.30 pm. The venue was yet to be agreed (**now settled as Banbury Probation Office – Secretary**). Richard Stokes was warmly thanked for allowing the use of Slough Town Hall.

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:

- Minute 14: Application of the Home Office standard that Audit Committee minutes and business shall be confidential.
- Minute 15 relates to decisions about the terms and conditions of employment of the Board’s employees.
- Minute 16 relates to decisions about the terms and conditions of employment of the Board’s employees and to confidential financial and planning issues.