

Thames Valley Probation

MINUTES OF THE THIRTY-FOURTH MEETING OF THE JOINT NEGOTIATION AND CONSULTATIVE COMMITTEE

From 1.30 pm on Monday 8 December 2008

Representing the Thames Valley Probation Board

Malcolm Fearn (MF) (Chair), Yashpaul Anderson (YA), Gerry Marshall (GBM) and Mike Nolan (MN)

Representing the Staff Side

Karen Abrahams (KA), Lucinda Gwynne (LG), Derek Moores (DM) and Kevin Williams (KW)

Secretary

Lesley Hudson (LH)

Minutes Secretary

Richard Lawrence-Wilson (RLW)

1 APOLOGIES AND INTRODUCTIONS

There were apologies from Annette Griffiths (AG) and Deniz Oztemel (DO). Yashpaul Anderson and Kevin Williams were attending their first JNCC meeting and were introduced to other members of the Committee.

2 MINUTES OF THE THIRTY-THIRD MEETING HELD ON 15 SEPTEMBER 2008

The minutes of the thirty-third meeting were approved and signed.

3 MATTERS ARISING

Chair's comments

MF reported that Thames Valley has officially emerged from 'directed improvement' and is recognised by NOMS as an Area that is now performing effectively. He said that this was due to a lot of hard work by staff and he asked for thanks to be minuted to recognise the contributions made by members and colleagues in what continued to be testing circumstances.

Action list

Progress on actions arising from the previous meeting was reported as follows:

- The results of the Stress Audit were posted on the intranet and highlighted on its front page. Comments on the action plan have been reviewed with senior managers.

Actions completed

- Proposals on loyalty payments were still in preparation.
Action carried forward
- The Staff Side had not yet considered the amendments to the workload scheme.
Action carried forward
- The sickness absence questionnaire had been reissued. This item was on the agenda, see minute 10 below.
Action completed
- GBM said that he believed that a copy of the race equality scheme had been sent to Staff Side, but as they said that they had not received one another would be sent.
Action carried forward
- Unpaid work breach case consistency had been looked into. There had been an increase in withdrawn breaches but this has now been addressed, though different reasons had been found in different parts of the service. GBM thanked DM for his comments, which had proved useful.
Action completed
- Arrangements for FDRs had been discussed. A relevant point would arise in relation to business planning later in the meeting.
Action completed

4 TRANSPORT POLICY

The planned discussion on transport policy could not take place, as the unions were due to have a final meeting within a few days. Staff Side undertook to send comments to the Director, HR before the next JNCC meeting, when this will again be on the agenda.

Action

5 STRESS AUDIT UPDATE

LH said that a range of trainers had been considered to provide training in stress management and several had been interviewed. Trainers from ACAS had been chosen and venues were now being sought. She would expand further on the plans at her next scheduled meeting with union representatives on Wednesday. Thanks to Staff Side for their part in the selection process.

6 BUSINESS PLANNING AND BUDGETS

MF opened this item by reminding the Committee that the national budget for the Probation Service was planned to fall from £914M in the current financial year (including the additional £40M for the programme to address prison overcrowding) to £894M in 2009-10, £844M in 2010-11 and probably to £794M in 2011-12. An indicative budget for TVP for 2009-10 has been promised for mid-January. TVP's share of the national reduction could be £675k or more, and on top of that is the cost of the recently agreed pay award for 2008. In 2010-11 the further reduction will be

around £1.5M and by 2011-12 the TVP share of the £120M cut will be around £4M, which is some 20% of the budget.

MF said that we had now seen the report prepared for NOMS by KPMG, which said that TVP does not have a heavy management overhead, and is below average on other overheads and on property costs. There is therefore no obvious target for immediate attention where easy gains might be available.

GBM said that senior managers have reviewed the whole budget and have proposed some possibilities for immediate implementation. All possible efficiency measures and income generating ideas need to be considered, but the greater part of TVP's budget goes on staff costs and a cut of 20% would mean a reduction of around 140 full time equivalent posts. He said that the management team are aiming for the optimum carry-forward from the current year to 2009-10 to maximise flexibility.

The Staff Side had heard a figure of 5,000 for job losses nationwide, which seemed consistent with the TVP number. KW had passed on a questionnaire seeking various figures covering TVP financial and staff budgets, requirements and savings for the coming three years.

GBM described the new SBC (Specification, Benchmarking and Costing) project, which is to be applied across the whole service to specify each function and ascertain how much it costs. The aim will be to identify the best Probation Areas and to raise the productivity and achievement levels of all to match theirs. NOMS will calculate in detail how much can be saved by such a process and will be challenging Areas on this. For example, one challenge will be to aim for 70% of all reports to court to be FDRs.

MF said that management will need an ongoing conversation with the unions as proposals for change develop. We must find ways of becoming more efficient, and staff will need to be more flexible. GBM added that the courts service will be under similar pressure to reduce spending, so some joint approaches might be useful.

MF emphasised that we must also continue to demonstrate that the Probation Service is good value for money. KW asked if it was understood that Probation outcomes are better than prison. MF said we must keep emphasising this, and Probation's much lower costs per offender. GBM said that top managers in NOMS are overwhelmingly from the prison service and currently believe that there must be large savings to be made in probation service management.

DM said that it would be important to keep JNCC members informed, and MF undertook to do so. GBM said there should be a small group of named individuals with whom management could liaise between meetings, and Staff Side agreed to nominate 3 or 4 people to receive information and share discussions.

Action

MF added that he and GBM would be happy to attend a union branch meeting and KW said he believed Napo are keen on this. LG said that Unison may also be interested, but have a different branch structure.

GBM stated that in these difficult circumstances it would be the aim to minimise the number of redundancies, but this would require flexibility on the part of staff. The staff redeployment policy would be used constructively to try to ameliorate the impact on staff. He added that no money is available to fund any redundancy costs.

7 TOIL – AGREEMENT AND PROCEDURE

Staff Side had asked for this issue to be on the agenda. They reported that members from both Napo and Unison were reaching the stage where they were unable to take all their TOIL within the allowable time. Ad hoc arrangements were being made at individual offices but they felt that payment should be considered, and possibly flexible working arrangements, and that a policy needed to be developed to ensure consistency of approach.

LH said that she understood the issue and agreed that it should be considered by the workforce group. She warned that we were bound by national conditions, which might rule out some possibilities. She would pick this up as an item for further discussion at the next liaison meeting on Wednesday.

Action

8 FACILITIES AGREEMENT FOR UNION DUTIES

The Staff Side pointed out that the existing facilities agreement dates from 2002. LG said that the workload of stewards is heavier than it used to be. Gerry said he saw fewer cases going through to the Board. LH and LG said this was because of the amount of work undertaken by HR and the Unions behind the scenes, which means that more cases are settled before they reach the stage when they need intervention at senior level. KA said that the amount of work undertaken by LH, GM, DO and LG should be recognised by the JNCC.

It was agreed that the issue should be discussed at the next liaison meeting.

Action

9 WORKLOAD CAPACITY

LG said that there is still no progress on the National Workload Measurement Tool or local workload arrangements. DO had found out that priorities are due to be changed and Giles Payne believed that measures included were not accurate. LH said that a discussion had been planned but fine tuning on the resource allocation model was still taking place, especially relating to the inclusion of report writing. She said that a meeting with Paul Gillbard was needed before 14th January to discuss workload issues. A meeting date would be sought urgently.

Action

10 SICKNESS ABSENCE POLICY

LH said there had been 30 extra comments from staff following re-issue of the sickness absence questionnaire. GM had put a paper to the Board and LH had provided copies of it to LG and KW.

After discussion, the Board had decided to maintain the TVP target as 9 days per head per annum, although they felt that a lower number should be achievable. As a result of staff comments changes will be made to the wording of the policy and there will be increased focus on consistency of reporting. There will be no routine suspension of pay, and the format of return-to-work interviews will be more flexible.

Subject to these changes the policy would be put on to the intranet, as is now usual for all policies.

11 CRB CHECKS

Staff Side asked why we do not require all staff to be CRB checked every 3 years. LH explained that operational staff are checked when they start their employment with TVP and are re-checked if their job title changes or if they have unsupervised access to children or vulnerable adults.

From autumn 2009 the new Independent Safeguarding Authority (ISA) will introduce a new Vetting and Barring Scheme and individuals will need to apply for registration. A one-off fee of £64, for which the individual will be legally responsible, will be payable to cover the administrative costs of the ISA and the CRB. Registration will be personal and will last for life.

GBM said that it is not proposed to change current practice in TVP, pending the introduction of the new arrangements.

STANDING ITEMS

12 DIVERSITY ISSUES

GBM said there had recently been concern about racism in a widely circulated email, and this had been followed up by a contact from Helen Edwards saying that such emails were unacceptable. He sought to establish a shared position with the Unions on the unacceptability and on what sanctions to apply. The point is covered in the Staff Code of Conduct and TVP induction processes. LG agreed to take the issue away for consideration.

Action

GBM reported that a day convention for black staff will be hosted by Kilvinder Vigurs during which consideration will be given to a number of issues including the revival of the Black Staff Group. He had made it clear that if BSG meetings were re-established, managers must allow staff to attend, and support their attendance.

13 IT

GBM said that there was no good news to report on IT. Problems had continued, including unacceptably frequent breaks in service, sometimes of many hours. These caused work to be delayed or even lost and had a serious impact on productivity and morale. A new IT system for Probation and the Prison Service is long overdue but there is no short term solution.

Management assured the Staff Side that regular representations were being made.

14 NOMS

MF reported that NOMS was being reorganised and from January Roger Hill will be the new DOM (Director of Offender Management) in charge of the 5 Probation Areas and 28 prisons (currently organised into 2 Prison Areas) in the South East Region. He would be pulling together a single forward plan for the region and had already announced that there would be a common business plan for Probation and the Prison Service, the 2 Prison Areas would be combined, and a cut of 25% would be sought in his part of the NOMS regional organisation. Part of this would be achieved by the immediate closure of 2 London offices, leaving 3 offices outside London.

On the progress towards Trust status MF said that Probation Areas can choose amongst 4 dates in 2009 and TVP has decided to go for the second date, which is during May. Work was now under way on preparing for the tests that will apply.

MF reported that Jack Straw and Jacqui Smith had visited Slough at their request, as part of the launch of the use of high visibility jackets for offenders on community punishment orders. However, although the event had gone well, press questioning and coverage had been sidetracked by the current affair of the police raid on Damian Green MP and the action of the Speaker of the House of Commons. Good coverage had however been achieved in the Daily Mirror, as a result of a separate visit to the scheme in Milton Keynes.

15 ANY OTHER BUSINESS

Oxfordshire re-site project

LG raised what she described as the bombshell of the proposal to close some probation offices in Oxfordshire and centralise them in a newly leased building in central Oxford. She said that the Staff Side had been very disappointed to find out about this second-hand, and felt that this undermined the position of the JNCC. Union representatives had been very embarrassed and had received flak when they had known nothing about the plan.

MF apologised and said he accepted that management had got its communications wrong. For his part, he had been told when he arrived two years ago that the offices in Oxford and Abingdon were not fit for purpose and that there were plans to replace them. A number of possible schemes had come and gone since then, and he had not regarded the latest one as new news.

GBM said that he felt the possibility of closing the main office in Banbury was the new element that had taken staff by surprise. He had decided not to say anything about this possibility (which even now was not certain) until the go-ahead was received for the current proposal, since the scheme had been in the programme for six years and a number of versions had fallen by the wayside.

KA said this was an issue of trust. The unions felt very let down. MF and GBM acknowledged the point and undertook to try to do better in future, while pointing out that sometimes management simply has to press ahead without keeping everyone informed. However, GBM said that the details are still uncertain. We have a building in Oxford in view but negotiations have not yet been initiated and if they do go ahead we do not know how much of it we will get. We may need to move some activities from Bicester to maximise the savings that can be gained.

GBM said that the nature of our future provision in Banbury was not yet determined but some presence would be necessary associated with the court. LG said that if the Banbury office functions are relocated to central Oxford a lot of staff will leave, as it is not economic to travel so far and travelling times would be unacceptable. She asked if there are similar plans for centralisation in other county areas. MF said that there were no specific plans in the pipeline for any other parts of TVP. Other offices do not need replacing as badly as those in Oxford do. However, if the cuts of 140 FTE staff discussed earlier in the meeting do come to pass, there will clearly be repercussions for accommodation. GBM said he realised that the need to maintain a presence in a number of places across the area is an issue, but emphasised that everything will have to be reviewed.

MF and GBM undertook to consider making another round of visits around the Area after the business plan for 2009-10 has been completed.

Action

Hostel administrative staff

LG asked about the position on administration staff in hostels. LH said that a report by consultants had been delivered and had been shared with staff. Hostel administrative staff had themselves come up with a different model, and the two models would be discussed in detail at the regular liaison meeting.

Training

Staff side raised the the question of the new proposed training scheme. LH said that a new modular training scheme was expected to be introduced from autumn 2009. There has been a lot of activity on PSO training and she was trying to find out if funding will continue through to full qualification. The details are very vague but NOMS is adamant that the new scheme must go forward. The first requirement is for a new selection process, which must be in place by February. There will be a different route to professional status for those with a relevant degree, such as psychology or criminology. For PSOs aiming to progress to PO the best route may be to go for NVQs, and for entrants with a non-relevant degree there will be different arrangements.

Staff side said that they had been informed by NOMS that all existing PSO's would be required to complete NVQ level 3, as it would be a mandatory part of the role, and that this would be phased in over a 5 year period. GBM said he understood this was still subject to consultation.

GBM rounded off this item by saying that for obvious reasons the issue of professional training is featuring high up on the TVP Risk Register.

CAFCASS civil cases and unpaid work

Staff Side raised a question about community sentences issued by family courts to people in breach of a parental contact enforcement order, which are due to be channelled to Probation through CAFCASS from 1st December 2008. This will mean TVP supervisors administering civil cases, who will include (for example) mothers who have refused to let their children see an ex-partner, alongside criminal offenders.

GBM said that the number of these cases is expected to be very small. There are some practical queries, such as whether the individuals will have to wear high visibility jackets. Breaches will go back to the family courts. Sue Pearce will be leading on this. GBM said that there would be a briefing for the Staff Side when more information became available.

Action

Best Value Programme

KW said that a consultant had unexpectedly appeared asking questions about the SOTP and this had created concern amongst staff that the programme was being considered for outsourcing. GBM reassured him that this was not the case. The visit had been part of a regional initiative related to Best Value and the consultant had been retained to compare modes of working across the five Probation Areas in the South East. The Best Value programme will look at each element of our operation over the next three years.

MF added that the Minister has said that there is no longer a target for outsourcing; instead the Best Value studies will look for efficient and economical ways of delivering the service.

KW said that it had been unfortunate that the consultant appeared unannounced at a team meeting. GBM said that he was aware of the feeling around the visit, but understood that the consultant had offered to revisit the staff.

Community Punishment

DM asked about the TVP policy on community punishment. If an offender enters a plea of Not Guilty in breach proceedings he asked why their attendance is suspended. GBM said this was an operational question for Sue Cooke and he undertook to pass it to her for a response.

Action

The meeting ended at 4 p.m.

16 DATES OF MEETINGS IN 2009

Monday 9 February	Monday 11 May
Monday 14 September	Monday 7 December

Signed: Date: 2009
COMMITTEE CHAIR

Thames Valley Probation

JOINT NEGOTIATION AND CONSULTATIVE COMMITTEE

Actions from the meeting of Monday 8 December 2008

Minute	Action	Whom	When
4	Consider proposals on transport policy and submit comments	DO	Before February meeting
6	Provide 3 or 4 names of individuals to act as liaison with management between JNCC meetings	Staff Side	ASAP
7	Discuss alternatives to TOIL	Both sides	At liaison meeting
7	Arrange for alternatives to TOIL to be considered by the Board's workforce group	LH	After liaison meeting
8	Discuss facilities agreement	Both sides	At liaison meeting
9	Arrange meeting to fine tune resource allocation model	LH & Paul Gillbard	Before 14.1.09
12	Discuss a shared approach including recognised sanctions to apply to those circulating racist material by email	Staff Side	At liaison meeting
15	Consider making another round of visits to offices	MF & GBM	When business plan is complete
15	Brief Staff Side on CAF/CASS community payback cases	Sue Pearce	When more information is available
15	Respond to DM on rules relating to Not Guilty pleas in breach proceedings	GBM via Sue Cooke	Immediate

Actions carried forward from previous meetings

Minute	Action	Whom	When
September	Prepare proposal on loyalty payments	GM/LH	Next meeting
September	Consider amendments to workload scheme, then meet management to discuss	Staff Side	At liaison meeting
September	Provide Staff Side with a copy of the Race Equality Scheme	GBM	Immediate