

THAMES VALLEY PROBATION BOARD**MINUTES OF A MEETING HELD ON THURSDAY 17 SEPTEMBER 2009
AT BICESTER HEAD OFFICE****COMMENCING AT 1.30 P.M. AND ENDING AT 5 P.M.**

MEMBERS PRESENT:	Yashpaul Anderson	
	Hirak Chakravarty	
	Michael Day	
	Malcolm Fearn	Chair
	Arif Hussain	
	Honor Juniper	
	Gerry Marshall	Chief Officer
	Ian Menzies-Conacher	
	Michael Nolan Phillip Perlin	
OFFICERS:	Paul Gillbard	Director, Offender Management
	Lesley Hudson	Director, Human Resources
	Richard Lawrence-Wilson	Board Secretary
	Sean Quiggin	Director, Interventions
	Anne Whitworth	Interim Treasurer
OBSERVER:	Brian Clark	Former Chief Officer, Sussex

PART 1**1. Apologies**

Apologies were received from Sue Seager and HHJ Zoe Smith.

2. Welcomes

Malcolm Fearn welcomed Marshall Walker, representing WOCAMP, who was present to address the Board on the subject of the Oxford probation office.

He explained that, as on the two previous occasions when WOCAMP representatives had addressed the Board, Mr Walker's address should be confined to about 5 minutes and no questions or discussion would be allowed.

Malcolm Fearn also welcomed Brian Clark, former Chief Officer of Sussex Probation Area, who would be contributing to discussion of the Trust bid.

3. Declarations of interest

There were no declarations of interest to add to those already on record.

4. Minutes of the meeting of 18 June 2009 (TVPB/M5/2009)

Richard Lawrence-Wilson reminded the Board that in view of public interest the minutes of the June public meeting had been agreed by correspondence and signed by the Chair on 13 July 2009 so that they could be put onto the TVP website earlier than would otherwise have been possible.

5. **Opening remarks from the Chief Officer**

Women offenders project in Reading: Gerry Marshall reported that funding was available from MoJ to support 'one stop shops' for women offenders, and an application supported by TVP was being put together in Reading alongside the Thames Valley Partnership and PACT (Parents and Children Together), a local voluntary organisation. The proposal has passed successfully through two stages of the bidding process and PACT have an interview in MoJ on 30th September. The proposed project will cost £500k and last 18 months, and is designed to offer advice, assistance and support to women offenders and their families, in response to the main recommendation from the Corston Report. Gerry added that Sue Pearce was putting in a lot of effort supporting the proposal.

Elizabeth Fry Approved Premises: Gerry Marshall advised the Board of the serious fire that had taken place at the EFAP for women offenders in Reading on 9th September. Although EFAP is a voluntary hostel, independently owned and run by a charity, TVP has OM responsibility for offenders there and the hostel is linked into the TVP computing network and some other elements of TVP administration. The hostel has had to be closed and 18 residents have been re-housed, some at Bedford women's hostel and some by Reading Borough Council. Medication for those remaining in Reading is being handled at TVP's St Leonard's AP. No-one was injured in the fire, and contingency plans appear to have worked well. TVP staff at St Leonard's, Greyfriars and Head Office had given considerable assistance, which had been much appreciated.

Discussions had already been under way about capital funding for expanding accommodation for women offenders at EFAP. The implications of the fire are complex but provisionally the way forward will be to reopen an undamaged annex while bidding to re-build and expand the damaged main building. TVP will aim to help the Trustees of the Elizabeth Fry Charity negotiate with the Centre, for example to enable access for women with their children (hitherto not possible) when the rebuilding is planned. Mary Phillips JP, a former member of the TVP Board, is currently Chair of Trustees and had worked tirelessly to support the staff of EFAP.

Unpaid work: Gerry Marshall reported concerns about an announcement from the Ministry of Justice which had appeared to indicate that they were setting up a national scheme for unpaid work and creating a framework to enable it to be considered more broadly or contracted out. The Probation Association had expressed concern.

6. **Matters arising from the meeting of 18 June 2009**

Action list

- An updated table of Board Members' responsibilities had been included with the papers for information (TVPB/P58/2009). Malcolm Fearn said that the words "geographical representation" on the last line should be replaced by "LDU lead" to emphasise that TVP's organisation is structured around Local Delivery Units.

Gerry Marshall tabled a paper explaining the rationale for Board Member LDU engagement and setting out the role of the five Members nominated to represent TVP on Local Strategic Partnerships. It was noted that the Board Member responsible for Milton Keynes is Phillip Perlin not Yashpaul Anderson. Subject to this correction the paper was **accepted**.

- Representations had been made during consultation on the new Training Qualification Framework, which had subsequently been approved by Ministers.
- The Audit and Finance actions were complete.

- The Sonnex review and the report on the black staff event were on the agenda.
- The schedule of policies and strategies would be brought to the next meeting.

Action carried forward

7. **Public representations**

Mr Marshall Walker spoke to the meeting on behalf of WOCAMP and has kindly provided the text of his address, which is attached to these minutes as annex A.

Malcolm Fearn brought forward TVPB/P64/2009 (Oxford Re-Site Project: Suitability of Mill Street as a location), which was amongst papers for information at agenda item 17, so that Mr Walker could leave the meeting if he wished. Copies of satellite views of the Trajan House site and of the locations of probation offices in Cambridge, Colchester, Crawley, Eastbourne and Maidstone were provided to support the paper.

Paper 64 was **noted**. Mr Walker thanked the Board and withdrew from the meeting.

8. **Notes of the workshop meeting of 23 July 2009** (TVPB/P50/2009)

The notes were **agreed and noted**.

9. **Trust Bid**

Malcolm Fearn explained that Brian Clark has been involved with three Probation Areas that have successfully passed the first stage of the bidding process. He has been asked to review TVP's unsuccessful bid and advise on the approach needed to achieve success.

Malcolm said that Roger Hill had written a long letter in support of TVP but this had not been taken into account by the assessors. Malcolm added that following announcement of the result he had written to Michael Spurr protesting that the assessment had been a bureaucratic process focused on style and spin, not on the real underlying work of a probation area. He had also advised Roger Hill that he was considering resignation, or not submitting a further bid at all, but had been dissuaded from either of these options. Roger Hill had agreed that TVP had no need to change its vision, aims or plans and that the bid simply needed to be re-written so that it would be better understood and appreciated by the assessors.

Brian Clark confirmed from his experience that assessment was largely a bureaucratic process. He observed that assessors have raised the bar at each successive round of applications, and he felt that had TVP's bid been submitted earlier it may have passed. The bid and supporting material has to be presented to the assessors with absolute precision, to minimise the effort needed to appreciate all of it.

Gerry Marshall said that we had written documents that were designed to remain genuinely useful in managing the Area in the future. In retrospect this had been a mistake, and they should have been aimed purely at satisfying the agenda of the assessors. We had also been over influenced by warnings from the regional office not to be over-aspirational.

The deadline for re-submission is 10 November so there are only 6 weeks to do the work. Brian Clark will be available to assist throughout the rest of the process through to interview.

10. **Performance report April to August 2009** (TVPB/P51/2009)

Sean Quiggin introduced the paper and said that on current form he expected TVP to be green at the end of the second quarter, although there can be no guarantee

because other Areas are improving their performance and some measures are relative. An indication of the result will become available about two weeks before the deadline for the Trust bid and the final result will be out just a day or two before it.

Hirak Chakravarty said that it seemed clear to him that the performance is still fragile and possibly not sustainable. A better margin of comfort is required. Sean Quiggin said that he felt that an improvement of about 10% should be achievable by an all-round tightening of systems, but to be really comfortable we need a further 10%. Malcolm Fearn said that the question was why we are still behind other Areas – what have we not yet done that we could now do, swiftly?

Phillip Perlin recalled that from time to time the Board had accepted the argument for following the 'right' approach even when it might degrade the measured performance. We were now in survival mode and it was time to change this purist attitude and to do whatever was 'greenest'.

Members were very conscious that only ten days or so remained of September, within which changes could be made to improve the second quarter's results. They urged Senior Managers to go all out with every possible improvement technique.

The Board **noted** the performance report.

11. **Draft Board meeting dates for 2010** (TVPB/P53/2009)

Thursday 8 September 2010 was corrected to 9 September. With this amendment the dates proposed for Board meetings in 2010 were agreed.

12. **Minutes of the Health and Safety Committee of 19 August** (TVPB/P54/2009)

The minutes were **noted**.

13. **JNCC meeting of 14 September**

Malcolm Fearn said that there were no points of urgent importance arising from the meeting that would not be covered under other agenda items. There were currently no issues relating to pay. The staff generally were untroubled by disappointment relating to the Trust bid and did not consider that they would be affected by the change of status. This was likely to be true for the majority of them.

14. **Public protection, including serious further offences (SFOs) for the period January – June 2009** (TVPB/P55/2009)

Paul Gillbard introduced the paper by reminding the Board that at the end of the discussion of the Sonnex case at its June meeting it had been agreed that there should be increased focus on the governance responsibilities of the Board. The regular reports on SFOs, which had hitherto been presented to alternate Board meetings, would be broadened to cover more general Public Protection issues, with SFOs as just one part of a more comprehensive report.

He said that this change was paralleled by a general tightening of the management's approach to issues identified as needing attention. For example, if reviews were not being done on time this would now result in the issue of a performance improvement plan for the individual member of staff concerned. This was designed to raise the performance bar.

In preparation for OM Inspection #2 we will be doing a thorough audit of Public Protection. Managers are telling staff how and when to prioritise, and how to manage if there is a lack of resources. The Sonnex lessons are being learned.

There is an improvement drive on the use of the VISOR system, and we now have a means of cross-checking risks with referrals, which provides a backup system to ensure that all reports are completed and no offenders are missed.

Yashpaul Anderson asked if there were regular case reviews by practice quality managers. Paul Gillbard confirmed that regular reviews are carried out, but said that the issues are whether they are completed on time and whether a new review is done when there is a significant change in an offender's circumstances or behaviour.

Michael Day said that as a magistrate he observed varying standards, for example relating to what counts as an acceptable absence. Sometimes he felt the judgements were too relaxed and at other times too tight. Paul Gillbard said this was attributable to standards varying between supervisors but that action had been taken to make the use of appropriate direction more consistent.

The report was **noted**.

15. **Black staff event** (TVPB/P56/2007)

Gerry Marshall explained that the paper had been designed to give feedback to participants, and had not been altered for the Board.

He said he was keen to raise the profile of diversity across TVP, but the former Black Staff Group and the LGBT group were both currently in abeyance and only the disabled group has kept going. The geography and structure of Thames Valley made it hard to sustain groups meeting regularly.

Gerry said that the black staff event had been an initiative championed by two Assistant Directors. It had been a success and seemed a good model to follow, with annual events properly championed and supported. At the JNCC earlier in the week he had proposed that similar events should be held each year for black and for LGBT staff. This had been well received.

The report was **noted**.

16. **List of Probation Circulars and Instructions issued since 1 January 2009** (TVPB/P57/2009)

The list was **noted**.

17. **Any other business (Part 1)**

Single equality scheme: Gerry Marshall reminded the Board that Thames Valley's scheme had been put together in a hurry using three pre-existing documents. In common with schemes from over half of all Probation Areas, it had been judged as falling short. To address the shortcomings, it had been necessary to revise the process of preparing Equality Impact Assessments, especially at the consultation stage. Offender forums had been established for each of the five LDU areas.

Diversity Week: Paul Gillbard said that TVP would be celebrating Diversity this year in the week beginning 2nd November. The feedback so far had been very good. Amongst other events, the new training provider will be running some theatre-style workshops.

ICT: Yashpaul Anderson reported that he had finally obtained a soft copy of schedule 14 to the national contract for IT services, which purports to set out what Steria are supposed to provide. He had organised a series of meetings at Bicester and was making some headway in discussions with NOMS and Steria.

Leadership event: Yashpaul Anderson, Arif Hussain and Phillip Perlin volunteered to attend the next full day event at Stokenchurch on 24th November.

Sickness absence: Lesley Hudson reported that there had been an upward spike in July to an average absence of just over 10 days per head per annum – above the local target of 9 but still below the national target of 11. This was due partly to flu and partly to some new long-term sick cases (which had since been sorted out). Other Areas had experienced a similar increase in July.

Lesley advised the Board that at Monday's meeting of the JNCC the Staff Side had sought to relax the trigger points in TVP's sickness absence policy, which are stricter than national guidelines. Gerry Marshall said that this had been resisted by management. He reminded Board Members that the Staff Side have never actually agreed to the TVP policy, but nor have they registered a 'failure to agree' in relation to it.

Forthcoming Board meetings:

Next workshop meeting: Thursday 22 October, Head Office, Bicester at 10.30.

Next public Board meeting: Thursday 26 November at Central Milton Keynes probation office at 12.30 for 1.30.

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 18 (minutes of the TVP Audit Committee, Risk Register and Business Risk Policy) is restricted in accordance with the Home Office protocol for Audit Committees.

Minutes 19 and 20 refer to confidential financial issues.

Minute 21 includes reference to the conditions of employment of individual members of staff.

Minute 22 refers to matters that were commercial-in-confidence at the date of the meeting.