

Malcolm Fearn added that when Board Members were due to retire a reduction in the size of the Board could be considered, but it would be important to maintain geographical cover of the Thames Valley and the skill set needed by a Trust.

All other actions from previous meetings had been completed or were covered by later agenda items.

5. **Chairman's oral report**

Malcolm Fearn said he would focus his situation report on four topics: issues flowing from the appointment of the regional DOM (Director of Offender Management) for the South East, moves towards trust status, budgetary concerns, and sickness absence. The Board agreed that discussion of budgetary concerns should be treated and minuted as confidential (see Part 2 of these minutes).

5.1 **DOM for the South East Region**

Roger Hill has started working part time as the DOM and has set up a Regional Programme Board comprising one Probation Board Chair, one Probation CEO, 3 prison governors and 2 other managers from the prison service. Malcolm Fearn had stood in for John Steele, Chair of Sussex Board, at the first meeting. The head count of staff at regional level had been a main issue for discussion. The Centre had proposed 50, which compared with a bid of 77 from the Region and current staff of around 120. The Centre would announce its decision by the end of January. It would be difficult to achieve such a significant reduction without any funding for redundancies.

Members were surprised at the large number of staff at regional level and Malcolm Fearn gave some details of the hierarchy and job titles. Hiram Chakravarty said that TVP needed to think about how to react. The cautious way forward would be simply to keep quiet, but there could be opportunities, for example to save by avoiding duplication of function and effort locally, regionally and at the centre.

5.2 **Trust Status**

Copies of the fourth Probation Trusts Programme briefing note dated 16th January were distributed to supplement the background documents in TVPB/P1/2009.

Malcolm Fearn referred to the new "Transition to Trusts" project of the Probation Association (PA) described in a letter he had just received from Christine Lawrie. For some time the PA had been pressing NOMS to explain the rationale for Trusts and the project was designed to develop a practical vision for them. Ian Menzies-Conacher warned that one big disadvantage could be the impact of the huge risk associated with pensions following recent falls in the stock market.

Malcolm Fearn said that it is clear that there is no intention to lower the bar all 42 Area Boards must cross to become Trusts. A 'green' assessment in the IPPF will be one prerequisite for an application. Successful Areas may be strongly encouraged to merge with – or take over – those that are less successful, so long as they are within the same Region. The Board considered the relation and interaction between TVP's intended application in May 2009, the associated deadlines for statistics, and the outlook for performance in the first quarter of 2009 and in the full year 2008-09.

Discussion then turned to the Board's own role and input into the application, given that the briefing note had identified that some applications had fallen short in this regard. Members agreed that they needed to be involved and to take ownership. Malcolm Fearn said that it was necessary to find ways to enable Board Members to play a part without interfering with the core efforts of the senior managers. Annette Griffiths suggested a small critical review panel to help craft and polish the application. Malcolm Fearn said that the Chairs in the region would be meeting several times before the end of March to share news on progress and their perceptions of the application process. Mike Nolan said that a timetable should be put together working backwards from the deadline date, containing milestones and with the go/no go point identified.

Ian Menzies-Conacher mentioned a concern raised at the recent Audit Committee about critical reports from internal audit. It was conceivable, if unlikely, that the requirement for 'unqualified accounts' could be over-interpreted. This was with the NAO for clarification.

Sean Quiggin said that a new timetable and a gap analysis had been undertaken with Gerry Marshall. Gerry had given him responsibility for leading work on the application. He felt it would be very helpful to have a small team to check the bid and own the vision and he suggested this should comprise himself, Malcolm Vine, Gerry Marshall and Malcolm Fearn, plus 2 Board Members. The team would meet 3 or 4 times before mid-April and report to the Board on 23rd April. Malcolm Fearn asked Members who were interested and could meet the additional time commitment to email him after the meeting.

Action all Board Members

5.3 **Sickness absence**

Malcolm Fearn reported that in December the absence rate had risen to 14.5 days per head per annum. Winter flu had been widespread and worse than usual. Board members suggested that offering flu jabs to staff should be looked at.

Action Human Resources

6. **Performance report April-September 2008 (TVPB/P3/2009)**

Sean Quiggin presented the report. He confirmed that to be eligible to be considered for Trust status an Area needed a green score only in the most recent quarter before applying, not for the whole preceding year. As usual, some parts of TVP were doing better than others. He did not now believe that TVP's overall score for 2008-09 would be green, but the final quarter could be.

A data cleansing exercise was part of the solution. The right assessments were being done and reports were being produced in better shape and more timely than before, but this had no effect on the score unless the data were input correctly and promptly. In response to H Irak Chakravarty, Sean Quiggin said that staff had received comprehensive IT training but practice was not perfect and the monitoring available from the nationally managed IT systems was not good enough to identify problem functions and locations precisely.

Malcolm Fearn said that there must be a strong focus on what needs to be done to achieve an overall green result.

The Board **noted** the performance report.

7. **Review of the intranet (TVPB/P8/2009)**

Fiona Tarrant joined the Board to present her report. She shared her concern that the reputation of the intranet was being undermined by the unsatisfactory service from Steria, the national IT contractor. She hoped that colleagues would understand this and would not blame TVP for down time and slow uploading of information. Nevertheless the variable quality of access would inevitably make the intranet less popular and less effective than if it were always and instantaneously accessible, as it should be.

Fiona Tarrant added that Directors' secretaries had been trained in how to add items to the intranet, which would relieve her section of the maintenance workload.

The Board **noted** the report.

8. **High visibility jackets**

Fiona Tarrant showed Board Members the new high visibility clothing that was being worn by offenders working on community payback projects, in accordance with the national initiative that had been launched in Thames Valley. She explained the approach in TVP. There had been some adverse reactions and some problems elsewhere in the country, but no serious difficulties so far in TVP.

9. **TVP Strategy 2009-2012 (TVPB/P4/2009)**

Malcolm Fearn explained that the bulk of the strategy document was unaltered but there had been a few changes to the introductory wording, and timescales had been updated to take account of completed items and slippages. Phillip Perlin said that the new NOMS vision statement had been published on the internet in the last few days.

The Board **noted** the updated version of the strategy report.

10. **Finance report: year to date (TVPB/P5/2009)**

Malcolm Vine reported that expenditure was following the expected path and the projected underspend was reducing as the year drew towards its end. Latest figures suggested that the pay award was not costing quite as much as had been expected, due to turnover and the number of new staff who would not receive some elements. He was forecasting a slightly larger underspend of about £200k, still well within the limits of permitted carry-forward.

The Board **noted** the report.

11. **Probation Association – annual subscription 2009-10 (TVPB/P14/2009)**

Malcolm Fearn said that his initial concerns about the PA had been assuaged by recent changes and he felt that the PA was now doing a good job representing probation boards and trusts to NOMS, Ministers and otherwise. He recommended that TVP should continue in membership.

The Board **agreed** that the PA subscription for 2009-10 should be paid as requested.

12. **Risk Register (TVPB/P7/2009)**

Ian Menzies-Conacher introduced the Risk Register, which had been discussed at the recent meeting of the Audit Committee. He said that it was still work-in-progress, but was now built up from the bottom and generally better understood. Malcolm Vine added that he intended to use the *Arisk* system to produce a variety of new reports for the Audit Committee showing aspects such as individual responsibilities.

The Risk Register was **noted**.

13. **Thematic inspection of Approved Premises (TVPB/P9/2009)**

Sean Quiggin presented the paper. He highlighted the tension between the standards required to meet the expectation of reliable public protection and the continuing underfunding of APs by NOMS. He said that management was assuming for planning purposes that the 5 APs currently managed within TVP would remain with us on the same basis through the coming 3 year period.

In reply to Members' questions about the effect of the underfunding Sean Quiggin said that one of the main consequences was inability to provide sufficient projects or other meaningful activities to occupy residents during the day.

The report was **noted**.

14. **Local Area Agreements (LAAs) (TVPB/P10/2009)**

Sean Quiggin said that significant and increasing funding now flows through local authorities to address the issues selected for inclusion in LAAs. There can be targets that are specifically related to offenders, or otherwise relevant to the TVP's programme. Our performance contributes to relevant outcomes. It is therefore important that we have a presence when decisions are made.

He added that LAAs are absorbing an increasing amount of senior staff time, partly because we play a part in 9 LAAs due to the complex range of local authority structures in the Thames Valley. Many probation areas only have one LAA.

The report was **noted**.

15. **Minutes of the Audit Committee meeting of 9 January 2009 (TVPB/P12/2009)**

Ian Menzies-Conacher said that the impression made by visitors from NOMS ITD who had attended the Committee had been underwhelming. They appeared to be complacently satisfied with the performance of the national IT contractor Steria, which was causing such grief across TVP, possibly due to the use of misleading KPI's. He intended to keep up the pressure.

The minutes were **noted**.

16. **Minutes of the JNCC, 8 December 2008 (TVPB/P11/2009)**

Minutes of the Health and Safety Committee, 7 January 2009 (TVPB/P13/2009)

List of Probation Circulars issued since 27 November 2008 (TVPB/P15/2009)

The two sets of minutes and the list of circulars were **noted**.

17. **Serious further offences: annual report (TVPB/P21/2009)**

Paul Gillbard presented the annual report on Serious Further Offences. He reminded the Board of the key issues that were summarised in the paper and that had arisen

when interim reports on individual SFOs had been presented earlier in the year. He then referred to the NOMS review of SFO procedures, that had resulted in changes embodied in Probation Circular 22/2008. The main change was the removal of *Wounding with Intent* from the list of offences that would require review as an SFO. This was already having a significant effect and he expected the number of SFOs to be cut by around 50%.

HHJ Zoe Smith, supported by magistrate Members of the Board, said that she felt this was a retrograde step that was especially unfortunate at a time when knife crime was high on the public agenda. It was to be hoped that the resulting change in the statistics would not be misleadingly presented as an improvement.

The annual report on serious further offences was **noted**.

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

Diversity

Paul Gillbard reported that we had recently completed an update of the TVP Race Equality Scheme, which had been reviewed by the Diversity Monitoring Group earlier in the week. We were now expected to produce, by 31st March 2009, a single Equality Diversity Scheme covering disability and gender in addition to race. Given the timescale this could only be prepared by pulling together the existing separate documents.

Forthcoming meetings

Workshop meeting: Bicester Head Office, 10.30 am on Thursday 19th February

Next public meeting: Thursday 26th March in Amersham.

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 19 and 20 include references to confidential financial issues.