
ESSEX PROBATION BOARD

MINUTES OF A MEETING HELD ON TUESDAY 16TH MARCH 2010 AT 9.30AM AT TEMPLARS, CULLEN MILL, 49 BRAINTREE ROAD, WITHAM, ESSEX CM8 2DD

Members Present: Richard Moore (in the Chair)
Mary Archer (Chief Officer)
Martin Bates
Terry Collin
Jo Durning
Rob Everitt
Carol Mellow
Peter Wilcock

In attendance: Bernadette Barber (Board Secretary)
Sue Atkinson (Director)
Robin Brennan (Director)
Debbie Came (Director)
Pete Mangan (Director)

ACTION

1. CHAIR OF THE MEETING

In the absence of the Chair it was agreed that Richard Moore would chair the meeting.

2. DECLARATIONS OF INTEREST

No interests were declared.

3. APOLOGIES FOR ABSENCE

Apologies for absence were received from Bill Puddicombe, Judge Gratwicke, Roger Lucking, Peter Sheldrake, Tim Young and Shirley Kennerson.

4. MINUTES OF THE MEETING HELD ON 2ND FEBRUARY 2010

The Minutes of the non-confidential part of the Board meeting held on 2nd February 2010 were approved as a true record to be signed by the meeting chair.

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5. MATTERS ARISING

Arising from the Minutes of the meeting held on 2nd February 2010, the following items not addressed elsewhere on the agenda were noted:

- i) In the absence of the Chair, it was not possible to confirm whether a letter had been sent to Steve Knight expressing the Board's congratulations, WP
- ii) The Chief Officer confirmed that she had briefed the DOM on the performance issues,
- iii) The IPPF 'what if' analysis for February had been circulated,
- iv) The best timing for an annual UPW report had yet to be determined, PM
- v) Future board meeting would be held at Cullen Mill,
- vi) The availability of apprenticeship funding for the new NQF was still under investigation, SA
- vii) It was confirmed that an appropriate training cost clawback provision would be added to employment contracts for staff on commencement of NQF training, and
- viii) The Secretary confirmed that amendments to the terms of reference for the Diversity and Business Development committees as approved at the last meeting had been made.

6. CHIEF OFFICER'S REPORT

The Chief Officer presented her report, noting that the main focus in recent weeks had been:

- preparation of the 2010/11 budget,
- the OMI2 report, which would be discussed later in the meeting,
- the on-going arrangements for the transition to trust and in particular the contract negotiations. The final negotiation meeting had now been held. A few issues remained outstanding with the DOM,
- performance, which would be discussed in detail later in the meeting,
- SMT responsibilities following the departure of Sara Moutard. David Messam had been appointed to director with effect from 1st May and a new organisation chart would be circulated to directors showing the new roles within SMT as well as the re-named LDUs. MA

It was reported that the date for the presentation from the NHS Trust Chief Executive had still to be confirmed. MA

7. PERFORMANCE REPORT

7.1 PERFORMANCE REPORT

Pete Mangan presented his performance report which set out the programme underway to improve performance. The focus of the remedial action centred on three initiatives:

- improvements in data quality – poor data quality was the core issue underlying the continued Amber rating,
- enhancing the consistency and efficacy of measures employed by middle managers to ensure adequate performance by their staff – a new database (TIM) had been created to map potential OASys and CRAMS failures, highlighting relevant cases and enabling their timely rectification,
- maximising the data sample size so as to avoid a disproportionate effect from a small number of failures, although this had not been done in time to impact the Q3 rating.

The impact of the Amber OMI2 rating on future IPPF ratings was unclear - it was not even yet clear whether it would be included in the Q4 rating. Early indications were that the development of TIM was proving an extremely effective tool to help eradicate unnecessary timeliness failures and this initiative in particular was welcomed by the Board. It was agreed that the issue of caseloads and the adequacy of OM staffing resources would be further discussed later in the meeting.

7.2 HR PERFORMANCE REPORT

Sue Atkinson presented her report for Q3. The following issues in particular were discussed:

- staff turnover – it was agreed that a further analysis of staff turnover by location would be provided at the year end, in particular to examine the trends in turnover (excluding retirements, promotions, secondments etc) as an indicator of staff satisfaction. Comparisons would be made to the probation service expectations rather than the public sector as a whole,
- sickness absence – the achievement of 97% attendance by a proportionally higher number of disabled staff than non-disabled staff was noted. The Q2 increase in days sick was not believed to indicate a slippage, February having seen a reversal of the Q2 trend,
- the low proportion of exit interviews was queried, however offering an exit interview to all leavers was part of standard procedures. A

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Knowledge Management strategy, which would be presented to the Board at a future meeting, would, amongst other things, look at how learning from exit interviews could be better utilised within the organisation. PM

It was confirmed that, following presentation to AMM, the main points from the report would be disseminated to staff and the Unions. The report would also be reviewed by the Diversity Committee. In future, it was hoped that the Diversity Committee review would be carried out before presentation of the report to the Board. SA

8. REPORTS TO THE BOARD

8.1 DASHBOARD OF KEY INDICATORS

Pete Mangan presented the report with additional insights provided by Debbie Came and Sue Atkinson. A number of items were highlighted, including:

- that despite the variance against budget at the end of Q3, the underspend was expected to have been utilised by the end of the year,
- the staff vacancy figures represented a quarter-end snapshot rather than an average during the period. The potential for tension between the need to ensure adequate staffing resources and the use of a vacancy factor as a budget management tool was acknowledged. Staff resource proposals would be discussed later in the meeting in the context of the draft 2010/11 budget,
- Offender Caseloads and the acceptability of staff workloads were being reviewed. One strategy under consideration to ease caseloads was the use of early revocations for good progress,
- it was observed that the statistics on Victim Caseloads referred to those cases currently receiving face-to-face contact. The majority of victim cases at any one time were effectively 'dormant', for example whilst a custodial sentence was being served. This area was the subject of a Best Value review. Further caseload analysis would be delivered by the new workload tool due to be brought into effect within a couple of months. Details of the workload tool would be presented to the board in due course. PM

8.2 OFFENDER MANAGEMENT INSPECTION ACTION PLAN

The Chief Officer presented the OMI2 Action Plan. Notes from the meeting with the Inspector were tabled. Copies of the Inspection Report had previously been provided to Board members. It was noted that the Action Plan, as approved by the Board, was required to be provided to HMIP by 25th March 2010. MA

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The plan for the Chief Officer to work with the DOM to develop a process for the allocation of OM resources to take account of differences in workloads was queried. It was explained that, in the past, funding allocations across the Region had not always been proportionate to each Area's workload. The funding for Interventions was more balanced for 2010/11, however more work was required in order to ensure the future OM funding basis better reflected the higher-than-average caseload in Essex.

The inspection report had raised issues of the support available to, and oversight of the quality of the work delivered by, Offender Managers. Further evidence was needed to demonstrate that adequate support for Offender Managers was already available. Going forward, directors would be increasing their monitoring of managers' oversight functions and the need for managers only to sign off work of an acceptable quality would be reinforced. Quarterly quality assurance reviews would be carried out on sample data taken from OASys and the OMI inspector's questions would be used as the basis for monthly inspections.

With regards to the shortcomings in Safeguarding Children communications highlighted in the report, it was noted that work was underway with the three Safeguarding Children Boards to agree reporting protocols. Persistency was sometimes required when communicating child welfare issues with other agencies to ensure that concerns had been properly shared. For three months from April, a full time post would be in place to review the adequacy of existing Safeguarding Children arrangements within the organisation and to address any deficiencies in existing practice.

The Chief Officer confirmed that the OMI2 action plan would be presented at the forthcoming AMM prior to being shared with staff. Quarterly progress reports would be made to the board.

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The Action Plan, as presented, was approved.

8.3 AMENDED COMPLAINTS POLICY

The Chief Officer presented her report which set out proposed amendments to the previously adopted Complaints Policy. The amendments, which were centrally directed, would provide routes for members of the general public to make complaints against the probation service.

The Complaints Policy, as amended, was approved for deployment.

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9. REPORTS AND MINUTES OF COMMITTEE MEETINGS

9.1 DIVERSITY COMMITTEE

It was noted that the Diversity Committee had not met since the previous

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meeting of the Board

9.2 AUDIT COMMITTEE

The Minutes of the Audit Committee meeting held on 23rd February 2010 were noted. Jo Durning requested that her apologies for the meeting be noted in the draft Minutes. BB

Richard Moore reported that there had been protracted delays in issuing internal audit reports, with one reason being the review of all reports prior to issue by Joyce Drummond-Hill. The Internal Auditor had been asked to feedback to NOMS the Committee's concern. Debbie Came had also completed two feedback questionnaires raising the issue of the delays. A report from the External Auditor on the Good Governance Standard Diagnostic had been received. There were some concerns over the extent to which the relevance of the results might have been compromised by the use of a tool primarily designed for use by local government, however the recommendations set out in the Action Plan were presented to the board and were accepted.

9.3 JNCC MEETING

The Minutes of the JNCC meeting held on 8th March 2010 were noted. No response had yet been received from NAPO regarding car parking.

9.4 2008 STAFF SURVEY ACTION PLAN

Sue Atkinson presented the 2008 Staff Survey Action Plan, which the board had undertaken to review again. It was noted that all actions had either been completed or were on-going.

A new staff survey was due to be carried out shortly. Questions would be carefully crafted to draw out issues and the analysis would seek to distil the results by locality and indicate the extent of different concerns.

9.5 HEALTH & SAFETY COMMITTEE

It was noted that the Health & Safety Committee had not met since the previous meeting of the Board

10. SIGNIFICANT DEVELOPMENTS AND FUTURE PRESENTATIONS

10.1 PROBATION SCRUTINY GUIDANCE

Alex Bamber spoke to the guidance which had been issued by the Probation Association in response to the classification of probation services as 'responsible authorities' and full members of local CDRPs with effect from 1st April 2010. NOMS guidance had also been issued last week.

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Greater focus would be given to partnership communication but it was believed that the change in responsibilities could largely be viewed as an extension of existing arrangements.

11. PROBATION ASSOCIATION

11.1 NNC EMPLOYERS' STRATEGIC GROUP

The proposed terms of reference of the ESG were noted.

11.2 PA/NOMS PROTOCOL

The signing of the protocol between the Probation Association and NOMS was noted.

11.3 PA CHIEF EXECUTIVE

It was noted that Christine Lawrie would be continuing in office as Chief Executive of the Probation Association.

12. REGIONAL PROBATION TRANSITION BOARD MEETING

It was noted that there had been no further meetings of the Regional Probation Transition Board since the previous board meeting, however there were some suggestions that the Regional Probation Transition Board should continue after 1st April and a discussion of the benefits or otherwise of such Regional collaboration followed.

Clarity of purpose of any on-going Regional arrangements would be essential and care would need to be taken to ensure adequate confidentiality arrangements were in place. Whilst sharing of best practice was a worthwhile aspiration, Essex Probation Trust would not be able to divert local resources to Regional activities unless it was in the Trust's best interests to do so.

It was agreed that the issue warranted further discussion when the Chair was not absent.

WP

13. REPORTS TO THE BOARD FOR INFORMATION PURPOSES ONLY

13.1 ANNUAL PENSION FUND MEETING

Martin Bates reported from the meeting which he had attended. The pension fund was only 51% funded and the considerable size of the deficit would present some strategic questions for the organisation going forward, in particular how the likely increase in employers' contributions would be paid for.

13.2 ENABLING ORGANISATIONAL DEVELOPMENT

Peter Wilcock reported back from a meeting he attended regarding the launch

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of the MoJ's new organisational development tool.

14. URGENT BUSINESS

14.1 PRESS COVERAGE OF OMI2 REPORT

The Chief Executive noted that the Chelmsford Chronicle was expected to report on the outcome of OMI2 on Wednesday.

There were no further items of urgent business

15. INTEGRATED OFFENDER MANAGEMENT

Jon Burgess and Mick Benning gave a presentation on the previously reported joint Police/Probation Integrated Offender Management initiative. The original timescale had been extended to enable full engagement from the outset by key stakeholders and partners. Following the current exercise to scope existing provision, a workshop would be held in which all 14 CDRPs in Essex could participate. Board representation at that event would also be beneficial.

16. DATE OF NEXT MEETING

The next meeting will be the first meeting of the board of Essex Probation Trust to be held on Thursday 1st April 2010 at 9.30am.

17. EXCLUSION OF THE PRESS AND PUBLIC FROM REMAINDER OF THE MEETING

It was resolved that the press and public be excluded from the remainder of the meeting.

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Chair