
ESSEX PROBATION BOARD

MINUTES OF A MEETING HELD ON MONDAY 22ND JUNE 2009 AT 10.00AM AT NEW BRIDGE HOUSE, 60-68 NEW LONDON ROAD, CHELMSFORD, ESSEX CM2 0PD

Members Present: Bill Puddicombe (Chair)
Mary Archer (CO)
Martin Bates
Terry Collin
Jo Durning
Richard Moore
Peter Sheldrake
Peter Wilcock
Tim Young (from item 7)

In attendance: Bernadette Barber (Board Secretary)
Sue Atkinson (ACO)
Alex Bamber (ACO)
Debbie Came (ACO)
Gill Hirst (ACO)
Pete Mangan (ACO)

ACTION

1. DECLARATIONS OF INTEREST

Terry Collin declared an interest in the education provider, LSC.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Roger Lucking, Judge Gratwicke, Carol Mellow, Rob Everitt, Shirley Kennerson and Peter Jones.

3. MINUTES OF THE MEETING HELD ON 28TH APRIL 2009

The Minutes of the non-confidential part of the Board meeting held on 28th April 2008 were approved as a true record to be signed by the Chair.

4. MATTERS ARISING

Arising from the Minutes of the meeting held on 28th April :

- i) It was confirmed that the Essex DAAT Risk Sharing Agreement had been approved and signed.

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- ii) The action to locate alternative public buildings in which to hold future Board meetings had been completed, this being the first meeting to be held in one of the alternative venues.
- iii) Debbie Came confirmed that a meeting of the Essex Probation Trust had been held to approve the Trust's accounts. Notes of that meeting would be included with the papers for the next Board meeting. DC
- iv) The Chair thanked all those who had expressed an interest in being part of the working group tasked with project managing the transition to Trust status and reported that the Trust Development Group had been established with himself, Peter Wilcock, Tim Young, Rob Everitt, Sue Atkinson, Alex Bamber, Debbie Came, Mary Archer and Bernadette Barber as members. The first meeting would be held over the next few weeks (date to be confirmed). BP
- v) The processes for distributing Board papers and other documents had been reviewed. In future, all "Restricted" papers would be sent to Board members via encrypted e-mail. These could be printed if preferred although hard copies would also be made available at the relevant meetings. Other papers would in future be sent by regular post. It was also agreed that Contracts & Commissioning Committee papers and minutes would in future be marked "Restricted". PM
- vi) The report on EPA's responsibilities and potential liabilities arising from partnership arrangements was deferred to the next meeting. AB
- vii) It was also agreed that a further report on Contactpoint was not required at this time but Alex Bamber was asked to keep the Board updated on any significant developments.

5. REVIEW OF BOARD QUORUM

Bernadette Barber presented her proposal, namely that as permitted by The Local Probation Boards (Appointment and Miscellaneous Provisions) (Amendment) Regulations 2006, the quorum of the Board be reduced from seven to five.

It was agreed that paragraph 4 of the Board's Standing Orders be replaced with effect from the end of the meeting with the following:

"4 QUORUM

No business shall be transacted at any meeting of the board unless at least five members are present or any other number required by the Secretary of State."

6. CHIEF OFFICER'S REPORT

Mary Archer presented her report.

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It was noted that the main issue was the lessons to be learned from the Dano Sonnex case. Several reviews had been carried out and the reports issued were being studied to ensure any learning points arising from the case applicable to EPA would be identified and implemented. A full report would be presented to the next meeting. The Chair requested that the PA's note on governance implications arising from the Sonnex case be included in the reports considered. MA

Bill Puddicombe also notified Board members that he had issued a message to staff in the light of the Sonnex case both urging them to maintain morale but also recognising the importance of reviewing and changing existing practices where appropriate in the light of the lessons which had been learned from the failings in this case.

A review of the East of England Training Consortium had been launched, as the last of the TPOs neared completion of their training. Future training arrangements would be examined along best value principles. No further Training Consortium meetings would be held until the end of the year, pending the outcome of the review. A report would be presented to the Board once the review was completed. MA

Mary Archer also reported that she was leading a review into the region's Approved Premises. Future delivery of the provision was being examined, again along best value principles. Although achieving cost savings would be welcome, particularly given the current need for individual areas to subsidise the ring-fenced funding from their own budgets, the over-riding concern was to ensure the provision was effective in contributing towards managing the Area's most dangerous offenders. The findings of the review, which would be carried out as swiftly as possible, would be presented to the Board at a future meeting. MA

No IPPF had been published in May but performance continued to be good despite high demands on staff. Allocation of staff was now based on tiering rather than risk of harm as previously and this had created a need for some rebalancing of resources. One OM4 had already been recruited and a further post might also be advertised to address any shortfall in staffing levels.

Reporting on other developments, it was noted that the first of the sentencer liaison and engagement meetings had been well received. Presentations had been made to staff and managers on the move to LDUs and a presentation on this would also be made to the Board at the next meeting. MA

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7. PERFORMANCE

Gill Hirst presented Peter Jones' report which included an analysis of the trends over 14 months found in a number of key performance measures, together with the Essex Scorecard for May and the 2008/09 Q4 IPPF.

The generally upward trends in the National Standards for Public Protection, Offender Management and Interventions were welcomed and improvements in the timeliness of Remanded in Custody PSRs had delivered prison place savings equating to around £190,000 p.a.

Failure to achieve the OASys quality and timeliness targets remained an issue, despite the progress made. Individual score cards continued to be utilised to drive up performance, with the appraisal process being used to introduce action plans for staff and managers where appropriate.

In response to questions on the OASys timeliness of Non-Custody PSRs, it was noted that Remanded in Custody PSRs were prioritised and where there were staff absences, this could sometimes be at the expense of Non-Custody PSRs. Reports not made on time were required to be reported to an ACO but further focus on this area was needed.

LSC referrals had been noted in the report as being below target in all offices other than Grays and Chelmsford, however it was verbally confirmed that this had been due to an error in calculations, with actual performance being 101% of target.

It was agreed that a glossary of the key abbreviations used should be added to future IPPF reports. PJ

8. ANNUAL REPORT AND STATEMENT OF ACCOUNTS 2008/09

Debbie Came tabled for approval the Annual Report and Statement of Accounts 2008/09 together with the draft Annual Governance Report of the Appointed Auditor. The documents were both still in draft form pending completion of the external audit work, however no significant or material changes were anticipated.

Richard Moore reported that the Audit Committee had reviewed both documents in the presence of the external Auditor. The external audit had identified a handful of errors which, with the exception of one classification error, had been corrected. Debbie Came, explaining the rationale behind the management decision not to correct the classification error, noted that

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correction of the error, which in no way affected the overall result, would involve a considerable amount of work. The cause of the error had been noted and the practices which had given rise to the error would be amended to ensure there was no recurrence in the current or future years' accounts preparation. An unqualified audit report was expected.

The Chair congratulated the Finance Team on their work.

It was confirmed that the Audit Committee had agreed to recommend to the Board that, subject to there being no material or significant changes to the draft documents presented to the meeting, the Annual Report and Statement of Accounts 2008/09 be approved.

In view of this recommendation and the assurances provided in the draft Annual Governance Statement, the Annual Report and Statement of Accounts 2008/09 were approved for signature substantially in the form presented to the meeting. It was further agreed, in the event of there being any material or significant changes to the Accounts as presented, that the Chair and the Chair of the Audit Committee be authorised to approve any amendments on behalf of the Board.

DC

DC/BP/RM

9. REPORTS TO THE BOARD

9.1 Gathering and Analysis of Reducing Re-offending Data

Alex Bamber presented his report on the national and regional gathering and reporting of reducing reoffending information and how EPA used that data, including how it supplemented it to make it relevant to its local partners.

As data was broken down to local level, the size of the cohort naturally reduced and the statistical significance of the data and variations within it was compromised. However subject to the limitations this brought about, the data was still useful to local partners and to EPA's discussions with them and it was therefore believed to be an important breakthrough to have the capability to produce locality data for the first time. The data could support development of joint approaches with partners in health, housing, employment, education etc to address wider social issues which impacted on offending behaviour.

The possibility of supplementing the statistics with quantitative information such as case studies was suggested and discussed, however it was observed that the possibility of gaining additional local insight needed to be balanced against the efficient use of scarce resources. The forthcoming Offender Management Inspection would also provide insight into effectiveness of

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interventions such as the Bridge and, with this in mind, the management team would be looking closely at the OMI methodology.

The Chair welcomed the report and the information it provided about the outcomes of EPA's work. Reduction of reoffending figures would be provided in future as part of the regular performance reports but, given their importance, it was agreed that a more detailed report on reduction of reoffending data should also be provided to the Board every six months.

PJ/AB

AB

9.2 Children and Families Policy

Gill Hirst presented a proposal to adopt a revised Children and Families policy prepared jointly with Alex Bamber, a copy of which was appended to her report. The revised policy had been reviewed in the light of the Baby P case and incorporated key messages, plain language and clear responsibilities.

The risk of someone working for EPA being a danger to children could never be entirely eliminated, however the policy was explicit in stating that employment by EPA of anyone representing a risk to children was unacceptable. Any information which came to light suggesting an employee or potential employee of EPA might be a danger to children would be thoroughly investigated and acted upon on a case-by-case basis. Such information would extend beyond convictions and could, for example, include allegations. From October 2010, a new requirement for workers within the probation service to be registered would further help to minimise risk to children.

Currently there was some inconsistency and uncertainty about how the Common Assessment Framework applied to, and should be incorporated within, EPA's practices. Further clarity was required however, in the meantime, it was being deployed operationally when required.

After some discussion, the Children and Families policy, as presented, was adopted and approved for deployment together with associated practice instructions.

AB/GH

9.3 Complaints Policy

The revised policy was presented by Mary Archer.

The purpose of the revisions was primarily to push initial responsibility for dealing with all complaints to a lower level within the organisation through the use of an informal process. Only once this process had been exhausted, would a complainant have the right to escalate their complaint to the

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formal and appeal stages. The ultimate right of appeal was to the Prisons and Probation Ombudsman.

The categories of complainant were queried, for example whether a member of the immediate family of a complainant could act on their behalf in the event that the complainant lacked capacity to pursue the complaint themselves or whether other service users or partners could also pursue a complaint through this process. It was noted that the policy was required to be established in accordance with The Local Probation Boards (Miscellaneous Provisions) Regulations 2001 and these points would first need to be checked against the detail of those requirements.

The revised policy, as presented, was adopted.

MA

9.4 HR Performance

Sue Atkinson presented her report covering the period April 2008 to March 2009 which examined statistics on issues such as staff recruitment, turnover, diversity and sickness absence. This data would in future be included within the regular performance report.

SA/PJ

The Chair identified a need for input to be provided on which was the best information for the Board to be provided with in order to get a feel for overall performance on HR issues and to understand current trends and what they indicated.

SA

The Chief Officer informed the Board of her intention to share the figures in an anonymised format with staff and the unions.

MA/SA

9.5 MAPPAs SMB Memorandum of Understanding

Gill Hirst presented her proposals for changes to the governance arrangements for MAPPAs, for which she was seeking approval in principle in advance of the next MAPPAs Strategic Management Board meeting. The governance arrangements, set out in a Memorandum of Understanding between the agencies involved, were required to comply with MAPPAs Guidance.

The most significant changes to existing arrangements were a switch from the current co-chairing arrangement to chair-rotation and the establishment of committees to deal with performance, training and communication issues.

After discussion, the proposals as presented were approved in principle, subject to any significant changes being referred back to the Board.

GH

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10. COMMITTEE MEETINGS

10.1 Diversity Committee

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

10.2 HR Committee

It was noted that the HR Committee had not met since the previous Board meeting.

10.3 Audit Committee

The draft Minutes of the Audit Committee meeting held on 9th June 2009 were noted.

Richard Moore highlighted two issues arising from that meeting:

- i) that the system for internal audit ratings was changing from a three category system to a four-category traffic light approach,
- ii) that the internal audit plan for the year had been approved. The plan, which covered 66 days of internal audit activity, was to a great extent dictated by the centrally directed audits which accounted for 51 days. With the agreement of the Audit Committee, Richard Moore would bring to the attention of Joyce Drummond-Hill the concerns of the Committee regarding the limitations these centrally directions placed upon the freedom of the Committee to focus internal audit attention on those areas which they perceived to present the greatest risk within EPA. The Board endorsed the Committee's view that these concerns were significant and needed to be voiced at the highest level within NOMS.

10.4 Commissioning and Contracts Committee

It was noted that the Commissioning and Contracts Committee had not met since the previous Board meeting.

10.5 JNCC Meeting

The draft Minutes of the JNCC Union meeting held on 19th May 2009 were noted.

Mary Archer reported that she continued to encourage the attendance of a Unison staff member.

10.5 Health & Safety Committee

The draft Minutes of the Health & Safety Committee meeting held on 14th April 2009 were noted.

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Sue Atkinson observed that the Board, who needed to be aware of Health & Safety issues within the organisation, could be assured that there were currently no significant issues. Further staff H&S representatives were being recruited.

The Chief Officer re-iterated that the gym equipment referred to in item 2 the Minutes needed to be removed. **SA**

11. SIGNIFICANT DEVELOPMENTS AND FUTURE PRESENTATIONS

There were none reported.

12. REGIONAL PROBATION TRANSITION BOARD MEETING

The Chair reported that there had been no further meetings since the last Board meeting.

13. REPORTS TO THE BOARD FOR INFORMATION PURPOSE ONLY

13.1 Feedback from Meetings

The Chair apologised that unfortunately no-one had been able to attend the recent Probation Association meeting. Where it was not possible for him to attend in future, he could try to give more notice so that someone could be organised to attend in his place.

13.2 Trust Development Group Formation

As previously reported, the Trust Development Group had been established and planned to meet in the next few weeks (date to be confirmed).

14. URGENT BUSINESS

There was none.

15. DATE OF NEXT MEETING

The next meeting will be held on Tuesday 28th July 2009.

The first part of the meeting closed at 12.20pm.

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Chair