
ESSEX PROBATION BOARD

MINUTES OF A MEETING HELD ON TUESDAY 20TH OCTOBER 2009 AT 9.30AM AT NEW BRIDGE HOUSE, 60-68 NEW LONDON ROAD, CHELMSFORD, ESSEX CM2 0PD

Members Present: Bill Puddicombe (Chair)
Mary Archer (Chief Officer)
Martin Bates
Terry Collin
Jo Durning
Rob Everitt
Carol Mellow
Richard Moore
Peter Sheldrake (item 6 onwards)
Peter Wilcock
Tim Young

In attendance: Bernadette Barber (Board Secretary)
Sue Atkinson (Director)
Alex Bamber (Director)
Robin Brennan (Director)
Debbie Came (Director)
Peter Jones (Director)
Shirley Kennerson (Director) (item 6 onwards)
Pete Mangan (Director)
Sara Moutard (Observer)
Louise Mozzanica (Observer)
Alex Osler (Observer)

ACTION

1. DECLARATIONS OF INTEREST

Terry Collin declared an interest in the LSC and Tim Young declared an interest in Essex County Council.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Judge Gratwicke and Roger Lucking.

3. MINUTES OF THE MEETING HELD ON 8TH SEPTEMBER 2009

The Minutes of the non-confidential part of the Board meeting held on 8th September 2009 were approved as a true record to be signed by the Chair.

4. MATTERS ARISING

Arising from the Minutes of the meeting held on 8th September:

- i) The Chair confirmed that, having spoken to Carol Mellow, she had been able to confirm her attendance at future meetings. Unfortunately Roger Lucking continued to be unable to attend and would not be seeking appointment in April to the new Trust.

- ii) Pete Mangan reported that the cost of the encrypted memory sticks would be £67 each. It was agreed that it would be uneconomic to use these for the issue of confidential board papers, and diskettes would therefore continue to be used.

- iii) No comments having been received on the draft dashboard of organisational progress presented at the previous meeting, a report in that form would in future be made quarterly.

- iv) The Secretary confirmed that she had updated the annual agenda item schedule and would now circulate a copy to all Directors and Board members. BB

- v) The Complaints policy was scheduled for deployment. MA

- vi) The Offender Management and Appraisal policies had been deployed.

- vii) The update on the OASys software was carried forward to the next meeting. PM

5. CHIEF OFFICER'S REPORT

The Chief Officer presented her report.

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SMT continued to focus on preparations for the forthcoming Offender Management Inspection and it was pleasing to note that feedback from the planning meeting had been very positive. A briefing session would be arranged for those board members to be interviewed by the inspection team.

MA

In relation to the Best Value reviews of Unpaid Work and Victim Contact, it was noted that following receipt of the specifications, it had been agreed within the Region that the Treasurers group would determine a consistent process for all Areas to use. A more comprehensive report would be made to the Board once further progress has been made.

MA

The recent bid for ESF funding had been unsuccessful but feedback would be sought and further thought given as to how the process for taking advantage of future opportunities could be better developed. Where Board members had useful experience of making bids, this could be shared with SMT.

6. PERFORMANCE

6.1 PERFORMANCE REPORT

Peter Jones tabled and presented his performance report for the period to the end of September 2009 including the Essex Scorecard for the previous month.

The IPPF, due to be published shortly, was expected to show a return to Green Star status for Essex. However the recent trend for continuous improvements in performance appeared to have faltered and this was a source of frustration for the management team.

In National Standards (Offender Management and Interventions) and OASys Timeliness, performance in the previous few months had become more erratic and in order to discover any underlying causes, the focus had shifted to local and team level practice. The new Performance Manager had visited the best performing office and was in the process of writing best practice guides. This contrasted to the previous approach of allowing local practice to develop in different offices.

The chair pointed out that the issue of OASys timeliness had arisen in a succession of meetings and that the Board needed to be assured that this would be resolved.

DRR Starts figures were also disappointing. Although the variable quality of

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health provision was identified as one contributory factor, Shirley Kennerson also confirmed that, in order to determine the causes of the poor performance, a sample of DRR referrals had been examined and the reasons for DRR Start failures identified.

A mandatory drug screening tool was to be used and a DRR recommended in all cases where the results indicated substance misuse unless signed off on an exceptions basis by a manager. Increasing the confidence of the Courts in the effectiveness of community treatment was an important aim.

The Chair reinforced the need to give clear messages to Sentencers about the approach to drug treatment and to feed into the process of the changing approach to drug treatment in Essex.

A key factor in the apparent low performance in LSC referrals was the exclusion of the previously-included Information, Advice and Guidance referrals from the figures. A modification of the target to reflect the in-year change was required if the target was to be attainable.

MA

The Chief Officer undertook to provide further information to the Board on the overall strategy to address the various local performance issues.

6.2 SERIOUS FURTHER OFFENCES REPORT

Peter Jones tabled and presented a report on Serious Further Offences reported during the first half of 2009/10. Eight SFOs had been reported during the period, for which five investigation reports had been completed and three were still in progress. The reports investigated the standards of risk assessment, risk management and offender management employed in each case. Management of three of the cases had been found satisfactory in all areas, the management of one had been found to be unsatisfactory in its offender management and the management of the other had been found to be unsatisfactory in all three areas. Appropriate procedures had been initiated in respect of the employees dealing with the latter two cases.

The findings of the reports highlighted a need to rethink co-working arrangements and the difficulties in forming a coherent view where information was recorded in different places. In future Offender managers will ensure all relevant information is recorded in the main contact log (CRAMS).

No patterns or common issues had been identified and the Board were

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assured that the systems in place were sufficient and robust.

6.3 EMPLOYMENT TRAINING AND EMPLOYMENT POLICY

Pete Mangan presented his report and updated policy which he proposed for acceptance, subject to a full impact assessment.

The new policy placed greater emphasis on the importance of life skills and in particular sought to address, in the light of the Corston Report, inequalities for female offenders.

Subject to an impact assessment, the Policy as presented was accepted for deployment. PM

7. FINANCE

Debbie Came presented her report on the Financial Outturn in the six months to September 2009, which showed an underspend at the end of the period of £111,000, the most significant factor contributing to which had been the greater than expected number of staff vacancies.

A £84,000 shortfall in the efficiency savings planned for the second half of the year was anticipated. This would be offset by the current underspend so that a balanced outturn for the year end was forecast. Although a delay in implementation of the planned savings could be managed in this way, they would need to be in place by the end of the year if the 2010/11 Budget were to be safeguarded.

The delay in obtaining a contract from Essex County Council for the use of their recruitment service was noted.

8. REPORTS TO THE BOARD

8.1 SONNEX UPDATE

The Chief Officer presented her report on the progress made on the action plans to address issues raised by the Sonnex case.

It was confirmed that although there were no joint actions with other agencies, the relevant agencies were working closely together and there was an awareness and understanding of sequence and interaction issues.

8.2 IMPACT ASSESSMENT OF APPRAISAL POLICY

Sue Atkinson reported that an analysis of the staff who did not receive incremental progression as a result of deployment of the revised performance

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appraisal policy would be provided within the HR performance report at the next meeting. If those figures indicated a diversity issue, the policy would be subject to an impact assessment. SA

8.3 RECOGNISING SUCCESS WITHIN EPA

The Chief Officer presented her proposal, made in response to a previous request by the Board, to recognise success at LDU level. Performance figures for September were tabled.

It was proposed that the best performing and most improved LDUs should receive a letter from the Chair. It was agreed that this should take place quarterly and that the successful offices should also receive an emblem to be passed on to the new winners each quarter.

9. REPORTS AND MINUTES OF COMMITTEE MEETINGS

9.1 DIVERSITY COMMITTEE

It was noted that this committee had not met since the previous meeting of the Board.

9.2 AUDIT COMMITTEE

The Minutes of two meetings of the Audit Committee held on 29th September 2009 were noted.

The Chair of the Audit Committee reported that one Audit Report had been received relating to the internal audit of the accuracy of staff and offenders diversity information. An Adequately Controlled rating had been given and the three recommendations made in the report had all been implemented.

Peter Wilcock and Rob Everitt were due to attend Audit Committee training.

An additional meeting of the Committee had been scheduled for December to deal with any issues arising out of the Board's transition to Trust.

9.3 JNCC MEETING

The Minutes of meeting of the JNCC held on 28th September 2009 were noted.

9.4 HEALTH & SAFETY COMMITTEE

It was noted that this committee had not met since the previous meeting of the Board.

10. SIGNIFICANT DEVELOPMENTS AND FUTURE PRESENTATIONS

10.1 OMI2

Pete Mangan provided a verbal update on preparations for the Offender Management inspection. Key stakeholders had been selected and pre-evidence was due to be submitted by the 2nd November. Confirmation of the case list and Offender Managers for interview were expected to be received shortly.

Immediately following the inspection an initial findings meeting would be held with the Chair and Chief Officer and the final report would be presented to the Board in February.

11. PROBATION ASSOCIATION

11.1 PROBATION ASSOCIATION MEETINGS

Martin Bates reported on the Probation Association AGM which he had attended. The PA had reported a number of successes during the year but concerns were raised over pension deficit issues, in particular as a barrier to potential mergers, and the content of a letter from NOMS regarding financial delegation arrangements. The latter issue was being revisited by NOMS and the letter was expected to be revised and re-issued.

11.2 CHRISTINE LAWRIE

Christine Lawrie's resignation from her office as Chief Executive of the PA with effect from April 2010 was noted.

11.3 PROBATION ASSOCIATION REVIEWS

The Chair reported on the reviews which the PA were currently undertaking in relation to their constitution, vision and strategy.

It was agreed that great improvements had been made within the PA recently, as evidenced by, for example, their assistance in the transition to trust.

11.4 REGIONAL REPRESENTATIVE

The Secretary confirmed that she had submitted the Board's nomination of Adrian Heffernan as the East of England region's representative on the Board of the PA.

12. REGIONAL PROBATION TRANSITION BOARD MEETING

It was noted that the Regional Probation Transition Board had met twice since the previous meeting of the Board.

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Peter Wilcock reported on a meeting he had attended in September. The discussions had covered transition to trust, the Regional Training Consortium and Approved Premises review.

The Chair and Debbie Came had also attended a meeting last week. One key issue raised was how the Region would work together when not “managed” centrally.

The Chief Officer noted that she had found a recent meeting with a Chief Executive of an NHS Trust very insightful and it was agreed that she should be invited to present at a future meeting. MA

13. REPORTS TO THE BOARD FOR INFORMATION PURPOSE ONLY

None.

14. TRUST PROJECT GROUP UPDATE

14.1 PROGRESS REPORT ON TRUST TRANSITION PROJECT

Debbie Came presented a progress report on the Trust Transition Project, which had been produced prior to the project group’s meeting the previous week. It was noted that the project was on target.

14.2 APPOINTMENT OF BOARD MEMBERS TO THE TRUST

A summary produced by the Probation Association of the process for appointing Trust Board members, including the Chair and Chief Executive, was noted.

All existing Board members would, subject to recommendation by the Chair, be eligible for appointment to the Trust, however those Board members whose term of office was due to expire on 31st March 2010, would have any appointment to the Trust limited to 2013. The Secretary was asked to clarify whether the 10 year limitation applied to the combined number of years in office with both the Board and the Trust. BB

The Chair indicated his intention to recommend all Board members for appointment to the Trust, with the exception of Roger Lucking and Judge Gratwicke, the former for reasons noted above, the latter because the a Judge was no longer required to sit on the board of Probation Trust .

It was noted that the Chief Executive and Chair’s appointments were subject to

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interview with the DOM. Subsequent appointments for the position of Chief Executive would be made by the Trust Board.

15. URGENT BUSINESS

15.1 NATIONAL PROBATION AWARDS

The Chief Officer reported that two staff members, Neelam Pervez and Steve Knight, had been nominated for the awards. Steve Knight, an Offender manager from Grays had been shortlisted for the award and would attend the awards ceremony in London.

15.2 INCIDENT AT FELMORES

The Board were provided with a verbal report on the incident on 19th September 2009 at Felmore. The incident, during which a resident climbed onto the roof and caused damage both to the roof and staff cars parked below, was managed in cooperation with the police under business continuity plans.

The hostel was evacuated overnight whilst the offender was taken back into custody and emergency repairs to the roof carried out. A MAPPA report was expected next week.

The Board asked for their thanks to be passed onto the staff who had so successfully dealt with the incident.

The Chief Officer was asked to ensure that the Board, in particular the Chair, are briefed on any such incidents in future in a more timely way.

16. DATE OF NEXT MEETING

The next meeting will be held on Tuesday 1st December 2009 at 9.30am.

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Chair