
ESSEX PROBATION (THE 'TRUST')
MINUTES OF A BOARD MEETING HELD ON
TUESDAY 31ST AUGUST 2010 AT 9.30AM AT NEW
BRIDGE HOUSE, 60-68 NEW LONDON ROAD,
CHELMSFORD, ESSEX CM2 0PD

Members Present: Bill Puddicombe (Chair)
Mary Archer (Chief Executive)
Martin Bates
Terry Collin
Jo Durning
Rob Everitt
Richard Moore
Peter Sheldrake
Peter Wilcock
Tim Young

In attendance: Alex Bamber (Director)
Bernadette Barber (Board Secretary)
Robin Brennan (Director)
Debbie Came (Director)
Shirley Kennerson (Director)
Pete Mangan (Director)
David Messam (Director)

ACTION

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Carol Mellow and Sue Atkinson.

2. DECLARATIONS OF INTEREST

There were none.

3. MINUTES OF THE MEETING HELD ON 20TH JULY 2010

The Minutes of the meeting of the Board held on 20th July 2010 were agreed to be accurate and approved for signature by the Chair.

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4. MATTERS ARISING FROM MINUTES OF 20TH JULY 2010

The following matters arising from the Minutes of the Board meeting held on 20th July 2010 were noted:

- Work to quantify the resource implications for complaints handling was on going and the information would be reported when available, MA
- No letter had been prepared for Crispin Blunt's visit but pertinent issues had been raised during the visit and a paper summarising the Trust's views had subsequently been sent as requested. Copies of the paper were tabled,
- Parole Reports performance data inaccuracies continued to be pursued with NOMS. Some corrections had been agreed as a result of the representations made and the measure would not be included in the published PTRS until all the issues had been resolved,
- The risk of Sentencers' perceptions of the organisation being poor had been removed from the Risk Register. It was noted that there was now evidence that such perceptions were not as bad as previously feared,
- A request for Regional moderation of OMI2 ratings had been made and continued to be pursued,
- Board development proposals had been circulated. Responses were now awaited, SA/All
- The Code of Conduct was scheduled for deployment,
- Legal advice on the change of mileage rates was being sought. In the meantime, the PA had been notified that the approved policy would continue to be implemented, and
- A draft Schedule of criteria against which new business opportunities would be assessed by SMT before approval by the Chief Executive or, where appropriate, referred to the Board, would be reviewed by the Audit Committee, in particular against the NOMS Responsible Officer scheme of delegation, at the Committee's next meeting, and Audit Committee
- Rob Everitt had been unable to attend the postponed Health & Safety Committee meeting.

5. CHIEF EXECUTIVE'S REPORT

Mary Archer presented her report, noting that a review of probation services had been commissioned by the Government in preparation for

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the Green Paper expected in the Autumn. The visit from Crispin Blunt, during which he had been given an abridged version of the "Probation Experience", had been useful.

Work continued via the Probation Association on outstanding issues relating to certain details within the Trust Contract although progress was slow.

Specifications had been received in relation to certain Offender Management requirements and confirmation was required to be given by next month that the Trust was delivering to the specified standards. MA
A report would be provided to the next meeting.

Savings plans for the current year were being implemented and planning for next year would be started by the end of the month. Nothing would be ruled out in considering options to achieve the significant savings that might be required, however the outcome of the Comprehensive Spending Review would be awaited before finalising the 2011/12 plans.

Consultation on the content of the forthcoming MoJ Green Paper has started. Current indications were that greater emphasis on community justice, fewer short prison sentences and a reduction in the mandated conditions attached to orders would be supported.

The Chair reported that the Ministry of Justice had indicated that the maximum number of Board members for all Probation Trusts should be five. It was agreed that reducing the number of Board members so drastically would significantly compromise the effectiveness of the Trust's governance.

6. PERFORMANCE REPORT

Pete Mangan presented his report which included the Q1 2010/11 PTRS and July 2010 Essex Scorecard.

Despite some success in achieving corrections to the parole reports performance, the relevant data continued to be contested.

NS Offender Management performance was at its highest ever reported level but was based on 6 month old data and did not reflect the effect of more recent management focus on data accuracy. Further improvements in the reported performance were therefore anticipated.

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The DRR completion rate remained below target and the significance of this for overall performance was illustrated by the fact that just a 1% improvement would result in an overall green rating for Interventions. Training had been delivered on engaging and motivating drug misusers and other actions aimed at improving completion rates had also been undertaken in order to address the performance shortfall.

The pie charts included on the Scorecard were explained. Their purpose was to highlight where sub-optimum demand management resulted from inappropriate direction of resources or failure to action early revocations where possible. A further report on the management of demand including trend data would be provided to the November meeting. PM

The recognition of Essex in the DOM's report for 2008/09 as the most improved area in terms of changes in sentencing trends, reducing the use of custody and increasing the use of suspended sentences, community orders and fines, was noted. Although some of the change might be attributable to external influences, given that all areas were subject to those same influences, it was reasonable to conclude that a proportion of the improved performance resulted from the actions taken by the organisation.

The need for some mechanism for understanding the comparative performance of the LDUs was raised given that performance data at LDU level was no longer provided. It was recognised that, whilst the Trust was judged on overall performance, Board members were representatives of the communities within Essex from which they were drawn and accordingly it might be appropriate for some LDU-level performance information to be provided. It was agreed that this issue should be further discussed at the Board's October strategy session. WP

The Diversity issues covered in the report, which would be considered by the Diversity Committee, were noted together with the HR performance issues reported for Q1.

7. OFFICERS' REPORTS TO THE BOARD

7.1 CENTRAL POLICY UPDATE

Pete Mangan presented his report.

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It was agreed that the listed, policies, set by NOMS, should remain unaltered until their revision by the Centre or for a further two years, whichever is the earlier.

7.2 FINANCE REPORT

Debbie Came presented her oral report on the financial position as at 31st July 2010. No significant changes had occurred since the end of Q1, with the underspend now at £43,000 and no amendment made to the forecast outturn.

The £100,000 overspend underwritten by the DOM's office in recognition of the underfunding of Essex compared to other Trusts was believed to still be available.

8. REPORTS AND MINUTES OF COMMITTEE MEETINGS

8.1 DIVERSITY COMMITTEE

It was noted that this Committee had not met since the last Board meeting.

8.3 AUDIT COMMITTEE

It was noted that this Committee had not met since the last Board meeting.

8.3 JNCC MEETING

It was noted that this Committee had not met since the last Board meeting.

8.4 HEALTH & SAFETY MEETING

The Minutes of the meeting of the Health & Safety Committee held on 5th August 2010 were noted. Two typographical errors were raised.

9. SIGNIFICANT DEVELOPMENTS AND FUTURE PRESENTATIONS

9.1 INTEGRATED OFFENDER MANAGEMENT PROPOSALS

It was reported that a decision had been taken not to produce a final report on the IOM scoping exercise for presentation to the Criminal Justice Board.

Kate Sale was now in post to take the IOM project forward and had written to the Community Safety Partnerships. Governance arrangements and a structure to work with such partners would be put in place and a project plan drawn up which would be made available to the Board.

AB

9.2 PROPOSED COURT CLOSURES CONSULTATION

David Messam presented his report outlining the issues in relation to the proposed closures of Courts in Grays, Harlow and Epping. Responses to the consultation were due to be submitted by 15th September 2010.

The potential impact on Court attendance including for breach proceedings and the resultant possible reduction in programme completions was discussed. Of particular concern was the closure of Harlow Magistrates' Court with travel from the Harlow area to Chelmsford by public transport being particularly difficult.

Following an in depth discussion it was agreed that the Chair and David Messam should prepare the Trust's response to the consultation, addressing in particular that:

- the geographical organisation of LDUs is based around Court locations,
- the proposed closures appear inconsistent with the localism and speedy justice agendas,
- the proposals do not deal with the future of the domestic violence court at Grays,
- issues such as ease and cost of public transport might disproportionately affect court attendance rates by offenders,
- more serious disposals are more likely to occur in cases of non-attendance,
- clarity is needed on the data upon which the proposals are based and the cost/benefit analysis carried out, and
- an ability to attend at the nearest Court, even where that Court was outside of the County boundary might alleviate some issues.

It was agreed that the response would be circulated to Board members.

WP/DM

10. EXCLUSION OF THE PRESS AND PUBLIC

It was resolved at 11.20am to exclude the press and public from the remainder of the meeting due to the confidential nature of the matters to be discussed.

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Chair