
ESSEX PROBATION (THE 'TRUST')
MINUTES OF A BOARD MEETING HELD ON
TUESDAY 23RD NOVEMBER 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
Carol Mellow
Richard Moore
Peter Sheldrake
Peter Wilcock
Tim Young

In attendance: Sue Atkinson (Director)
Alex Bamber (Director)
Bernadette Barber (Board Secretary)
Debbie Came (Director)
Shirley Kennerson (Director)
Pete Mangan (Director)
David Messam (Director)
Lynne McKay (Manager Communications – items 1 – 3 only)

ACTION

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Robin Brennan.

2. DECLARATIONS OF INTEREST

Bill Puddicombe declared an interest in the Essex DAAT.

3. PROBATION EXPERIENCE FEEDBACK

Lynne McKay gave a presentation on community engagement and in particular feedback from the Probation Experience and plans for that programme's future developments.

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The Board welcomed the comprehensive presentation. Following some discussion it was agreed that:

- the draft community engagement strategy, in particular the strategy for engaging with sentencers, should be presented to a future meeting and incorporated into the business plan, MA
- engagement with 17/18 year olds should extend beyond VI Forms to colleges,
- Board members could be used as a community engagement resource, and
- The Probation Experience feedback report should be made available on the website and also sent to Crispin Blunt. MA

4. MINUTES OF THE MEETING HELD ON 12TH OCTOBER 2010

The Minutes of the meeting of the Board held on 12th October 2010 were agreed to be accurate and approved for signature by the Chair.

5. MATTERS ARISING FROM MINUTES OF 12TH OCTOBER 2010

The following matters arising from the Minutes of the Board meeting held on 12th October 2010 were noted:

- A message had been issued to staff reassuring them ahead of the budget savings announcement ,
- The safeguarding children section in the business plan had been reworded,
- Following further consideration of the Discipline and Capability Policy and Ill-Health Capability Policy, it was confirmed that two Board members would sit on Appeals panels but that steps would be taken to reduce the number of Appeals, including requiring staff to notify in advance the grounds on which their Appeal was to be made,
- The cost of using the Essex Legal Services building for Board meetings was confirmed as £200 plus £20 per round of refreshments. This would be used as the benchmark. All venue suggestions were to be sent to Claire Holland as soon as possible in order for booking to be made for 2011. In particular suitable Council offices were to be considered. ALL/MA

In addition to the above, a revised proposal from the Board Secretary for the 2011 meetings schedule was presented and discussed. The meeting scheduled for 3rd May 2011 was likely to prevent attendance by some Board members, given the proximity of the date to the local elections.

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This meeting date could not be changed however as it was determined by reference to the date on which approval of the annual accounts was required. The 2011 Board meeting dates as presented were agreed, subject to the agenda for the May meeting being kept as brief as possible to minimise attendance problems. BB

6. FORMATION OF THE BUSINESS PLAN WORKING GROUP

It was agreed that any board member willing to be part of this group should express their interest to the Chair no later than the end of this month, following which the group would be formed by Wednesday 8th December 2010. ALL/BP

7. CHIEF EXECUTIVE'S REPORT

Mary Archer presented her report, noting that the budget savings announced had not been as drastic as originally feared, being 10% over four years in absolute terms. The first year's cuts however would be the most severe, at 5%, with the remaining 5% required over the following three years.

No redundancies were anticipated at this stage and further detail would be provided as planning progressed. A correlation between the current good levels of staffing and recent improvements in performance could clearly be drawn and any squeeze on staffing levels was likely to jeopardise effective delivery of the Trust's services. Contact negotiations would take place in January and February using the Trust application as the baseline. The savings targets announced were regional figures and there was potential for the Trust to negotiate a better position within the overall Regional budget. If moves to cut the number of custodial sentences went ahead, it was possible that Probation might pick up some of the funding which would accompany the alternative measures. However it was also clear that other organisations might be selected to deliver those alternatives and Probation would by no means be the automatic recipient of any funds diverted away from the Prison service.

Further details on the payment-by-results pilots were awaited. It was noted that two drug-treatment pilots were expected to be put out to tender in December.

It was also agreed that the Chair should write on behalf of the Board to congratulate the two Essex Probation staff members who had been BP

successful at the National Probation Awards.

8. PERFORMANCE

8.1 PERFORMANCE REPORT

Pete Mangan presented his report which included the draft Q2 2010/11 PTRS and draft October 2010 Essex Scorecard. The timings of the 2011 meetings should ensure that future reports were based on final data, rather than draft. In particular it was noted that:

- Measure 4 (Generic Parole Process), which had been contested, was no longer included in the PTRS and had been removed from the performance data Hub,
- the performance in Measure 13 (ODR/FDR as a proportion of Court reports) had been broken down between Magistrates and Crown Courts. A significantly higher proportion of full reports would always be necessary in the latter,
- Measure 22 (DRR completion rate) was below target but a request had been made to the DOM for an in-year adjustment in order to take account of the change in external factors, and
- Further explanation of Measures 34, 35 and 36 would be presented later in the meeting.

The improvements in performance were welcomed but it was noted that continued focus was required in order to prevent any lapse in standards.

The HR performance data was also presented. Staff turnover and sickness absence were both down on the previous quarter. It was requested that the statistic on objectives 'not met' was clarified in the report. Better use of the Identicom system was noted and it was also reported that the Most Improved and Best Performing LDU was West Essex.

8.2 DASHBOARD OF KEY INDICATORS

The Q1 report, which had been unavailable at the last meeting, was noted. Further discussion of these indicators would take place at the next meeting when more up-to-date information was available.

9. OFFICERS' REPORTS TO THE BOARD

9.1 FINANCE REPORT

Debbie Came presented her report. The £211k underspend at the end of September was not forecast to continue, with the previous £50k overspend full-year projection still believed to be accurate. In particular,

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a refund of Estates savings following the Cullen Mill office closure last year was now unlikely be received. The question of how this refund could be pursued was debated. Debbie Came confirmed she had written to the DOM to protest and would also include this as a factor in next year's contract negotiations, however more robust action was not feasible.

The inclusion of Appendix C, which set out identified savings, in the public part of the meeting was questioned due to the sensitive nature of the information. It was agreed that this data would, in future, only be disclosed in the confidential part of the meeting. It was also agreed that Board members should be provided with a reminder at a future meeting of the system of protective markings.

DC

PM

9.2 PENSION FUND REPORT

Debbie Came presented her report on the current issues arising from the review of the Local Government Pension Fund. The Audit Committee had considered the issue and a response to the funding strategy consultation had been submitted. It looked likely that employer contributions would be kept at the current level but for an extended term of 24 years in order to eliminate the deficit. The Audit Committee would keep the issue under review. In the longer term, a more sustainable pensions strategy was likely to be required. Assumptions arising from the Pensions Review would be incorporated into the next Fund valuation.

9.3 DEMAND MANAGEMENT REPORT

Pete Mangan and David Messam presented their report which explained Measures 34, 35 and 36 on the Essex Scorecard, monitoring the number of low-risk offenders recommended for intervention or given a sentence involving an intervention and also the proportion of early terminations. The purpose of this monitoring was to review whether recommendations were appropriate to the offender, whether sentencing reflected probation recommendations and whether early terminations were being made where possible. Monitoring these Measures provided information about the extent to which intervention resources were being directed to those offenders most likely to reoffend without the benefit of the intervention as well as the extent to which early revocations were being used to reduce caseloads where appropriate.

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It was recognised that interventions for some offenders with a computer-generated OGRS score less than 31 would be appropriate and so there would always need to be an element of human judgment. This was checked by managers at LDU level to ensure that, where a recommendation had been made for an intervention for an offender whose OGRS score was less than 31, this was appropriate to the individual. Sentencer engagement was being used to convince the Courts of the sense of diverting resources away from interventions for offenders where a fine or conditional discharge, for example, would be more effective, and it was essential that this communication was backed-up with robust evidence.

9.4 SFO REPORT

Pete Mangan presented the report prepared by Georgina McGeehan, Manager Operational Investigations, which covered SFOs reported in the six months to 30th September 2010 and also outlined the review process undertaken.

21 notifications had been received in the period of which ten were high risk cases or grave offences and so were required to be reviewed. These statistics were in line with national statistics. There were no MAPPA cases.

Resource levels had presented some challenges and had impacted the deployment of learning points and actions plans and this was being addressed by providing assistance from another staff member when needed to deal with peaks in workload. The high level of submitted reviews which were rejected was also being examined. Other problems had occurred in particular with the transfer of cases from the Youth Offending Service and this has been addressed through the introduction of a new protocol. The effective implementation of this protocol would be kept under review.

The format of the report was confusing and it was agreed that the format would be reworked before it was next issued. PM

9.5 STAFF SURVEY RESULTS

Sue Atkinson presented a summary of the results of the staff survey. The response rate, at 63.3%, was lower than in previous years, perhaps a result of the use of an on-line survey tool for the first time. The most positive score was received for Managing Diversity and the lowest score

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for Managing Change.

The results of the survey would be shared with staff and the Unions and used to develop LDU Action Plans which would be managed through PAM. The Action Plans would be presented to a future meeting. SA

9.6 RACIALLY MOTIVATED OFFENDERS POLICY

It was noted that the Racially Motivated Offenders Policy had been incorporated into the Offender Management Policy.

9.7 VICTIM SERVICES POLICY

The draft policy was tabled and presented by Pete Mangan. The Policy emphasised that victim services was not just the responsibility of the Victim Contact Unit, but that Offender Managers also had a role to play and were responsible for incorporating victim work into the risk assessment.

The draft Policy was approved for deployment, subject to any further amendment which might arise from the Impact Assessment process. PM

9.8 SUSTAINABILITY POLICY

The draft policy was noted and approved for deployment, although DC given the lack of control the Trust had over its own Estates, the Policy was limited in its scope.

A discussion regarding the increasing importance of such policies and expectation of third parties for such policies to exist followed. The Policy would be further developed in due course and brought back to the Board for re-approval.

10. REPORTS AND MINUTES OF COMMITTEE MEETINGS

10.1 DIVERSITY COMMITTEE

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

10.2 AUDIT COMMITTEE

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

10.3 JNCC MEETING

The Minutes of the JNCC meeting held on 8th November 2010 were

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noted.

10.4 HEALTH & SAFETY MEETING

The Minutes of the meeting of the Health & Safety Committee held on 14th October 2010 were noted.

10.5 TRUST FUND BOARD MEETING

The Minutes of the Trust Fund Board meeting held on 12th October 2010 were noted.

11. SIGNIFICANT DEVELOPMENTS AND FUTURE PRESENTATIONS

There were none.

12. PROBATION ASSOCIATION

The Chair reported that the next Council meeting was due to be held later in the week.

A House of Lords reception was to be hosted tomorrow which the Chair and Chief Executive would attend. Various MPs and Peers had been invited.

13. REPORTS TO THE BOARD FOR INFORMATION PURPOSES

13.1 2011 MEETINGS SCHEDULE

The full schedule of meetings for 2011 was tabled and agreed.

13.2 WEST ESSEX LDU

Shirley Kennerson presented her report on the context and performance of this LDU, highlighting in particular the issue of cross-border offending and the impact of having Stansted Airport within the LDU's area.

Changes introduced to how the LDU's administration staff operated by a new manager had improved processes and systems and team working.

The next stage was for the LDU staff to be further divided into teams covering Uttlesford, Epping and Harlow. Cases would be transferred over on a phased basis into these smaller teams.

The Board congratulated the West Essex LDU on its improved performance.

It was agreed that future reports on LDUs would be considered earlier in the BB relevant meeting so as to give more time to the item. In future reports, greater detail on the interface between partners and sentencers was SMT

requested.

14. URGENT BUSINESS

There was none.

15. EXCLUSION OF THE PRESS AND PUBLIC

It was resolved 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