
ESSEX PROBATION (THE 'TRUST')

MINUTES OF A BOARD MEETING HELD ON TUESDAY 6TH SEPTEMBER 2011 AT 10.00AM AT COLCHESTER TOWN HALL, COLCHESTER, ESSEX CO1 1FP

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

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

ACTION

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Pete Mangan.

2. DECLARATIONS OF INTEREST

No interests in relation to the business of the meeting were declared.

3. RESIGNATION OF BOARD MEMBER

The resignation of Peter Sheldrake was noted. The Interim Chair confirmed that he had thanked Peter on behalf of the Board for his contribution whilst in office.

4. MINUTES OF THE MEETING HELD ON 26TH JULY 2011

The Minutes of the meeting of the Board held on 26th July 2011 were agreed to be accurate subject to the following amendments:

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- Item 11.1 – ‘by the PA’ to be added after the words ‘to NOMS’ and the third sentence to be deleted,
- Item 14.2 – spelling of ‘Colin’ to be corrected in the first paragraph.

Subject to these amendments, the Minutes as presented were approved for signature by the Interim Chair.

5. **MATTERS ARISING FROM MINUTES OF 26TH JULY 2011**

The report detailing the matters arising from the Minutes of the Board meeting held on 26th July 2011 was noted and updates on matters not dealt with elsewhere on the agenda provided as follows:

- It was noted that Louise Rimmer would be issuing invitations on behalf of the Interim Chair to all NOMS Directors to visit the Trust. The action was carried forward, TY
- The unacceptability of the late changes to the NOMS accounts template had been made clear at the recent Contract Review meeting. The necessity for the 2010/11 ‘overspend’ to be recognised as an accounting technicality that should not impact performance had also been also robustly communicated,
- Appendix A of the Partnership Policy & Strategy was still to be circulated, AB
- The Partnership Policy & Strategy, Maternity, Paternity & Childcare Leave policy and the Health & Safety policy changes had all been deployed,
- The Trust’s response to the competition strategy review had been prepared.

It was also reported that the proposed reduction in the pay protection period to one year was the subject of a consultation and would be discussed at the next JNCC meeting.

6. **CHIEF EXECUTIVE’S REPORT**

Mary Archer presented her report, noting in particular that the current year Budget was being successfully managed in accordance with the plan. The Government’s response to the Green Paper had been published although no timescales had been announced.

A question was raised about opportunities to influence Police policy on the issuing of cautions and the impact of those policies on Probation. Mary Archer confirmed that no excessive use of cautions had been noticed but undertook to query the Police’s policy with them.

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Felmores continued to be the subject of a number of articles in the Echo. The Trust's position was clear. In line with Crispin Blunt's stance, the option to move the Approved Premises was subject to an alternative suitable premises being identified. No such option was likely to be available in the short to medium term. Mary Archer was engaging with District Councillors and was attempting to pull together a wider local liaison group.

7. LDU PRESENTATION – SOUTH EAST ESSEX AND SOUTHEND

Robin Brennan delivered his presentation about the South East Essex and Southend LDU addressing such aspects as performance, premises and the Stepping Stones sentence planning pilot which was aimed at ensuring work with offenders was well directed and disciplined. The pilot was going well and the approach had been positively received by both staff and offenders.

Tim Young observed that he had visited the LDU and had been impressed by the quality of the local management team. Other Board members were invited to arrange visits to the LDU through Robin Brennan or to an UPW site through Pete Mangan.

The difficulties with the LDU's premises were discussed. The indirect nature of the Trust's relationships with its landlords was not helpful and, furthermore, budget pressures threatened to jeopardise essential repairs. The Chief Executive agreed to provide a fuller report on premises issues, which were not restricted to the offices in Southend, at the next meeting. MA

8. RISK APPETITE AND RISK REGISTER

Debbie Came presented her report, noting that the Risk Appetite and Risk Register had been reviewed by the Audit Committee at its last meeting. Only one risk, that of an SFO by a MAPPa monitored case, had been identified as 'Critical'. The Audit Committee had asked however to receive a report on business continuity, a risk which was not covered by the current risk register. This would be done at the Committee's next meeting. Suggestions of any further risks not already listed were invited.

The Risk Appetite as set out in the report was confirmed and the Risk Register, following review, was approved.

Tim Young reported that he had met with the Chief Constable in his

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capacity as a local councillor and had suggested he meet again with the Chief Executive to reconfirm both organisations' commitment to Integrated Offender Management (IOM) following the announcement of the Essex Police restructuring. IOM specialisms had been retained within the new Police structure and the joint appointment of Kate Sale also remained secure. It was agreed that Kate Sale would present an IOM update to the Board at its next meeting. MA

9. OFFICERS' REPORTS

9.1 FINANCE REPORT

Debbie Came presented her report, which it was noted would be supplemented by further confidential detail in Part 2 of the meeting as suggested by the Audit Committee.

The overspend at the end of July was £26k but there was confidence that a balanced position would be achieved at the year end. As such, it had been possible to make the appointment of staff on fixed term contracts permanent.

9.2 HEALTH & SAFETY POLICY

Sue Atkinson presented her report which noted changes to the Health & Safety policy. The revisions had been reviewed by Peter Sheldrake. It was noted that the deployment process for these minor amendments was proportional to the scale of the changes made.

The amended policy was approved for deployment. SA

9.3 JOINT AGREEMENT ON WORKLOAD MANAGEMENT AND STAFF CARE AGREEMENT

Sue Atkinson presented her report which included the Joint Agreement on Workload Management and Staff Care updated to reflect the new Workload Tool. The new workload tool enabled a more sophisticated and accurate prediction of workloads to be made. The proposed agreement would be presented to the forthcoming JNCC meeting.

Subject to presentation of the Agreement at JNCC, the proposed Agreement was approved.

9.4 PERFORMANCE REPORT

In his absence, Mary Archer presented Pete Mangan's report, highlighting in particular the key issue of the Oasys quality assurance

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measure which was currently below target and jeopardising the overall PTRS Rating. Significant improvements had been made but further work was required in order to achieve the necessary target and protect the Trust's performance rating. In order to develop a better understanding of the measure, a more in depth discussion and explanation would be required which could not be provided within the meeting. It was therefore agreed that Jo During should explore the issue in a more in depth manner with Pete Mangan outside of the meeting. JD

It was confirmed that Colin Allars had determined that the impact on performance of the OMI2 rating would not be altered.

The significance of the OM21 figure reported of 2.8% was queried. It was confirmed that this was a measure of the extent to which reoffending had been reduced. The 'No' next to it referred to the fact that this figure was not statistically significant. A report would be published later in the year regarding the measurement of reductions in reoffending.

Sue Atkinson presented the HR section of the performance report. Staff turnover was lower than the previous year, with high rates of staff stability. Sickness absence had been reduced. The breakdown of disciplinary and grievance cases was reported and discussed. The majority were ill-health related reflecting the organisation's better management of such cases.

9.5 ANNUAL SAFEGUARDING REPORT

Alex Bamber presented his report on the Trust's safeguarding children performance during 2010/11. It was noted that the Safeguarding Children's Board had eliminated its significant backlog of Serious Case Reviews.

The changes to safeguarding practice to be made following publication of the Munro report were also outlined. In essence, bureaucracy was to be reduced with greater emphasis on empowering staff to use their professional judgment in the management of cases.

It was noted that action to enhance the ability of the Trust to gather relevant data on its safeguarding activities and to report meaningfully on those activities was underway. The proposed enhanced suite of data and confirmation of the data which could be gathered at the current

time were set out in appendices to the report.

10. REPORTS AND MINUTES OF COMMITTEE MEETINGS

10.1 AUDIT COMMITTEE

The Minutes of the Audit Committee meeting held on 2nd August 2011 were noted. Richard Moore reported that the report on the MAPPA audit had rated the arrangements as Amber/Green. The recommendations made in that report, including those not accepted or only partially accepted by management, had been reviewed and discussed by the Committee.

The Committee had also considered what level of financial reporting detail was appropriate to make public in Part 1 of Board meetings and what detail should be restricted to Part 2 due to commercial sensitivity. In summary, headline figures would be reported in Part 1, with more detailed analysis reserved for Part 2. This recommendation was agreed.

The Committee had also reviewed its quorum and membership and had agreed that a recommendation be made to the Board to retain existing membership and other arrangements. This recommendation was agreed.

The Audit Committee's Annual Evaluation Report for 2010/11 was tabled. Some minor corrections would be required and these would be made prior to providing a final copy to board members for information. RM
The draft as tabled was noted.

10.2 DIVERSITY COMMITTEE

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

10.3 JNCC MEETING

The Minutes of the JNCC meeting held on 28th July 2011 were noted.

Replacement of Peter Sheldrake, who had represented the Board at the six monthly JNCC meetings when Board presence was required, was considered. The Chief Executive and Chair were also invited to those meetings. After discussion, it was agreed that Richard Moore, Rob Everitt and Jo Durning would form a pool of available directors from which one or two would be drawn to attend each meeting.

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10.4 HEALTH & SAFETY MEETING

It was noted that the Health & Safety Committee had not met since the last Board meeting.

It was noted that a replacement was required to take over Peter Sheldrake's previous role as the Board member with responsibility for Health & Safety. It was agreed that Peter Wilcock be appointed to this role.

10.5 CONTRACT REVIEW MEETING

It was reported that the notes of the Contract Review Meeting held on 9th August 2011 had not yet been provided by NOMs and would be presented to the Board in due course.

11. SIGNIFICANT DEVELOPMENTS AND FUTURE PRESENTATIONS

11.1 ESSEX POLICE REFORM

Mary Archer provided an oral update on the announced restructuring of Essex Police. Board members had also been circulated with a copy of the full announcement 'The Future of Operational Policing in Essex'.

Policing would be managed on a functional rather than geographical basis. Notwithstanding this, once individual police appointments were confirmed, local LDU managers would have links to named police at local level.

The impact of police station closures on those required to report daily to a police station was queried. An increased failure to meet such conditions would potentially have an impact on Probation.

12. PROBATION ASSOCIATION

The Probation Association annual review was tabled. The Interim Chair noted that he would attend the Probation Association's AGM and council meeting next week.

13. REPORTS TO THE BOARD FOR INFORMATION PURPOSES

13.1 FEEDBACK FROM OMNI WORKING GROUP

Rob Everitt presented his summary of a recent OMNI working group meeting he had attended. A review was underway to devise and implement appropriate SLAs into the current contract with Steria. The Future IT Strategy (FITS) was also being considered with a view to improving Trusts' IT infrastructure and rationalising local IT arrangements. FITS was planned to be outsourced once finalised. It was noted that centralised IT arrangements

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were often inefficient and wasteful and that more local autonomy was likely to be preferable, however this was not the group's current direction. The Board endorsed Rob Everitt's continued involvement in the working group.

14. URGENT BUSINESS

There was none.

15. EXCLUSION OF THE PRESS AND PUBLIC

It was resolved at 11.50am 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