

**MINUTES OF A MEETING OF THE BOARD OF CHESHIRE PROBATION TRUST
held on 18 FEBRUARY 2011 at Cheshire Area Headquarters, Beech House, Park
West, Sealand Road, Chester**

PRESENT: L Robinson (Chair)
A Cossins, Chief Executive
A Backhouse
M Darby
J Eccles
R Howarth
Y McLean
J Miller
M Roberts

OFFICERS: D Bryan, Secretary
C Evans, Assistant Chief Executive/Treasurer
M Orrell, Assistant Chief Executive
K Thornden, Assistant Chief Executive
J Jones, Minutes Secretary

There were no members of the public present at the meeting.

The Board Chair welcomed everyone to the meeting in particular Angela Cossins, Chief Executive, to her first meeting of the Board.

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. PROCEDURAL MATTERS

2.1 DECLARATION OF INTERESTS

No declaration of interests given.

2.2 MINUTES

J Eccles requested that the Minutes of the meeting held on 19 November 2010 reflected the fact that he had presented the draft minutes of the Health and Safety Panel to the Board.

RESOLVED:

That, subject to the above amendment, the Minutes of the meeting of the Board of Cheshire Probation Trust held on 19 November 2010 be confirmed as a correct record.

2.3 MATTERS ARISING & REVIEW OF ACTIONS

All actions completed or in hand for future dates.

2.4 OTHER PROCEDURAL MATTERS

There were no other procedural matters.

3. CHAIR'S REPORT

3.1 The Chair's verbal report to the Board covered the following issues.

Probation Association:

- The Chair attended a Council Meeting in January at which there had been a wide ranging discussion about the PA's stance in relation to forthcoming pay negotiations. Trusts are legally obliged to give access to progression but what that is will vary from year to year in accordance with national settlements. There is no legal entitlement for a cost of living increase. The Trade Unions have submitted a pay claim but the Chair stressed that the Trust needs to be making the minimum offer possible. There is an appetite nationally for modernising the pay and remuneration packages and the PA will develop a three-year settlement to see if this can be achieved.
- The future shape of the PA is under consideration following the survey carried out in 2010. A note of the key decisions taken by the PA Board had been included in the papers for the meeting.
- Sebert Cox, PA Chair, has accepted an invitation to attend the June Board Meeting.

September Board Meeting:

- It is proposed to extend the Board Meeting on 9 September to make it a whole day event with the purpose of looking forward at the direction and strategy of Cheshire Probation Trust.

Offender Management Inspection 2:

- Preparations are well in hand for the inspection, the field work for which will take place week commencing 9 May.
- Consideration needs to be given to Board engagement in the inspection. This will be looked into and reported back to the Board at the meeting on 25 March.
- The publication date for the report is 8 August but it is expected that a draft will be available before the Board meeting on 10 June.
- The lead OMI 2 Inspector has been invited to attend the Board Meeting on 9 September to provide feedback to the Board.

Director of Offender Management:

- The Chair and Chief Executive had met with Caroline Marsh, Director of Offender Management, on 16 February for a routine meeting. She had no significant matters to raise.
- The Director of Offender Management post will cease to exist at the end of March 2011. It is still not known what structures there will be to manage the contracts but it is expected that Colin Allars, the newly appointed national Director for Probation and Contracted Services, will provide further detail.

3.2 Annual Subscription to Probation Association:

The annual subscription to the PA has been limited to a sum reflecting changes in the individual budget of Trusts. Trusts' overall budgets have been reduced by approximately 5% compared with 2010-11 and Cheshire's subscription to the PA for 2011-12 of £19,346 represents a reduction of 4.9% on the previous year's subscription.

RESOLVED: that

- (1) The Chair's verbal report be received;
- (2) The Board Meeting on 9 September be extended to an all day event;
- (2) A report on Board Member engagement in the Offender Management Inspection 2 be presented to the Board at its meeting on 25 March;
- (3) The subscription to the PA for 2011-12 of £19,346 be approved.

4. CHIEF EXECUTIVE'S REPORT

The Chief Executive wished to thank everyone for their support since her arrival in Cheshire, in particular Jackie Jones, Personal Assistant. She had received a warm welcome from staff and Criminal Justice and wider partners she had met.

The Chief Executive is a keen supporter of the *Local Crime: Community Sentence* initiative and would encourage Board Members to identify any suitable opportunities for presentations. In response to a query from A Backhouse, it was confirmed that there is now engagement in the initiative from Magistrates on the Macclesfield Bench.

Representatives from the Director of Offender Management's office had visited Cheshire West Local Delivery Unit (Jupiter House) and very positive feedback had been received.

The Chief Executive outlined her understanding of the changes taking place as part of the NOMS Headquarters structural review. Further information will be available in the new business year.

The Chair and the Chief Executive are engaged in discussions regarding the proposed review of regional structures and governance arrangements. A further update will be available for the Board at its meeting on 25 March.

RESOLVED:

That the Chief Executive's report be received.

5. PANELS**5.1 AUDIT COMMITTEE**

R Howarth, Audit Chair, presented the draft minutes of the Audit Committee meeting held on 29 October.

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With regard to item 2.8 (vii) Commissioning, a further discussion will be held at the Audit Committee meeting on 25 February to identify what input would be needed to enable the Board to have an informed discussion on the subject at the extended Board Meeting on 9 September.

With regard to item 2.4 (iii) Fraud Training, it is hoped that training on fraud awareness will be provided from the Centre for the Audit Committee at no cost to the Trust. CPE will take this forward and it was agreed that attendance at the half-day event will be broadened to include all Board Members and key Officers who are not members of the Audit Committee.

In response to a concern raised by J Eccles regarding management rejection of audit recommendations, R Howarth said that this was a very rare occurrence.

RESOLVED: that

- (1) The draft minutes be received;
- (2) A half-day Fraud Awareness training event be organised and invitations extended to key Officers and Board Members.

5.2 JOINT NEGOTIATING AND CONSULTATIVE COMMITTEE

J Miller, Lead Board Member, presented the draft minutes of the JNCC meeting held on 28 January 2011. The Board was concerned to note that steps had to be taken to ensure the Committee was quorate in the absence of Staff Side representatives. C Evans, Assistant Chief Executive, is taking up with the Trade Unions the need for advance notification if representatives are unable to attend the meeting and, at the Board Chair's request, will stress the need for strong Union representation as the Trust goes into the future. The Board Chair suggested that consideration be given to non-union staff representation on the Committee.

The revised Constitution, which is based on a national model and is effectively the Terms of Reference of the Committee, had been approved at the meeting but it was agreed that this will be brought to the next meeting of the Board for information.

RESOLVED: that

- (1) The draft minutes be received;
- (2) The JNCC revised Constitution be brought to the Board Meeting on 25 March for information.

5.3 HEALTH AND SAFETY

J Eccles, Lead Board Member, presented the draft minutes of the Health and Safety Panel Meeting held on 24 January 2011. He reported that with regard to incidents of threats to kill aimed at members of staff, he had been satisfied with assurances given in respect of robust overseeing arrangements and asked the Board to note item 7 regarding Office Noise.

RESOLVED:

That the draft minutes be received.

5.4 DIVERSITY

Y McLean, Lead Board Member, presented the draft minutes of the Diversity Panel Meeting held on 17 November 2010 and provided a verbal report from the meeting held on 16 February 2011. Everything is on target for both the 3rd quarter review of the Single Equality Scheme and the Women Offenders Action Plan.

K Thornden-Edwards, Assistant Chief Executive, reported that it is proposed to expand the SAFE (Specified Activity for Female Empowerment) Requirement to Cheshire West and Warrington in the next financial year. This is already in place in Cheshire East and Halton. Take up and compliance in both LDUs have been good and a comparison with figures for the same quarter 2010 shows a significant reduction in the number of women sentenced to short term custody. A report providing more detail on the implementation of this sentence will be brought to a future meeting of the Board.

Board Members asked if this good news story is to be given publicity and K Thornden-Edwards confirmed that media coverage is planned locally in Halton. The Chief Executive also confirmed that the subject of communications is currently being given the highest priority.

RESOLVED: that

- (1) The draft minutes be received;
- (2) The verbal report of the meeting held on 16 February be received;
- (3) A report proving more detail on the implementation of the SAFE Requirement be brought to the Board;
- (4) Attention be given to promoting awareness of the SAFE Requirement with stakeholders and the wider public.

6. AREA PERFORMANCE

6.1 3rd QUARTER OPERATIONAL PERFORMANCE REPORT 2010/11

The report documented performance for the period April – December 2010 and provided evidence of current workloads and progress against the Strategic Aims. With regard to Table 2, Performance Indicators not being achieved, n/a indicates that comparison figures with the previous year's performance are not available as these measures are new for this year. K Thornden-Edwards, ACE, gave an explanation around PPOs in Halton and the very specific economic and policing characteristics affecting performance against Performance Indicator NI 30. It is hoped that Integrated Offender Management, which was introduced in Halton in November 2010, will impact on the figures. It is expected that the number of measures being reported on will reduce significantly in the coming year.

RESOLVED:

That the report be received.

6.2 3rd QUARTER HUMAN RESOURCES REPORT 2010/11

C Evans, Assistant Chief Executive, presented the 3rd Quarter Human Resources report to the Board. Sickness absence increased in November and December, mainly due to 'flu related illnesses which in some cases spread across a team. There have, however, been significant drops in both short-term and long-term absences in January. 'Flu vaccinations are offered to all staff but take up is low. A number of ways of increasing take up by staff were suggested.

RESOLVED: that

- (1) The report be received;
- (2) How the Trust promotes 'flu vaccinations with staff be reviewed.

7. FINANCE**7.1 3rd QUARTER FINANCE REPORT 2010/11**

C Evans, Assistant Chief Executive, presented the report and briefed the Board on PREview, the national costing methodology which calculates unit costs for comparative purposes. Figures have only recently been received and a report will be brought to a future Board Meeting when results are available from a review of the figures.

Indicative figures for the 2011/12 budget have been received which are better than expected but show the expected reduction of approximately 5%.

In response to concerns raised by Board Members, C Evans provided the reasoning behind the purchase of two 'pool' cars in Cheshire East and K Thornden-Edwards gave a brief update on the restructure being taken forward in the Approved Premises.

The Board Chair thanked C Evans for her extremely clear report.

RESOLVED:

That the report be received.

8. BUSINESS PLAN 2011/12

The Chief Executive provided assurance that the process for the development of the Business Plan is being taken forward in line the general approach and timetable approved by the Board. The Plan will be taken forward at a Strategic Management Team Planning Day scheduled for 8 March following which it will be discussed and reviewed at an Area Management Team meeting on 16 March 2011. The Business Plan 2011/12 will be presented to the Board for approval at its meeting on 25 March 2011 and C Evans, ACE/Treasurer, will endeavour to include the budget figures if timescales permit.

RESOLVED:

That the report be received.

9. COMMUNITY PAYBACK MINI-COMPETITION PROGRAMME

The paper outlined the position with regard to the competitive tendering for the delivery of Community Payback and the Chief Executive brought the Board up to date with recent issues. It is hoped that clearer information will be available for the March Board Meeting. The following points were highlighted:

- Cheshire Probation Trust has been placed in Lot 3 with Greater Manchester, Merseyside and Wales Probation Trusts.
- Greater Manchester will be the Lead Trust.
- The Project Board will meet on 21 February 2011.
- Andrea Carman, Business Development Manager with Greater Manchester Probation Trust, has been appointed as the Project Manager.
- The Workstreams have been populated: for Cheshire, K Thornden-Edwards, ACE, will lead on the Operational Workstream and C Evans, ACE, will lead on the Finance and HR Workstreams. The lead for the Legal Workstream is yet to be decided.
- Timescales are still not clear and the service specification is not known.
- The Lot will need to have a well-defined operating model consistent across the four Trusts.

It is expected that there will be a considerable amount of work over the next four weeks and the report to the March Board should, therefore, provide a lot more information.

RESOLVED: that

- (1) The report be received;
- (2) The business planning model and the process being followed be endorsed.

10. URGENT BUSINESS/EXCLUSION OF THE PRESS AND PUBLIC

10.1 Exclusion of the Press and Public:

RESOLVED:

That the Press and Public were excluded from the meeting for the items of business listed below on the grounds that they involved the likely disclosure of exempt or confidential information.

Item	Paragraph	
Minutes of Previous Meeting (19 November 2010)	-	-
Matters Arising and Review of Action	-	-
Serious Incidents	2(a)	Where the disclosure of information to the public would be prejudicial to the public interest by reason of its confidential nature:

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- 3(a) A victim, an offender, a person charged with an offence but not convicted, a person who is or has been resident in premises approved under section 9 of the Criminal Justice and Court Services Act 2000 or a relative of such a person

- 3(e) The prevention, investigation or prosecution of crime

CHAIRMAN:.....

DATE: