

## WEST MERCIA PROBATION TRUSTBOARD

Minutes of the Trust Board Meeting held on Wednesday 2<sup>nd</sup> April 2008 at 2.00pm at the Training and Development Suite, Leswell Street, Kidderminster.

### MINUTES

<b>Members in Attendance</b>	Keith Austin; Libhin Bromley Peter Davidson; Martin Foley; Elaine Hickman; Kenneth Hockenhull; James Kelly (Chair); David Chantler (Chief Executive); Derek Muhl; Leon Murray and Valerie Reynolds.	
<b>Assistant Chief Officers in Attendance</b>	Graham Mallinson Helen Allen	Head of Business Services & Organisational Development Head of Interventions
<b>Officers</b>	Secretary to the Trust Board Treasurer to the Trust Board Clerk to the Trust Board	Norman Stott Heather Jasper Lynne Coombes

<b>166.</b>	<b>Apologies (Agenda Item 1)</b>	Apologies were received from Bridget Nisbet, Mike Weaver and Andrew Strong. HH Judge McCreath was not in attendance  In the absence of the Clerk to the Trust Board, the Minutes were taken by Karen Simmonds.
<b>167.</b>	<b>Declarations of Interest (Agenda Item 2)</b>	The Chief Executive declared an interest in relation to his role as Company Secretary (in a voluntary capacity) of Citterslow Ludlow Limited, a small charitable company.  There were no other declarations of interest.
<b>168.</b>	<b>Confirmation of Minutes</b>	The following amendments to the Minutes were identified:  Minute 151: "...assumptions that have already <i>bee</i> made..." be changed to "...assumptions that have already <i>been</i> made..."  Minute 152: "...The Chief Officer advised that it would <i>effect</i> West Mercia's share..." be changed to "...The Chief Officer advised that it would <i>affect</i> West Mercia's share..."  Minute 156: "...Total costs to date are in the region of £240k £250k,000, including..." be changed to "...Total costs to date are in the region of £240-£250k, including..."

		<p><b>RESOLVED THAT:</b></p> <p><b>Subject to the above amendments, the Minutes of the Board meeting held on Wednesday, 12 March 2008 be agreed as an accurate record with the Chair being authorised to sign as such.</b></p>
<p><b>169.</b></p>	<p><b>Matters Arising from the Minutes (Agenda Item 4; Papers B and C)</b></p>	<p>The Chair reported that his actions, as reported in Paper B, were all either completed or in progress.</p> <p>Further to Minute 157. The Chair thanked those Members of the Trust Board who had written to their MP. The Chief Executive reported that the event in the House of Commons had been well received and that MPs had indicated they would be happy to raise questions in the House in future should the Trust wish them to do so. It was unfortunate that there had been no Labour MPs at the event, however one Member of the House of Lords, Lord Corbett of Castle Vale, had attended. Roger Hill, Director of Probation, had also attended the event briefly.</p> <p>As far as the local launch events were concerned, Board Members reported on well attended and received events in Hereford and Shrewsbury, with a number of non-attending partners having submitted their “best wishes” in writing.</p> <p>In relation to the website, it was identified that the Home Office logo is still posted on the website. The Chief Officer undertook to ensure that this would be removed leaving only the Trust logo in situ.</p> <p>Further to Minute 158. The Chair and Chief were yet to discuss the possibility of a regional “get together”.</p> <p>Further to Minute 161. The Risk Register, in particular the Summary Risk Register, was to be considered as a substantive discussion item at Agenda item 6, “Governance Arrangements...”.</p> <p>Further to Minute 163. Elaine Hickman confirmed that the PR/Communications Group had considered comments submitted by Board Members in relation to the Communications Strategy.</p> <p>Paper C: There was an error in the Chief Executive’s report in that the date of the conference should have read “17<sup>th</sup>/18<sup>th</sup> March” and not “April”. Following a recent announcement in relation to the position of Assistant Chief Officers as “Associate Members” of ACECOP, at a PBA event attended by Ken Hockenhull, the Chief Executive undertook to clarify</p>

		<p>the situation with the Chair of ACECOP, as it was his understanding that a decision had not yet been reached, and report back to the next meeting.</p>
<p>170.</p>	<p><b>Adviser to the Board: Service User Perspective (Agenda Item 5)</b></p>	<p>The Chief Executive provided the meeting with the background to this initiative. It was considered that Service User feedback was important to the Trust in establishing its own legitimacy beyond that stated on paper and in order to keep sight of those who use the services of the Trust. The Director of Probation had asked the Chief Executive to work with Mark Johnson, within a small budget, on the idea of developing user voice capacity on Boards and Trust Boards. The Chief Executive and Mark Johnson would work on the “how” over the coming months with a view to establishing a model for other Probation Areas/Trusts to buy into. Mark Johnson described his keenness to represent the user voice and to establish a “hook” for service users to become rehabilitated into society using probation as the mechanism. In the main this would be facilitated through the setting up of service user forums to establish a two directional communication exchange with the Trust Board and Senior Management team in order to identify the gaps between policy and reality on the ground. However he warned that the Trust needed to be clear as to why it wanted the service user perspective represented on its Board and that any focus groups identified needed to include representatives of partner agencies so as to enhance the multi-agency perspective.</p> <p>It was considered that given the Trust Board’s interest in innovation and the need to better understand what it is that staff should be doing to help service users to stop reoffending, that the West Mercia Probation Trust was indeed the right forum in which to develop such an initiative.</p> <p><b>RESOLVED THAT: Mark Johnson be appointed as an Advisor to the Trust Board on the Service User Perspective with the proviso that his attendance at future Trust Board meetings be extended only to the public element of those meetings.</b></p>
<p>171.</p>	<p><b>Governance Arrangements for the new Trust Board (Agenda Item 6; Paper D)</b></p>	<p>The Secretary referred to paragraph 3 of his report at Paper D and reported that there had not been sufficient time, given other demands in preparing to move to Trust status, to prepare the innumerable policies for transfer to the Trust. It was therefore recommended that the Trust agree to adopt “en bloc” those policies currently in place pending a full and timely review.</p>

		<p>As far as the Standing Orders were concerned, the Secretary's recommendations at paragraph 6 of Paper D were adopted, subject to the following exceptions and amendments:</p> <p>c) SO 4.4. Leave as it currently stands  d) SO 4.8. The first paragraph to be changed from "...Trust meetings..." to "...Trust Board meetings..."  e) As per the recommendation of the Secretary but with the understanding that a separate document be drawn up which identifies how the Chair and Chief Executive would work together.  i) SO12.1. In the absence of a report on financial limits and delegations, the Trust Board agreed to adopt those as they applied to the old Probation Board. The Audit Committee was requested to consider any necessary revisions and present them to the Board at a future meeting.  j) SO24. Amend to read "...at least three members of the Trust, excluding the Chief Executive...".  k) SO30 and 31. The Trust Board agreed to continue with the existing Treasurer and Secretary arrangements until such time that the contracts with those parties expired.  l) SO49-59. See i) above.</p> <p>The Trust Board also considered a tabled paper, copy attached at Appendix 1, in relation to the Summary Risk Register. It was agreed that the risks from the Probation Board be rolled forward, as they stood, to the Trust Board and the document be amended with the revised terminology, and redated, in due course.</p> <p><b>RESOLVED THAT:</b></p> <p><b>i) The recommendations at Paper D be adopted, subject to the amendments identified above.</b>  <b>ii) The Terms of Reference relating to Human Resources, Resource and Performance and Audit and Scrutiny Committees be endorsed by the Trust Board subject to them being corrected with the Trust Board terminology and redated.</b>  <b>iii) The Summary Risk Register be rolled forward to the Trust Board.</b></p>
172.	<b>Contract with the ROM (Agenda Item 7)</b>	<p>The Secretary tabled a paper, a copy of which is attached at Appendix 2, relating to the approval of the new Trust Contract. Two copies of the Contract had been received on 1 April for signature by the Chair, however it was considered that the Secretary should check the documents to ensure they contained the final versions of the various schedules before being presented to the Chair for signature and return.</p>

		<p><b>RESOLVED THAT:</b>  <b>The Secretary check the content of the contract and schedules before presentation to the Chair for signature.</b></p>
173.	<b>Statement of Internal Control (Agenda Item 8)</b>	<p>The Chief Executive tabled the Draft Statement of Internal Control, a copy of which is attached at Appendix 3. The document was not complete in that responses from Audit Reports received during the course of the year still needed to be integrated. The final version of the Statement of Internal Control would be presented to the next meeting of the Audit Committee in June for final consideration prior to submission with the final accounts. Given that the document had been tabled, the Chair invited Members to provide any comments on the draft SIC, outside of the meeting, directly to the Chair of Audit, for consideration at the next Audit Committee meeting.</p> <p><b>RESOLVED THAT:</b></p> <ul style="list-style-type: none"> <li><b>i) The draft Statement of Internal Control be completed by the Chief Executive, recirculated to Board Members and submitted to the June Audit Committee for final agreement.</b></li> <li><b>ii) Board Members consider the recirculated draft Statement of Internal Control and provide the Chair of the Audit Committee with any comments for consideration at the June meeting.</b></li> </ul>
174.	<b>Business Plan (Agenda Item 9)</b>	<p>The Chief Executive tabled the draft Business Plan, a copy of which is attached at Appendix 4. He explained that the aims identified had arisen from Board discussions that had taken place whilst the Service was being managed by the Interim Chief Officer. The final Business Plan would incorporate all of the underlying plans for the various areas of activity, for example Interventions and Offender Management. In taking the meeting through the document it was identified that:</p> <ul style="list-style-type: none"> <li>~ the budget figure quoted was incorrect and should have read £13.550 million. This figure included half of the expected bonus for the last year's performance but excluded Budget Exchange Scheme monies.</li> <li>~ the targets with the ROM were entirely reasonable and achievable</li> <li>~ the correct template for setting out the contract targets (at Appendix 1 to the Business Plan) was not yet available but that the final document would not make reference to the "SLA".</li> <li>~ the Trust Board particularly supported the focus on Mental Health provision for service users</li> <li>~ the Trust Board was keen to work to a "stretch" target in</li> </ul>

		<p>relation to the delivery of timely reports to Courts.</p> <p><b>RESOLVED THAT:</b></p> <p><b>i) The Business Plan tabled at the meeting be adopted by the Board as a working document.</b></p>
175.	<b>Communications Strategy (Agenda Item 10; Paper E)</b>	<p>The Chair introduced the Communications Strategy which had been recommended by the PR/ Communications Group for adoption by the Board. He added that he had asked the Group to continue in its current format for a further three months in order to see the Strategy implemented. On invitation by the Chair a question was raised as to how success would be measured against the Strategy in order to incorporate that within the Performance Dashboard. In addition, concern was raised in relation to a recent advertisement in "Update" for a diversity event and this led to a need to consider how the Trust advertises its services through third parties. It was agreed that the next meeting of the PR/Communications Group should give consideration to these issues. The Chair of the PR/Communications Group invited Members to forward any questions arising from the document to her for consideration at the next meeting.</p> <p><b>RESOLVED THAT:</b></p> <p><b>i) The PR/Communications Group consider the issues of measuring success against the Strategy, advertorials, and value for money and communications issues generally at its next meeting.</b></p>
176.	<b>PC03/2008: Corporate Manslaughter and Corporate Homicide Act 2007 (Agenda Item 11; Paper F)</b>	<p>The Secretary advised that whilst the Trust Board could simply note the content of the Probation Circular, there was a need to take the possibility of such an eventuality seriously, and to put in place anything that was physically possible in order to prevent such an occurrence, given the potential for serious repercussions for individuals and the organisation. There was some concern from Members in relation to the supervision of Unpaid Work Parties and, in particular, health and safety and management of risk concerns around the project currently running at "Top Barn". The need to consider this document in relation to contracts entered into by the Trust with third party providers was also flagged up.</p> <p><b>RESOLVED THAT:</b></p> <p><b>The Board Chair discuss the implications of PC03/2008, and the particular issues around the management of risk</b></p>

		<b>and health and safety concerns, with the Executive Team.</b>
177.	<b>Closed Session (Agenda Item 12)</b>	The Board met in closed session to discuss restricted and “in confidence” matters.
178.	<b>Any Other Business (Agenda Item 13)</b>	<p><b>a) Connect.</b> The Chief Executive reported that enrolments onto the project had now stopped and that there was to be a final meeting of the Project Board on 21 May where a report on the learning from the project would be presented. Whilst the end of the project had brought about a particular sadness, the Chief Executive reported that he was very proud to have been involved with an initiative that had attracted such a positive reaction nationally. He advised Members that there was an added benefit in that there was unlikely to be any financial deficit to West Mercia following the project closedown. Members were given a brief overview of the replacement project for Connect – “InterConnect” – which was to be specifically aimed at Persistent Offenders from West Midlands, returning to West Midlands. The administrative arrangements for this project were yet to be determined, pending a successful bid for £650k, and, in any case, the new project may need to be handed over to West Midlands for them to take the lead, given the focus on that Area.</p> <p>In response to a question regarding the appropriateness of West Mercia Probation Trust getting involved with such a project during its “learning year” as opposed to focusing on “core” business, the Chief Executive advised Members that Trust status was gained by West Mercia because of the Area’s proven ability to deliver within the contract and its innovative approach to delivering other business. He added that InterConnect would provide a commitment to those staff who otherwise would have to be made redundant, at a cost to the Trust and that there was a balance to be struck in relation to running projects/initiatives on a regional basis, even if delivery was solely to one Area in the short term.</p> <p><b>b) Future meetings of the Trust Board.</b> The Chair sought feedback from Members in relation to the dates, timing and venues for forthcoming meetings. The issue of non-attendance, and in particular the absence of submitted apologies, was also discussed. There was some concern expressed in relation to meetings being held in the afternoon, particularly with regard to “clockwatching” or rushing through important business without paying due consideration to the issues.</p> <p><b>RESOLVED THAT:</b></p>

		<p>a) the May (optional) meeting be fixed for 21 May and the June meeting cancelled.</p> <p>b) Board meetings for the remainder of 2008/09 financial year be held at Leswell Street</p> <p>c) the Board Chair discuss the timing of Board meetings with absent members.</p> <p>Board Members were reminded of the expectation that they attend the Staff Conference which was to take place on 19 June at Ludlow Racecourse.</p>
179.	<b>Date of Next Meeting (Agenda Item 14)</b>	<p><b>Wednesday 21<sup>st</sup> May, 2.00pm, Leswell Street, Kidderminster (optional).</b></p> <p>Following discussion it was agreed that the 21 May meeting would become a fixed meeting and that the June meeting would be cancelled.</p>
180.	<b>Meeting Ended</b>	The meeting closed at 5.30 pm.

Signed:

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Board Chair

Dated:

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