



West Mercia Probation Trust

EXTRAORDINARY BOARD MEETING OF WEST MERCIA PROBATION TRUST

Meeting: West Mercia Probation Trust Board

Date, time: Friday 29th May 2009, 10.30am

Venue: *Training and Development Suite, Leswell Street, Kidderminster*

MINUTES

Members in attendance:	Keith Austin; Libhin Bromley; Pete Davidson; Martin Foley; Elaine Hickman; Kenneth Hockenhull; James Kelly (Chair); David Chantler (Chief Executive); Leon Murray; Bridget Nisbet; Valerie Reynolds; Andrew Strong.	
Assistant Chief Officers in attendance:	Julie Masters Alec Rudd Graham Mallinson	Head of Offender Management Head of Human Resources Head of Business Services & Organisational Development
Officers :	Secretary to the Trust Board: Deputy Treasurer to the Trust Board: Clerk to the Trust Board:	Norman Stott Heather Jasper Kirsty Johnstone

20.	Apologies for Absence (Agenda Item 1)	Derek Muhl and Helen Allen.
21.	Declarations of Interest (Agenda Item 2)	There were no declarations of interest.
22.	Explanation of how IPPF Works (Agenda Item 3)	<p>IPPF 09/10 – The Summary of Key Decisions (Paper A) was noted. Graham Mallinson tabled the presentation slides in relation to IPPF (Attached to these Minutes as Appendix A).</p> <p>Graham Mallinson explained that in the 09/10 IPPF there is a new stand alone item (the Reducing Re-offending indicator, sitting above all four domains) indicating its status as the overall priority for</p>

probation. The indicator will not be used directly in the IPPF domain or overall ratings, but data will be used, where appropriate, as moderation information for the published provider ratings.

There are individual domain ratings for the four domains. Key performance indicators have a colour to show their rating –Green, Amber or Red - and the moderator (Reducing Re-offending indicator) will only be rated Green, Grey or Amber.

There are four indicator types :-

- a) numeric indicators,
- b) national standards,
- c) percentage targets that are not national standards, and
- d) OMI grading.

There are also Priority Development Indicators (PDIs) where the following have the highest priority; OASYS quality, generic parole process, victim feedback, sentence delivery, offender feedback, influencing demand (already included in OM KPIs), education provider starts, educational awards, best value and community feedback.

Graham Mallinson indicated that he understood there will also be a measure introduced later in the year in relation to offender engagement. Influencing demand has already been added to the IPPF - this will be linked to the £40m plan and will be a subjective score from the DOM's office assessing how the Area is progressing with the plan and its effectiveness. The PDIs may be used in quarters 3 and 4 for moderation.

Public Protection is retained as the priority domain. If public protection is rated as amber, this is the maximum rating that can be achieved in IPPF.

National Standards are currently set at completion rates of 90%. Hitting these rates at 90% or more means automatic green or green star status. Failure to hit this target then introduces uncertainty because of the lack of real time information on current national averages and the calculation of standard deviation points, which is why the focus needs to be on hitting the 90% target.

Percentage targets that are not national standards targets apply to Programmes and Community Payback, eg in relation to Community Payback performance the lead indicator is the completion rate (target = 73%) and the number of completions is the diagnostic (target = 840).

The OMI grading will remain on the IPPF for four years and this will be weighted. In the first two quarters of this year, because of the

OMI grading for West Mercia, it will only be possible to achieve green in organisational capability rather than green star.

Pete Davidson questioned why it is felt that targets are challenging. David Chantler advised that the DOM's office negotiate a Contract with us (non Trusts negotiate Service Level Agreements). The process is constrained in terms of price and volume, but the DOM effectively treats a Probation Trust little/ no differently to a Probation Board so higher levels of performance can be requested without necessarily paying further funding . West Mercia offered to forsake some of its income and in return asked the DOM to purchase services from other areas e.g..General Offender Behaviour Programme (GOBP) so that in n practice the targets set by the Ministers for the West of Midlands would still be met. We have managed to do some 'target swapping' with West Midlands because we believe we have a greater need for Domestic Violence completions and have therefore swapped some of these with West Midlands who have taken on more GOBP completions. Graham Mallinson concluded that his main concern with the targets for 09/10 is around GOBP completions with concerns being highlighted in the Adesse report.

James Kelly asked therefore what actions had been put in place to ensure that targets would be met in 09/10. Graham Mallinson advised that we have responded to the points raised in the Adesse report and have taken them into account eg in rural areas the focus is on 1:1 work, and in the more urban areas on group work.

David Chantler advised that monitoring was being given priority, The Executive Team needed to be absolutely clear where final responsibility lay, and who was supporting colleagues to ensure that performance was delivered. This is currently work in progress but could have potentially far reaching effects on the organisation of the service at its highest level. James Kelly summarised the Board's view that this should be embedded in the performance culture around service delivery, and that the Board would like to see the service delivery heads attending performance review meetings.

Bridget Nisbet said she felt that the objectives for the meeting were not being met and that she had not yet heard anything that was going to change the performance culture of the organisation. David Chantler explained that the ET had not had chance to sit down and consider the issues in detail, but stressed that the challenge and need for change had been recognised.

In response to a question from Ken Hockenhull, Graham Mallinson confirmed that if we miss the national targets we are then subject to national averages with the potential to lose control over results. It is therefore important that the service areas affected by national averages are reviewed the most rigorously. David Chantler added

		<p>that Steve Chiverton's role has changed in that he has been asked to concentrate on the most exposed targets ie those that are effected by the national averages.</p> <p>In summarising the debate, James Kelly said that there needed to be a clear focus on measures to ensure a green rating is achieved so that West Mercia can continue to function as a Probation Trust.</p> <p>RESOLVED THAT:</p> <p>i) Paper A be noted.</p> <p>ii) The verbal reports above be noted.</p>
23.	Performance Regimes (Agenda Item 4)	<p>The three performance regimes detailed below were discussed;</p> <ul style="list-style-type: none">• Dashboard• Contract and• IPPF <p>David Chantler added that the Statement of Internal Control (SIC) is also another performance regime.</p> <p>Dashboard/IPPF</p> <p>The Dashboard is a broad performance measure for the governance of the service by the Board but it can show different results from IPPF. David Chantler emphasised that the Board is not being misled when presented with a Dashboard that is green when the IPPF is a different colour overall Libhin Bromley said it was important for the Resource & Performance Committee to have both the Dashboard (showing the current performance position) and IPPF.</p> <p>Graham Mallinson advised that IPPF is issued on a quarterly basis and that it was effectively impossible to predict the national average. The primary tool for the Board is the Dashboard as it treats every measure equally and can indicate areas on which the service should focus. If, for example, the trend in public protection is below the 90% target, this would appear in the Dashboard as an area on which the Board should be focussing.</p> <p>In response to a question from Andrew Strong, Graham Mallinson advised that it was the best forecasting tool that is available to us. Andrew Strong also asked what the risks were if some of the contractual obligations weren't met and what the sanctions would be. Norman Stott advised that there would be a range of sanctions from an "informal chat" through to the extreme scenario of the contract being terminated.</p>

		<p>The Board agreed to a substantial discussion at the next meeting in the restricted section about how the management of performance takes place through the management team.</p> <p>Contract</p> <p>The Contract is reviewed at quarterly meetings with representatives from the DOM's office, this works well. Papers are prepared by the Chief Executive then discussed in detail at the meeting.</p> <p>RESOLVED THAT:</p> <p>i) The above be noted.</p> <p>ii) Substantial discussion at the next Board Meeting in the restricted session regarding working through performance issues with the management team.</p>
24.	Explanation and actions for poor Performance (Agenda Item 5)	<p>Papers B (Licence Recalls), C (End to End Enforcement and D (OASYS timeliness) were noted.</p> <p>Licence Recalls</p> <p>This is the one performance indicator where the target has been missed nationally. The difference between amber and green is 2% ie West Mercia scored 85% and were rated amber when 87% would have resulted in green. David Chantler said that this performance measure is being moved into the public protection section for 2009/10. We currently use fax machines to submit the information to the recall unit, with three of the four performance failures being due to technical failures. Scanners will be purchased in order to submit the information to the recall unit, but as these have to be linked to the GSI system, the proposal is to purchase all purpose photocopiers that can also fax and scan. The latest estimate for this is £80,000. The DOM has offered to assist in meeting these costs but this will take time. For the time being one all purpose machine will be put into each office (the minimum) paid for from the partnership budget though it is hoped to reclaim this from the DOM.</p> <p>RESOLVED THAT:</p> <p>i) The Board agrees the proposals to purchase all purpose photocopiers initially to provide one per office to be funded if necessary from the Partnership budget.</p> <p>End to End Enforcement</p> <p>Overall green performance was achieved in most quarters in</p>

		<p>2008/09. Outstanding issues were being taken up with the LCJB performance manager, particularly in connection with the Courts system (Comet) where West Mercia seem to have progressed breaches in the normal way, but they have not always been picked up on Comet. The Courts therefore have a large number of cases on their records that have not been formally closed down.</p> <p>When the cases are brought back to Court 'for mention' as a means of getting a closing entry on their system, the date used for the entry is the date of the 'mention' in Court, not the day the breach was actually dealt with, which may have been several months earlier. The PPU have offered help with regards to this and this has been directed to the LCJB in the first instance. As the historic cases are flushed through the system, it should come right again, David Chantler will be seeking both bilateral agreements with HMCS and wider interagency agreements from the LCJB to ensure that these systems are now kept updated so that this issue will not arise again.</p> <p>OASYS Timeliness</p> <p>West Mercia have received a number of offers of help to ensure that there is a thorough understanding of OASYS monitoring. Graham Mallinson has recently met with Jackie Stevenson to understand the work of OASYS and how this links with ONR. Manjinder Purewal from the PIU will meet with Graham Mallinson and Julie Masters to give a further national perspective on OASYS. David Chantler has been in contact with the Chief Officer in Bedfordshire who has agreed to the release of their Information Manager to assist us with our understanding of OASYS.</p> <p>RESOLVED THAT:</p> <ul style="list-style-type: none">i) Papers B, C and D be noted.ii) Emphasis be placed on complying with the rules in relation to OASYS and to be absolutely transparent and above board in all dealings.
<p>25.</p>	<p>Meeting with the DOM (Agenda Item 6)</p>	<p>The Board Chair and Chief Executive reported that they had a very positive meeting with the DOM (see Appendix B of papers B, C and D). There was no doubt in the Chair's mind that the DOM wants to see managed change in the West of Midlands region but that there is no push for inappropriate mergers. The DOM's office showed sympathy for the problems we face with the performance statistics but there is also a clear requirement that we need to improve over the next two quarters.</p> <p>David Chantler advised the Board that he had presented the DOM with a performance pack and copies of this were available to view at the Board Meeting, if any board member wished to receive a pack</p>

		<p>for themselves they could request one.</p> <p>RESOLVED THAT:</p> <p>The verbal report be noted.</p>
26.	Performance to Date (Agenda Item 7)	<p>A verbal report was given in relation to performance to date.</p> <p>There is still a problem with licence recalls where there have been seven failings to date.</p> <p>On target OM13 there has been a problem with getting a file released from the Prison Service within the appropriate timescale.. Jackie Stevenson of the DOM's office is looking into this on our behalf.</p> <p>RESOLVED THAT:</p> <p>i) The above be noted.</p> <p>ii) The Chief Executive to do further work with the management team to ensure that there is a thorough performance system and culture and to focus on achieving green status where it is currently amber.</p>
27.	Board Annual Report (Agenda Item 8)	<p>The Chair asked Board Members to look at the proposals for the Annual Report (Paper E) outside of the meeting and to let him know if they were unhappy with any of the ideas.</p> <p>The Chief Executive added that he had asked Jackie Bell to contact Board Members with a view to updating their biographies.</p> <p>RESOLVED THAT:</p> <p>i) Board Members to look at the draft format for the Annual Report 2008/ 09 outside of the meeting and report back with any comments.</p>
28.	Application to Demonstrate Alignment with new Probation Trust Criteria (Agenda Item 9)	<p>The Chief Executive explained that there was now an opportunity to submit an application for Trust realignment in November, and that it was his view (supported by the DOM) that this would be followed up.</p> <p>RESOLVED THAT:</p> <p>The Board agreed to submit a further application for Trust realignment in November.</p>

29.	Any Other Business (Agenda Item 10)	None.
30.	Date of Next Meeting (Agenda Item 11)	Wednesday 17 th June 2009, 10.00am, Room 1, Leswell Street.
31.	Meeting Ended	1.05pm

Signed:

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Chair

Dated:

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