



**BOARD MEETING OF WEST MERCIA PROBATION TRUST**

**Meeting:** West Mercia Probation Trust Board  
**Date, time:** Wednesday 29<sup>th</sup> July 2009, 10.00am  
**Venue:** West Mercia Police Headquarters, Hindlip, Worcester

**MINUTES**

<b>Members in attendance:</b>	Keith Austin; Libhin Bromley; Peter Davidson; Elaine Hickman; Kenneth Hockenhull; James Kelly (Chair); David Chantler (Chief Executive); Leon Murray; Bridget Nisbet, Valerie Reynolds and Andrew Strong.	
<b>Assistant Chief Officers in attendance:</b>	Helen Allen Alec Rudd Graham Mallinson Julie Masters	Head of Interventions Head of Human Resources Head of Business Services Head of Offender Management
<b>Officers :</b>	Secretary to the Trust Board: Treasurer to the Trust Board: Clerk to the Trust Board:	Norman Stott  Mike Weaver  Kirsty Johnstone

<b>Introduction from Chief Constable West</b>	<p>The Chief Constable spoke to the Board about West Mercia Police’s priorities and aims for the future. He explained that the overall force strategy was focussing on public satisfaction and building the public’s confidence in the Police service. As a result of this the force has made significant investment in local policing with 145 teams across West Mercia. These teams have access to all controlled information in relation to violent or sexual offenders. West Mercia Police’s strap line now reads “Serving, protecting and making the difference”.</p> <p>The Chief Constable is currently Chair of the Local Criminal Justice Board (LCJB) and is also chair of the Association of Chief Police Officers (ACPO).</p> <p>The Board Chair asked the Chief Constable what the force had done in light of the recent Sonnex case. The Chief Constable explained</p>
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		<p>that the force had carried out its own internal review, ensuring that systems were robust and still fit for purpose. The force is looking at training for officers and looking at the way warrants are executed. ACC Simon Chesterton, is overseeing this review.</p> <p>Bridget Nisbet raised the publication of the Bradley Report (a review of people with mental health or learning disabilities within the CJ system) with the Chief Constable. The Chief Constable said he was aware of this report and knew that it was being looked at by senior colleagues.</p> <p>The Board Chair thanked the Chief Constable for his hospitality in letting the Board use the facilities at Hindlip and for his contribution to the meeting.</p>
52.	<b>Apologies for Absence (Agenda Item 1)</b>	<p>Martin Foley (Board Member) and Derek Muhl (Board Member)</p> <p>HH Judge McCreath was not in attendance.</p>
53.	<b>Declarations of Interest (Agenda Item 2)</b>	<p>There were no declarations of interest.</p>
54.	<b>Confirmation of Minutes (Agenda Item 3)</b>	<p><b>It was resolved that the Minutes of the Trust Board meeting held on Wednesday 17<sup>th</sup> June 2009 be agreed as an accurate record with the Chair being authorised to sign as such.</b></p> <p>The Board asked that the minutes be presented with suggested changes highlighted in future.</p> <p><b>Agreed that:</b></p> <p><b>The minutes will be presented with suggested changed items highlighted in future.</b></p>
55.	<b>Matters Arising from the Minutes (Agenda Item 4)</b>	<p>Paper 4.1 was noted.</p> <p><b>Minute 37) – Annual Report and Accounts</b> The Treasurer confirmed that a letter had been sent to Jack Straw in relation to pension concerns (attached to these minutes as Appendix A).</p> <p>Bridget Nisbet, as Chair of the HR Committee, stated that the HR Committee would wait to be directed by the Audit &amp; Scrutiny Committee when appropriate with regards to pensions.</p> <p><b>Minute 43) – Appointment of Committees 2009/10</b></p>

		<p>The Chief Executive confirmed that he had written to Mark Johnson thanking him for his contribution. The Board agreed that they wanted to appoint a further board advisor - Bridget Nisbet and Libhin Bromley agreed to work with the Chief Executive on this appointment. The Chief Executive said he hoped that the new board advisor would be in place for the next meeting in September.</p> <p>Action:</p> <p>The Chief Executive, Libhin Bromley and Bridget Nisbet work together to appoint a further board advisor.</p> <p><b>Minute 49) – Any Other Business</b> Bridget Nisbet queried the dates for the short-life working group. The Chair confirmed the first meeting would take place on September 16<sup>th</sup> after the Trust Board Meeting.</p>
<p>56.</p>	<p><b>Notice of Any Items of Other Business (Agenda Item 5)</b></p>	<p>Bridget Nisbet highlighted the potential significance of the Bradley Report.</p>
<p>57.</p>	<p><b>Performance (Agenda Item 6)</b></p>	<p>i) <b>Performance Dashboard – Paper 6.1</b></p> <p>Graham Mallinson explained that the Performance Improvement Team (PIT) and staff had made significant progress in relation to performance and this was reflected in the dashboard. There is still a lot of work to do with regard to maintaining performance but the huge effort by staff should not go unnoticed. He further reported that this is the best dashboard overall since its introduction; the reds and ambers are recoverable and action is currently being taken to rectify these.</p> <p>Finance - non staff costs are currently £27,000 overspent. This is currently being reviewed and will be resolved.</p> <p>People Results – All green, with the problem earlier in the year in relation to staff turnover having been rectified. Sickness absence figures are better than the national target.</p> <p>ii) <b>Performance Issues – Paper 6.2</b></p> <p>The Chief Executive stated that staff had been very positive about the work of the PIT and keen to learn how to “get it right”. The PIT is now moving on to a transitional programme of work.</p> <p>Valerie Reynolds said it was very important to maintain consistency and the PIT or its successor must be able to both interpret and execute new instructions. The Chief Executive explained that</p>

	<p>Manjinder Purewal will work with Cathy Ritson to ensure she has a full understanding of all performance issues. Alongside this Graham Mallinson will be reviewing the work of the Performance and Information Unit.</p> <p>Ken Hockenhull thanked the Chief Executive for all the work that had been done to date but asked that in the last paragraph on page one of his report, the word “believe” be changed to “know”. The Chief Executive agreed to make this change.</p> <p><b>Action:</b></p> <p><b>Paper 6.2, page one, last paragraph, change the word “believe” to “know”.</b></p> <p>The Chief Executive commented that it was the robustness of the pilot LDU (Hereford) that allowed staff to be released to work in the PIT and performance has not been affected as a result of this. The Chair suggested that at this year’s staff conference there should be a “contributing to performance improvement” award. The Board agreed to this and the Chief Executive said he would look at ways of implementing this.</p> <p><b>Action:</b></p> <p><b>A “contributing to performance improvement” award should be given at this year’s staff conference.</b></p> <p>iii) <b>Trust Programme Event</b></p> <p>The Chief Executive confirmed that IPPF would not be changed during the course of this year because it is predicated on the Trust programme. The Chief Executive had argued (with support from fellow Chief colleagues) that IPPF should only count for outcomes.</p> <p>iv) <b>IPPF Q1 2009/10 Provisional – Paper 6.3</b></p> <p>The above paper was tabled (attached to these Minutes as Appendix B).</p> <p>There is not one red in any of the service delivery domains. The Chief Executive was, however, concerned about enforcement in Offender Management and this is being looked at in detail. The problem lies in Operational Capability and Resource Use and Strategy. The OMI management results are still embedded from last September, so this red now counts double and will do so for twelve months before reverting to count as a single red in time for quarter two. If the Staff Diversity and Budget Outturn figures are included (they are currently omitted) the IPPF for West Mercia would have an</p>
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		<p>overall green rating. The Budget Outturn figures have not been loaded onto the IPPF as not all DOM Finance Managers have passed the appropriate information to the centre for inclusion. Leaving the box blank is a change in practice as missing information was previously entered as being green by default. The Chief Executive explained that West Mercia has been in constant contact with the DOM's office and the DOM has confirmed that if this problem is not rectified, we can go for moderation. The Chief Executive read an email received from the DOM to the Board giving her support to West Mercia.</p> <p>Graham Mallinson also explained that the significance of some red returns counting double had not been properly published and that he would have expected to have received an update for the IPPF rules as opposed to a posting on the Hub.</p> <p><b>RESOLVED THAT:</b></p> <p>i) <b>The above papers be noted.</b></p> <p>ii) <b>The Board agreed to the Board Chair working with the Chief Executive on taking performance matters forward, and doing whatever was necessary in consultation with the DOM to resolve these issues.</b></p>
<p>58.</p>	<p><b>Trust Project Steering Group (Agenda item 7)</b></p>	<p>i) <b>Report from Bridget Nisbet – Paper 7.1</b></p> <p>The above paper was noted. Bridget Nisbet explained that a more holistic review of the domains was taking place. Some of the papers included on the Board agenda today had been generated with a view to using them as potential evidence. The Steering Group is now looking at consistency across the domains and the Chief Executive is meeting with Gail Tutchter later in the afternoon to progress matters further.</p> <p>ii) <b>Probation Trust Status – Review of Progress and Benefits – Paper 7.2</b></p> <p>On behalf of the Board, the Chair said how impressed he was with the report and thanked Jackie Bell and Lee Merrick for all the work that had gone into the presentation and publication of it.</p> <p><b>Appendix A – One Year On</b> Pete Davidson queried whether the Chief Executive's review should end with bullet points. The Chief Executive said that this was deliberate.</p> <p><b>Appendix B – Benefit Realisation</b></p>

		<p>Noted.</p> <p><b>Appendix C – The February Bid</b> The Board asked for these appendices to be amended to include learning/advice that we have gained from other successful Boards/Trusts.</p> <p><b>Action: Update Appendix C and bring back to the September meeting.</b></p> <p><b>RESOLVED THAT:</b></p> <p>i) <b>The above papers be noted.</b></p> <p>ii) <b>Paper 7.2 and all associated appendices were endorsed by the Board.</b></p>
59.	<b>Diversity (Agenda Item 8)</b>	<p>Paper 8.1, update on Single Equality Scheme (SES) was noted.</p> <p>West Mercia was informed by the DOM’s office that our SES was non-compliant. Appendix A was a list of actions, but it is clear that these are not “quick fixes”, as first indicated, as some of the actions will take considerable time to work through.</p> <p>The Trust Board endorsed the Action Plan in Appendix A but asked for the format to be changed to provide more detail to include “by when, by whom and a remarks column”.</p> <p><b>Action: Action plan be amended to incorporate the comments above.</b></p> <p>The Trust Board agreed to look in detail at its next meeting the suggestion of joining Stonewall.</p> <p><b>Action: The Trust Board to look in detail at its next meeting the suggestion of joining Stonewall.</b></p> <p>The Trust Board at its September meeting will look at the issue of the Trust Realignment Bid being impact assessed.</p> <p><b>RESOLVED THAT:</b></p> <p>i) <b>Paper 8.1 be noted.</b></p>
60.	<b>ETE (Agenda Item 9)</b>	<p>The ETE discussion paper (9.1) was noted.</p> <p>Bridget Nisbet asked for clarification of the abbreviation ETE. The Chief Executive advised that this stood for Employment, Training</p>

		<p>and Education. Bridget Nisbet asked that in future abbreviations are not used in public documents.</p> <p>Keith Austin advised that as this is the first year that children will be required to stay on in education until they are 19, West Mercia needed to ensure that it was not “stepping over the lines” with future provision by the education system.</p> <p>Andrew Strong said he was very encouraged by the report but that he also had a number of concerns which might be explained with a better understanding of the issues.</p> <p>David Chantler advised the Trust Board that West Mercia had been invited to apply for funding in the next round of NOMS ESF money. The bid has initially been built on a model similar to “Connect”.</p> <p><b>RESOLVED THAT:</b></p> <ul style="list-style-type: none"><li><b>i) The Trust Board endorsed the paper as an area for further work.</b></li><li><b>ii) The Audit &amp; Scrutiny Committee will look further at Education, Training and Employment at its meeting in August.</b></li></ul>
<p><b>61.</b></p>	<p><b>Response to recent SFO Case (Sonnex) (Agenda Item 10)</b></p>	<p>The report in relation to the issues arising from the Sonnex Case (paper 10.1) was noted.</p> <p>Julie Masters advised that in West Mercia all recalls are looked at and signed off by either an Area Manager or ACO, not operational staff.</p> <p>In West Mercia last year, not one SFO was an existing MAPPA case. The SFO criteria has now changed, with Section 18 woundings having been taken out (Section 18 wounding accounted for about 80% of last year’s SFOs).</p> <p>The Chief Executive stated that if Trust Board Members wanted to receive any further information or insight into the work of the service they should contact Jackie Bell who could arrange this.</p> <p><b>Agreed that:</b></p> <ul style="list-style-type: none"><li><b>i) Trust Board Members have a clear understanding of the Sonnex case and the issues arising from that.</b></li><li><b>ii) The recommendations in report 10.1 be scheduled for a further discussion in six months time to monitor progress.</b></li></ul>

		<p><b>Actions:</b></p> <ul style="list-style-type: none"> <li>i) <b>The HR Committee will look at the training arrangements as outlined in recommendation 3 of paper 10.1</b></li> <li>ii) <b>The other recommendations in paper 10.1 are for operational staff to monitor.</b></li> </ul>
<p><b>62.</b></p>	<p><b>WMPT – A Guide to Best Value (Agenda Item 11)</b></p>	<p>The Guide to Best Value (BV) (Paper 11.1) was noted.</p> <p>The Guide to Best Value has previously been considered by the Resource &amp; Performance Committee in June when the Committee had endorsed the document in principle.</p> <p>NOMS are requiring areas to carry out two BV reviews. West Mercia will carry out BV reviews in Unpaid Work and Victim Liaison. Ken Hockenhill was concerned that the BV reviews would be seen as a bolt on. The Chief Executive stated that BV reviews should be seen as a way to do things in the future, not as a bolt on. BV reviews need to be embedded into organisational processes. He also confirmed that the contract with Excalibur included provision for two BV reviews.</p> <p>Bridget Nisbet said it was necessary for the Trust Board to be aware (via the Audit &amp; Scrutiny Committee) of the five year programme for BV reviews. It was agreed that a list of BV reviews would be provided to the Audit &amp; Scrutiny Committee.</p> <p>Graham Mallinson advised that the service specification for BV had now received ministerial approval and would be circulated to the Executive Team in due course. It was announced at the recent Specification, Benchmarking and Costing Programme seminar that Community Payback in the London Probation Area will be released for tender.</p> <p><b>Agreed that:</b></p> <ul style="list-style-type: none"> <li>i) <b>A five year programme for BV reviews be provided to the Audit &amp; Scrutiny Committee.</b></li> </ul> <p><b>RESOLVED THAT:</b></p> <ul style="list-style-type: none"> <li>i) <b>The Trust Board endorse Paper 11.1.</b></li> </ul>
<p><b>63.</b></p>	<p><b>Committees of the Trust Board (Agenda Item 12)</b></p>	<ul style="list-style-type: none"> <li>i) HR Committee             <ul style="list-style-type: none"> <li>i) Committee Chair's Report – Paper 12.1 was noted.</li> <li>ii) Draft Minutes of the meeting held on 9<sup>th</sup> July 2009 – Paper 12.2 was noted.</li> </ul> </li> </ul>

		<p>ii) JNCC Board i) Draft minutes of the meeting held on 9<sup>th</sup> July 2009 – Paper 12.3 was noted.</p> <p><b>RESOLVED THAT:</b></p> <p>i) <b>The above papers be noted.</b></p> <p>At this point Libhin Bromley and Andrew Strong left the meeting.</p>
64.	<b>Risk Register (Agenda item 13)</b>	<p>i) The report in relation to current risks – Paper 13.1 was noted.</p> <p>ii) There were no additional risks arising from the meeting.</p> <p><b>RESOLVED THAT:</b></p> <p>i) <b>Paper 13.1 be noted.</b></p>
65.	<b>Any Other Business (Agenda Item 14)</b>	<p>Bridget Nisbet advised that the Bradley Report (a review of people with mental health or learning disabilities in the Criminal Justice system) had been published. Bridget Nisbet asked that a summary of the Trust's response to this report be prepared.</p> <p><b>Agreed that:</b></p> <p>i) <b>A summary of the Bradley Report will be prepared and available for the next meeting.</b></p>
66.	<b>Date of Next Meeting (Agenda Item 15)</b>	<p>Wednesday 16<sup>th</sup> September 2009, Training Centre, Leswell Street, Kidderminster.</p>
67.	<b>Meeting Ended</b>	<p>The meeting ended at 1.20pm.</p>

Signed:

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Chair

Dated:

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