

PPS Management Board

10.00am Thursday 18 October 2018

Board Room, Belfast Chambers

Members: Stephen Herron (Chair)
Michael Agnew
Christopher Welford
Ian Hearst
Roger Davison

In Attendance: K P - DOJ
GW - DOJ
Libby Kinney

Secretariat: Policy and Information Unit

1. Apologies

2. Welcome

The Director welcomed members to the October 2018 Management Board.

3. Declaration of Board Members' Interests

None.

4. Presentation on EU Withdrawal Planning.

The Board received a presentation from the representatives of DOJ, providing an overview on the DOJ's planning assumptions and arrangements for Brexit.

5. Management Board Minutes

The previous minutes were agreed.

6. Actions from the Management Board meeting of 6 September 2018

AP 3-18/19: The Data Protection Officer to provide the September 2018 Board meeting with an action plan outlining the approach to implement the retention and disposal policy.

Cleared. See Item 14.

AP 13-17/18: Mr Herron to provide the Board with the communications strategy and indicative costing of the proposals.

Cleared. This is now a matter for Change Management Board.

AP 17-17/18: Mr Hearst to request the Resource Management Team to benchmark against the CPS RASSO team in respect of resources, processes and productivity.

Cleared. See item 14.

AP 18-17/18: Board to be provided with an update in respect of challenges raised about the findings of Criminal Justice Inspection's on the handling of Sexual Violence and Abuse cases.

Cleared. See Item 12.

AP 4-18/19: A date for Corporate Planning event to be agreed at the October Board.

Cleared. Members agreed that a November 2018 date for a planning event was not practical and a two day event should be scheduled for late January 2019.

AP 5-18/19: Mr Hearst to obtain an update from RMT and NICSHR on plan for dealing with vacancies in the administrative grade vacancies.

Cleared. See Item 14.

AP 6-18/19: Mr Hearst to provide the Board with the final draft of the PPS People Plan 2018-21.

Cleared – See Item 11.

AP 7-18/19 Management Board to be provided with regular updates on SCU project.

Cleared – See Item 14 (SCU Project Update will be added as a standing item on the agenda.)

7. Reports from Management Board Committees

Senior Management Group – 9 October 2018

Mr Agnew provided a verbal update on matters discussed at the Senior Management Group meeting of 9 October 2018. Members were briefed on Committal Reform and the associated issues. A paper is being drafted to consider case management proposals and to consider any resource/financial implications with the implementation.

People & Resources Committee – 2 October 2018

Mr Hearst provided members with a verbal update of the key issues discussed including printer provision, vacancies, absences, and mid-year reviews.

Performance & Delivery Committee – 20 September 2018

Mr Davison advised that checks have been completed on the Belfast and Eastern dip sampling figures and issues identified have now been resolved. Members were informed that the Casework Risk Registers and the completion of file notes is being raised at the PAMS.

Extra Ordinary Policy & Quality Committee – 5 & 25 September 2018

Members noted the matters discussed and actions arising from the extraordinary Policy & Quality Committee meetings on 5 and 25 September 2018. Mr Agnew updated members on the current position of the Road Traffic Policy and the Diversions Policy.

8. Change Management Board 28 September 2018

Mr Hearst updated members on the key issues discussed including GDPR, Working Together rollout plan, Committal Reform counsel briefing, absence of court rules and SCM Regulations.

9. Performance Issues

Performance Summary

Members discussed and reviewed the caseload figures and noted that there has been a decrease of 0.3% in overall caseloads in comparison with the same period last year. The biggest change in case numbers in CW categories 1-4 was in Southern which had an increase of 31.4%

There has been a decrease in the number of DIRs issued over the last three months. Of the ten regional timeliness targets nine are being met over the financial year to date. Performance against the 80% indictable target is below the required level at 74%.

The overall work queue (unallocated files) has increased, in particular categories 5-8 in Belfast & Eastern region. Members discussed resourcing and potential measures to assist in easing pressures, such as the use of counsel in Court and overtime.

AP 8-18/19 The Director to consider the potential of delegated authority for counsel and advise the Board accordingly.

10. Finance

October 2018 Monitoring Strategy

Members noted the budget forecasts and approved the recommended strategy for the October 2018 Monitoring round.

PPS secured additional funding of £526k under the June monitoring round, incentivisation receipts of £150k are on track to meet the year end forecast, with forecast receipts offset against the forecast spend.

On the basis of a proposed rent increase of £456k per annum for Belfast Chambers, the projected full year outturn is now showing a pressure of £328k and must be the subject of a bid. Members noted that PPS does not have the delegated authority to negotiate lease agreements and Land and Property Services will act on behalf of the PPS.

Briefing of Counsel September 2018.

Members reviewed and discussed the Briefing Report of the allocation of counsel to cases.

Procurement Report

Members reviewed the key issues in the August 2018 Procurement Report, including the Independent Expert Witness Project, procurement activity, the PPS procurement plan update 2018/19 and the contract compliance report year to date 2018/19.

11. People Issues

NICSHR Update September 2018

Members discussed and reviewed the NICS Information and Analysis Update Report for September 2018.

Board Members noted the information provided on resourcing, recruitment and promotion and performance management.

Members reviewed and discussed the performance management figures. There has been a small increase in compliance with the PPS completion rate for end year appraisals now being 77.9% against the overall NICS figure of 89.9%, with 66.5% of PPA/PDPs agreed against the overall figure of 86.3%. Mr Davison has instructed each region/section to appoint a lead to monitor and promote mid-year reporting compliance.

Board members reviewed the latest managing attendance figures and noted there were no underlying trends being reported and that figures are comparable with other NICS Departments. Members noted that at 29%, Anxiety/Stress/Depression and other Psychiatric illnesses contribute to the highest percentage of absence spells and is comparable with the NICS. Members discussed the figures, and whilst it is noted that a high proportion of staff are impacted by events outside the workplace, it would assist the Board to have information on the measures available to assist staff in dealing with stress and mental health.

AP 9-18/19 IH to provide the Board with details of the support available to managers and staff dealing with mental health issues.

RMT Update October 2018

Board Members discussed the RMT report, including current staffing levels, vacancies, the health and well-being update, corporate social responsibility and training analysis.

Members noted RMT have been liaising with NICS HR in respect of recruitment of administrative staff, which the Board recognised was a strategic priority for the organisation.

IIP Update

Mr Hearst updated members on progress with the reaccreditation process. The IIP Convenor is scheduled to conduct on site interviews with staff in late October/early November 2018.

People Plan

Members reviewed and discussed the PPS People Plan 2018-21. Mr Hearst outlined a number of strands and priority actions to be taken forward by various working groups/committees. NICS HR will facilitate a half-day session to consider strands of the PPS People Plan, namely reward & recognition and agile working. There is also a proposal to create a People's Forum which would be a working group to consider solutions to staffing/resource issues. Membership would be a cross section of staff from across the PPS.

12. Governance Issues

Corporate Risk Register 2018/19

Members discussed and reviewed the 2018/19 Corporate Risk Register and noted the status and rating of all associated risks. Controls in Risk 2/18, Legacy Cases should be updated to reflect the formal submission of the PPS response

to “Addressing the legacy of Northern Ireland’s Past” consultation and a meeting with the Head of Civil service and the DoF Permanent Secretary. Risk 8/18 GDPR should also be revised downwards to reflect the implementation of processes and procedures to ensure compliance with GDPR. It was noted that the register would be formally reviewed by the Board in January 2019.

13. Criminal Justice Inspection

The Director updated members on discussions held with CJINI. Members noted the proposed publication date for the report of 12 November 2018 and discussed the PPS response. The Board noted their concerns regarding a number of observations made in the report and the Director advised that he had already formally raised these matters with the CJNI.

The Director further advised that Sir John Gillen’s emerging findings report on serious sexual offences will be issued for consultation in early November 2018.

14. Any other Business

SCU Monitoring Report October 2018

Mr Davison provided members with a progress update on the number of files received, unallocated/allocated work queues, the number of decisions taken, productivity and resourcing.

The projection of incoming files equates to 116 files per month. From 1 June to 30 September 2018, 453 files have been received, and in comparison, with the same period last year this shows an increase of 9.7%. If the increased trend continues it is anticipated that the volume of files received during the project will have increased 10% above the anticipated rate.

The ability of the project to meet its objectives will be dependent on the volume of incoming files and the capacity of SCU. Members noted that progress has been made in addressing outstanding prosecutorial decisions and reducing the work queues. Members also discussed the increase in Public Protection staff in PSNI and the potential impact on PPS.

It is acknowledged that the qualitative approach is impacting on the timescales in decision making. Members discussed and noted that there are a number of other factors that are also impacting on productivity and it was agreed that consideration should be given to any other measures that could alleviate pressures.

BCS is scheduled to commence the review of SCU and it is anticipated they will consult with the CPS RASSO in respect of formulation of options for the way

forward. The emerging findings are due by the end of November 2018 and should be available for the next Management Board.

Update on Communications Strategy and Website/Intranet development.

Mr. Hearst updated the Board on progress to complete the website/intranet refresh. Members were advised that the Draft Communications Strategy would be discussed and approved at the Change Management Board.

Legacy Consultation response

The PPS response to the Consultation on Addressing the Legacy of Northern Ireland's Past was reviewed and noted.

Long Term Retention and Disposal

Members reviewed and discussed the approaches in retention and disposal policies in CPS and PSNI and comparisons with existing PPS arrangements. It is noted that whilst approaches are slightly different, and in the case of the PSNI there are different business needs, each organisation is selecting similar cases for long term retention. The PSNI are also adopting a risk based approach, conducting an assessment and review of the information against the National Retention Assessment Criteria.

The People and Resources Committee will endorse the PPS categorisation of files and this will facilitate the development of plans to implement the approach.

Plan for Managing Administration Vacancies

The Board expressed concern about the potential impact on the organisation in relation to filling administrative staff vacancies, which they noted was starting to have an impact on the efficiency and effectiveness of the organisation. Mr Hearst detailed RMT's work with NICS HR regarding this matter. The Board acknowledges the pressures that the current position is placing on staff and wished to record their thanks to all staff in working through this issue.

Draft Business Case - Additional Prosecutions- Resource Planning

Members reviewed and discussed the draft business cases including the assumptions and funding requirements. The final business case will be presented to Management Board in due course for consideration.

Business Case – BCS – Use of Facilitator for Strategic Planning.

Board Members ratified the approval of this business case which was circulated and approved via email.

15. Papers for noting

Six Week Forward Planner/ Communication Update

Board Members noted the six week forward planner and communication update.

16. Next Meeting

The next Management Board will take place on the 6 December 2018 in Belfast Chambers.

Summary of Action Points arising from Management Board

Meeting of 18 October 2018

AP 8-18/19	The Director to consider the potential of delegated authority for counsel and advise the Board accordingly.
AP 9-18/19	IH to provide the Board with details of the support available to managers and staff dealing with mental health issues.