

PPS Management Board

10.00 Thursday 21 March 2019

Board Room, Belfast Chambers

Members:

**Stephen Herron (Chair)
Michael Agnew
Ian Hearst
Marianne O’Kane
Christopher Welford
Glenn Houston
David Best**

In Attendance:

**Director Business Partner NICSHR
Business Partner NICSHR
Libby Kinney**

Secretariat:

Policy and Information Unit

1. Apologies

2. Welcome

The Director welcomed members to the March 2019 Management Board.

3. Presentation by NICSHR

The Director of NICSHR Business Partner delivered a presentation on the roll out of the Employee Relations Project and the revised Performance Management Policy. Managers will have the authority for decision making in regard to their staff in areas of performance and attendance management, discipline and grievance/dignity at work. The proposed approach is to introduce the changes gradually so that managers become familiar with the revised policy and processes and gain confidence in making decisions in relation to performance matters within their teams. Expert advice and guidance will be provided by NICSHR. Members noted the changes, potential impact on managers, timescales for implementation, commencing with performance management in April 2019. It was agreed to invite NICSHR back in 12 months’ time to provide the Board with an update of the progress made in implementing the new arrangements.

4. Declaration of Board Members’ Interests

None

5. Management Board Minutes

The previous minutes were agreed.

6. Actions from the Management Board meeting of 28 February 2019

AP 17-18/19: Ms O’Kane to report to the March Management Board on the latest position and progress to address cases with decisions pending in excess of 500 days.

See Item 9. Cleared

AP 10-18/19: Mr Agnew to commission a briefing paper on quality assurance mechanisms to submit a report to the PQC.

See Item 11. Cleared.

AP 14-18/19: IH to obtain clarification on the ownership of police material.

See Item 11. Cleared.

7. Reports from Management Board Committees

Senior Management Group – 15 March 2019

Mr Agnew provided a verbal update on matters discussed and actions arising from the Senior Management Group meeting of 15 March. 2019

People & Resources Committee – 5 March 2019

IH provided members with an update on the matters and actions arising from the People and Resources Committee meeting of 5 March 2019. Members noted discussions on the management of vacancies, the PPS People Plan and the EDRMS Business Case.

Performance & Delivery Committee – 11 March 2019

The Performance and Delivery Committee minutes and actions from the meeting of 11 March 2019 were noted by members. Ms O’Kane updated members on progress made with Advocacy Monitoring arrangements.

It is acknowledged there is limited scope to monitor the performance of panel counsel, however it was considered that in house monitoring of prosecutor advocacy could be completed as a minimum once yearly. There is routine feedback on prosecutor advocacy from a variety of sources including experienced prosecutors and judiciary.

It was agreed that a proportionate approach should be implemented, with SPPs monitoring PP performance in a contest court, and this should be evaluated in the first 6 months of the 2019-20 reporting cycle. ADs will inform prosecutors who attend court of the intended arrangements at their end of year reviews. Ms O’Kane advised that further discussions on Advocacy Monitoring will be held at the Directors Review Meeting (DRM).

Policy & Quality Committee – 12 February 2019

No meeting since last Board.

8. Change Management Board -26 February 2019.

Mr Hearst provided an overview of the progress of the various initiatives/projects discussed at the meeting.

Ms O’Kane advised that the Working Together Board has approved the rollout of the Belfast approach across all areas. Members were advised that a lower rank of officers from those involved in the Pilot has been deployed in the roll out.

Following representation and discussions with PSNI regarding concerns about domestic violence and hate crime cases it was agreed to roll out with the exception of domestic violence cases which will be postponed until September 2019.

9. Performance Issues

Performance Summary

Members discussed and reviewed the caseload figures and noted that there has been an increase of 2.8% in overall caseloads in comparison with the same period last year.

The overall regional work queue (unallocated files) as at 1 March 2019 has decreased by 40.2% on the previous month and now stands at 1.3 weeks. There has been an increase (7.6%) in the number of DIRs issued in the last three months, with an overall increase of 2.3% on the previous 12 months.

The number of decisions issued during the last 12 months is relatively unchanged from the previous 12 months down by 0.1% however the number of indictable decisions has risen by 21.9%. Of the ten regional timeliness targets, eight are being met over the financial year to date. Performance against the 50% and 80% indictable target are below the required level at 71.0%.

Ms O’Kane provided an update on the latest position and progress on clearing cases that were outstanding for more than 500 days from the 80/40 day report.

Analysis of a substantive report provided following PAMS, has identified approximately 300-500 cases which pose a significant risk and require careful management to mitigate. Of these approximately 50 cases have been pending progress for an extended period. Ms O’Kane will provide an update to the next Board on the detail of these cases and strategy to clear.

ADs will provide a further report on the progress of clearing cases by the end of March. Members discussed the issues and measures in place and noted the suspension of file allocation to enable these cases to be prioritised. A breakdown of Crown Court cases over 500 days will also be provided with any reasonable justifications. Ms O’Kane agreed to provide a report to SMG of the position of these cases and on the strategy and measures planned for effective case management of indictable cases.

AP 18-18/19 Ms O’Kane to provide a paper to SMG on case management of 80/40 day indictable cases.

AP 19-18/19 Ms O’Kane to provide a report to the next management Board on the detail of the cases and strategy to clear.

10. Finance

Finance Update January 2019

Board members reviewed the paper outlining the key financial issues as of 31 January 2019.

Members noted the key outturn figures, underspend, the financial impact of the use of counsel, in year monitoring arrangements and management and use of incentivisation funds.

Mr Hearst updated members on the funding position and budget pressures facing the PPS in respect of 2019/20. An updated ‘information gathering return’ had been submitted detailing anticipated pressures of £4.8 m of which £3.2 were inescapable. However these were not reflected in the settlement and will have to be addressed under Monitoring Rounds as they arise.

Briefing of Counsel February 2019.

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

Procurement Report

Members noted the key issues in the January 2019 Procurement Report, in particular the CMS contract which is due to expire on 31 March 2019 and the PPS Contract Compliance for the year to date.

11. People Issues

NICSHR Update March 2019

Members reviewed the NICS monthly HR Report and noted the information and analysis provided on resourcing, recruitment, promotions and performance management.

It was noted that progress is ongoing to fill the 23 vacancies in the PPS, and there are five external completions still live. Members discussed the figures for sickness absence, including long term absence and noted that the available working days lost is higher in comparison to figures for 2017/18 and is above the NICS average.

IH provided an update on agile working and advised that NICSHR and RMT are meeting to progress and formulate the policy. These proposals will initially be scrutinised by the People Forum, with further consideration provided by the People and Resource Committee and subsequently the Management Board.

RMT Update February 2019

Board Members noted and discussed the RMT report, including current staffing levels as of February 2019, management of vacancies, the health and well-being initiatives, corporate social responsibility, training analysis and IIP.

People Plan

Mr Hearst provided a verbal update on the People Plan and advised of methods considered to promote the role and involvement in the PPS People Forum.

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.

Draft PPS Purpose, Priorities and Corporate Risks

Members noted the content of the draft and agreed that this should be further discussed at the April Corporate Planning Review Event.

PPS Quality Measures.

Members agreed that the revised legal quality assurance framework will be considered further at the next Director's Review Meeting.

Requests for Information

IH advised that the staff instruction regarding the ownership and approach to requests for material/information had been finalised and will be issued to staff.

13. Criminal Justice Reports Update

Mr Agnew advised that there is no further progress to report to date following the submission of responses to both Sir John Gillen's Preliminary Report into the law and procedures in serious sexual offences in NI and the CJINI review on Domestic Violence.

14. Any Other Business

SCU Monitoring Report February 2019

Ms O'Kane provided an overview of the latest position with SCU performance, in particular progress made in respect of decisions taken, unallocated/allocated work queues, productivity and resourcing.

Work is under active development in a number of areas. The enhanced Clinic Model is expanding the range of cases that will be dealt with. Approximately 40 cases are being trialled during March, and if these operate effectively it is planned to move into the live clinic model next month with a view to rolling out further clinics which will set the model for going forward.

Discussions are ongoing with the PSNI to agree a future service delivery model. Senior Police have agreed to consider the implications of gatekeeping arrangements. RMT has benchmarked arrangements in other prosecutorial authorities and have found agreed quality standards and processes in place, with stringent adherence to same. Members agreed the need to establish service targets and to review performance and quality against these set targets.

Ms O'Kane agreed to prepare a preliminary report on the plans and main issues to be managed in the coming months including maintaining the caseload, cultural relationships with PSNI and the phased /transitional implementation plans.

AP 20-18/19. Ms O Kane to provide the next Directors Review Meeting with a Preliminary Report on the plans and issues impacting SCU in the coming months .

BCS Report

IH updated members on progress made by RMT to develop plans to implement the operating model recommended in the BCS report.

Ms O'Kane advised that the details and findings of the report were shared with the team and there was a general support for the proposals. Members

acknowledged there will be challenges in implementing the proposed model and in particular doing so whilst maintaining quality and targets.

Website Project Update /Intranet development.

Mr Hearst provided members with an update on progress to complete the website/intranet refresh. Members noted that there has been slippage in the website development and the new launch date now is May 2019.

Recent High Profile Cases

The Board wished to formally note and record their thanks to all staff involved in the management of the decisions relating to Bloody Sunday.

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 Management Board meeting will take place, following the Corporate Planning Review on the 30 April 2019 at a venue to be confirmed.

Summary of Action Points arising from Management Board

Meeting of 21 March 2019

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| AP 18-18/19 | AP Ms O’Kane to provide a paper to SMG on case management of 80/40 day indictable cases. |
| AP 19-18/19. | Ms O’Kane to provide a report to the next management Board on the detail of the 80/40 day cases and strategy to clear. |
| AP 20-18/19 | Ms O Kane to provide the next Directors Review Meeting with a Preliminary Report on the plans and issues impacting SCU in the coming months . |

Action Points carried over from previous meetings.

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