

**PPS Management Board**

**10.00am Friday 28 May 2021**

**Via videoconferencing**

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

**In Attendance:**              **Tom Murphy (Private Office)**  
**Claire Harrison (Comms)**  
**Head of ICT (Item 1)**

**Secretariat:**                      **Policy and Information Unit**

**1. Apologies.**

None.

**2. Welcome.**

Mr Herron welcomed members to the May 2021 Management Board.

**3. PPS IT Assist Migration Discovery Phase Update.**

The head of ICT presented members with an update on the discovery phase of the migration to IT Assist. The next stage requires approval of the Business Case and the Statement of Work to be signed off so that the project can proceed.

The Head of ICT outlined that the existing contract expires in April 2022, with key elements of infrastructure at end of life or going out of support this year. There would be significant cost and effort to replace and refresh, with the current infrastructure at near capacity. This will also impact users/remote working, and the systems need to be compliant with GDPR.

A report by Deloitte in March last year recommended the move to a new solution. In compliance with the DAO 06/15, consideration must be given to shared

services. The recommendation is to migrate to IT Assist for Hosting and Infrastructure Service Delivery

Members discussed the key issues including cost, requirement for new laptops/devices, EDRMS integration and the challenges arising from the change in retention and filing practices. The Head of ICT outlined issues around the email global address list and visibility across wider NICS, and advised that a working group is being established comprising of Business Assurance, RMT and TUS to address matters of concern.

Mr Best queried the Records Management functionality and whether there is ease in ability to store, retrieve and search records. Members discussed concerns that there is a need to plan ahead, new working practices will need time to bed in, and there will be additional workload for staff to sort material that needs to be retained.

Mr Houston enquired whether there would be a model office testing environment established. The Head of ICT advised that there will need to be testing and user groups established to take forward the planning. The Head of Business Assurance is also to organise a demonstration of the records management system including document and email retention and will take forward all communications about records management.

Mr Houston queried if there were any procurement requirements. He also raised back up arrangements and resilience to recover should there be a problem and enquired whether there was any assessment feedback available on performance of IT Assist from other Departments. The Head of ICT advised that the move to IT assist would not require a procurement exercise, and confirmed that IT Assist provide a well-tested, secure and resilient solution that included a back-up system with capability for disaster recovery. Anti-virus capability and cyber security are costly to procure independently, however these are included with IT Assist. All other Departments are on-board with IT Assist and this transition would mean PPS is moving at pace with wider NICS.

Mr Houston queried whether the platform would continue to be supported by the current provider, and whether there would be co-operation to make the transition to IT Assist. The head of ICT informed members that there has been collaborative working and the current providers have been very co-operative in the discovery phase. The existing model is outdated, and they are not interested in re-tendering. There is an urgent requirement to have a supported system in place by April 2022.

Mr Herron queried whether Deloitte had considered the PSNI model. The Head of ICT confirmed that the PSNI option involves a private cloud as did the IT Assist solution and that IT Assist is the direction taken by the other 9 departments.

Members reviewed and considered the options outlined in the Business Case and noted the recommendation that option 3, IT Assist, was the most favourable. The monetary factors also all point to option 3, the costs outlined indicate that it is less expensive than other options (between £172k & £583k over 5 years). Members agreed to proceed with option 3, IT Assist, and were content to approve the business case and authorise the SRO, Mr Hearst, to sign off on the statement of works. Mr Hearst advised that discussions have been ongoing with DOF Supply regarding the funding for the project and there is confidence that this will be approved. The Board members thanked the head of ICT and his team for all the work in progressing this matter.

**4. Declaration of Board Members' Interests.**

None.

**5. Management Board Minutes.**

The previous minutes were agreed.

**6. Actions from the Management Board meeting of 29 April 2021.**

***AP 1-21/22 Ms O'Kane to provide an update on arrangements to identify, manage and record attrition rates.***

Ongoing. Ms O'Kane advised that meetings have been held with staff in Policy to establish methods of managing the risk and recording of attrition rates. Enquiries have also been made with the Crown Office and Procurator Fiscal in Scotland, the CPS and MOJ, in an effort to gain information on their handling and the wider impact of attrition rates on other criminal justice bodies. There is a project ongoing in England and Wales, led by MOJ, to identify key evidence and the impact of attrition rates. Although there is no date for completion of this, it is hoped that metrics may be shared. Ms O'Kane also highlighted that £5m funding has been allocated to witness care units in CPS to assist in managing the risk of attrition.

A paper on the PPS way forward has been drafted and is almost finalised. There are some additional details that need to be expanded on, including guidance for staff on identifying cases where a risk of attrition arises and lines to take in response.

Ms O'Kane outlined recent discussions held at the stakeholders meeting were positive. PPS proposals were outlined and a very helpful presentation was received from a member of staff in the Care Unit. Forum members had no suggestions for improved handling and it was reassuring that there is not an expectation that more is required. The VWCU is not seeing an increase in

attrition, though VSNI reported that while victims and witnesses are not withdrawing from cases. In some circumstances increased anxiety levels have been identified and flagged and more time is required to explain and offer reassurance to individuals. Going forward the plan is to manage and monitor attrition rates with recording functionality on CMS and notes made at case outcome stage.

***AP 2-21/22 Mr Hearst to enquire if the Statistics and Research Team can produce a short summary of the key performance points.***

Cleared. Summary of key performance points to be provided to MB.

***AP 3-21/22 Ms O’Kane to write to DOJ and NICTS to establish if data can be provided on the volume and profile of files before the courts.***

Ongoing. Awaiting information from DOJ.

***AP 4-21/22 Mr Murphy to circulate the Crown Court bulletin to members.***

Cleared.

***AP 5-21/22 Mr Hearst to seek the views of Ms McGrath on the status and rating of Risk 10/21-Brexit.***

Cleared. See Item 11.

***AP 6-21/22 Mr Agnew to analyse complaint outcomes and basis of complaints for 2020-21 and report back to the Board***

Cleared. Mr Agnew provided members with further analysis on the basis for complaints that were upheld and partially upheld. It has been agreed that an actions / recommendations log will be maintained in respect of complaints. This will be reported on quarterly basis in the regular complaints update to the Board and will also be circulated to ADs/HOBs for any wider learning points or updates as necessary. It is anticipated that this will be helpful in establishing trends and identifying areas for improvement and will also raise the visibility of any outstanding actions and allow follow up as necessary.

***AP 7-21/22 Mr Hearst to amend wording of the analysis of Q20 of the Review.***

Cleared. Mr Hearst advised that the Management Board Effectiveness Report has been amended accordingly.

***AP 8-21/22 Ms McGoldrick to create a summary report of Management Board Action Points.***

Cleared.

***AP 9-21/22 Mr Hearst to share briefing pack with the NEDS.***

Cleared.

***AP 10-21/22 Ms O’Kane to circulate a glossary of abbreviations to the Non-Executive Directors.***

Cleared. See Item 12.

## **7. Reports from Management Board Committee.**

### **Senior Management Group 13 May 2021.**

Mr Agnew provided members with an overview of matters discussed and actions arising from the Senior Management Group meeting held on 13 May 2021.

Mr Agnew highlighted discussions held on the VWCU response to the CJINI Inspection into the Care and Treatment of Victims and Witnesses by the Criminal Justice System. Members also discussed the key issues from the presentation on the discovery phase of migration to IT Assist. It was agreed that the Head of Business Assurance would provide a demonstration on the new records management system, in particular retention and management of emails and documents.

### **People and Resources Committee – 6 May 2021.**

Mr Hearst updated members on matters and actions discussed at the People and Resources Committee meeting of 13 May 2021.

Mr Hearst outlined that the People Plan includes new areas of wellbeing and leadership, with a subgroup established to take forward leadership. Mr Herron noted pressures on staff with the scale and pace of work, which has also highlighted the need for succession planning. There has been a successful bid for additional PPs and it has been agreed that counsel can be deployed to assist with workloads. Mr Agnew and Mr McQuillan are engaging with the Recorder in respect of SCU cases. Funding from the Recovery Project bid will permit the recruitment of additional resources which will assist in alleviating pressures with the increased workloads. Resources will be redirected to key areas within the organisation when they become available.

Members noted the Strategic Improvement Team are currently identifying priorities and examining control mechanisms to manage the 38 projects that have been identified as ongoing across the organisation. Mr Best queried the methodology being used to prioritise the Projects. Mr Hearst outlined this was part of the discovery journey, with some projects being driven by change in

legislation, others through their impact or critical need. The exercise is ongoing and the outcome will be reported back to the Board in due course.

### **Performance and Delivery Committee 26 April 2021.**

The next meeting is scheduled for 9 June 2021.

### **Policy and Quality Committee – 6 May 2021.**

Mr Agnew provided members with an overview of matters discussed at the Policy and Quality Committee meeting of 6 May 2021.

Mr Agnew informed members that guidance on Domestic Violence and Abuse and the Domestic Abuse and Civil Proceeding Act 2021 is being finalised in advance of training rollout. It was considered that current arrangements for handling cases were not as effective and it was proposed to have designated 'Specialists' in this area of legislation. There had initially been some resistance to this, with FDA taking the view that this could lead to dilution of expertise. After further deliberations the 'Specialist' roles have now been ratified.

## **8. Performance Summary.**

### **CJS Update.**

Members noted the latest performance figures in the CJS Update Report.

Ms O'Kane advised that in quarter 4 there had been an increase of 5% in files received compared to the previous quarter. During this quarter there had also been a significant increase in decisions issued with an increase in 16% from Quarter 3. It is probable that the increase coincided with the reopening of schools. The number of DIRs issued has also increased and this variance can be explained by the increase in caseload and decisions taken.

Members noted the figures for the numbers of suspects over 180 days without a decision has increased for all full file types. The timeliness figures have also deteriorated, and Mr Houston queried whether there is likely to be an improvement in this area as we move out of the pandemic. Ms O'Kane advised that the trend should reverse, however the issue is that the method of measurement of timeliness captures the time it takes case prep to issue the decision, and the consequent pressures and delays in this area are impacting performance. Mr Agnew added that the reverse in trend may not be imminent, and it is possible that figures may deteriorate further before this occurs.

## **9. Finance**

### **Finance Update March 2021.**

Members reviewed the key financial issues being managed by Finance Team as at March 2021.

Mr Hearst informed members that the overall outturn figure had an easement of £1.5 m, largely as a result of a reduction in counsel fees of £2.4m. There were also significantly reduced expenses on travel and training events. It was noted that most other Government Departments are in similar positions. Mr Best noted that the easement can be fully accounted for and explained and this should be acceptable to DOF.

Members were updated on the progress of the Annual report, which is currently on target and with the Audit Office. Mr Hearst expressed gratitude to members for the comments provided. The end of the audit field work is imminent and no major issues have been flagged as yet.

Mr Hearst informed members that funding had been granted to assist in recovery. The year one allocation of £1.18 m is for staffing for 6 months and counsel while the year 2 allocation of £1.8 is for the full period. There will also be a bid submitted for additional funding in the June Monitoring Round. Mr Hearst advised of accelerated plans to recruit resources required for the additional crown court sittings. A meeting is scheduled with the project team in the coming days to discuss progress with the implementation plan to drive forward the recovery plan.

Mr Houston queried the estimate to cover for notional cost charges for ESS HR and AccountNI Services, Mr Hearst advised that adjustments had been made and reflected in the accounts accordingly.

Mr Herron enquired about the rationale for the employee benefit accrual being £330k lower than expected. Mr Hearst advised that the figure had been based on assumptions of costs for staff that had carried over more than 9 days leave and the forecast level wasn't as significant as had been estimated.

## **10. People**

### **RMT Update**

Members reviewed and noted the RMT update for May 2021, including the figures for the current staffing levels, updates on the temporary PP recruitment exercise, health and well-being activities and training completed across the organisation.

The PPS People Plan has been extended to June 2022 in conjunction with the NICSHR People Plan. There are a total of 6 strands, four of the original priorities have been retained and two new priorities added. These priorities will be assigned to and taken forward by the various committees.

Mr Hearst provided members with an update on the evaluation approach for IIP reaccreditation. A meeting has been held with the assessor, the next phase will involve interviews with 38 randomly selected staff, followed by a short staff survey and a meeting with the Senior Management Team. It is anticipated that the findings will be available by the end of September 2021.

### **NICSHR Summary Report.**

Members reviewed and discussed the NICS Summary Report for May 2021, including updates on Covid recovery planning, resourcing and performance management.

There has been a 13% reduction in the uptake of annual leave for the period April 2020 to March 2021 in comparison to the same period the previous year. There has also been a significant decrease in sickness absence for the same period, with a decrease of 48% of working days lost in comparison to 2019/20.

Mr Hearst updated members on the embargo on elective transfers. This strategy has been to ensure stability during the pandemic. Staff cannot transfer between departments and this will potentially have an impact on the ability to fill vacancies that arise.

Mr Houston queried whether there was any sense of the implications for staff of the NICS Home Working/Remote Working policy. Mr Hearst advised that the draft has not yet been shared but it is envisaged a hybrid solution will be proposed. It is likely that there will be issues ensuring consistency of application of the policy and areas like performance and productivity will require careful management.

## **11. Governance Issues.**

### **Corporate Risk Register 2021/22.**

Members reviewed and discussed the 2020/21 risk register and noted the planned actions/ mitigations and status and rating of all the risks.

Mr Best queried whether the inherent risk for PPS 11/21, PPS People Plan, was still reflective of the risk. In addition, it was noted that in light of recent publicity, PPS 4/21 Management of Serious and High Profile Cases and PPS 8/21



Stakeholder and Public Engagement are likely to have risk ratings higher than are currently indicated. Mr Hearst agreed that these risks would be discussed and reviewed again at the next SMG. Mr Hearst also advised that Ms McGrath had indicated the Brexit risk should be retained on the register due to potential of increased criminality.

## **12. AOB.**

### **Business Case for PPS Infrastructure Provisions.**

Members discussed the need, benefits, risks and costs associated with the PPS Infrastructure Provisions and accordingly approved the Business Case and Statement of Works.

### **VWCU – Recommendations to CJB**

Mr Hearst outlined a summary of the scoping work undertaken on the establishment of a Needs Assessment Service to be provided by VWCU in conjunction with Victim Support. The recommendations in respect of the preferred model will be reported to the Criminal Justice Board for consideration and approval on 9 June 2021.

The options considered were; to continue to provide and deliver existing functions, or to outsource the enhanced service, or to restructure VWCU to include a VSNI - led enhanced needs assessment. The preferred option is to restructure the existing unit to provide enhanced needs assessments, however this will require additional resources and funding. If funding is not made available it will not be possible to provide the enhanced service.

The proposed new governance arrangements for the unit will include increased partnerships between VCWCU, VSNI and the PSNI, with PPS having overall responsibility for performance of the unit. This will be supported by a new VWCU Oversight/Steering Group comprising of senior officials from all the agencies involved and will also include representation from DOJ.

### **Communications Strategy**

Ms Harrison presented the final draft of the strategy and highlighted a few minor amendments made in respect of training in the context of corporate communications and targets for negative/positive sentiment.

Members were content to sign off the Strategy and agreed that it should now be promoted to staff and stakeholders. The Board commended and thanked Ms

Harrison and the Communications team for all their hard work in developing the strategy.

### **Communications Update.**

Ms Harrison provided an overview of key communications dealt with in recent weeks and gave a preview of a number of upcoming matters which are scheduled in the coming weeks.

### **PPS Acronyms**

Members noted the glossary of acronyms/abbreviations and expressed their gratitude to Mrs Seenan for compiling.

## **13. Papers for noting.**

### **Communication Planner.**

The Board Members discussed and reviewed the communications planner and up date.

## **14. Next Meeting.**

Video Conferencing 30 June 2021 at 2.00pm

**Summary of Action Points arising from Management Board.**

**Meeting of 28 May 2021**

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**Action Points carried over from previous meetings.**

<b><i>AP 1-21/22</i></b>	<b><i>Ms O’Kane to provide an update on arrangements to identify, manage and record attrition rates.</i></b>
<b><i>AP 3-21/22</i></b>	<b><i>Ms O’Kane to write to DOJ and NICTS to establish if data can be provided on the volume and profile of files before the courts.</i></b>