

PPS Management Board
10.30am Wednesday 24 May 2023
Belfast Chambers

Members: Stephen Herron
Michael Agnew
Marianne O’Kane
David Best
Glenn Houston
Peter Luney
JoAnne Quinn

In Attendance: Tom Murphy (Private Office)
Claire Harrison

Secretariat: Policy and Information Unit

1. Welcome.

Mr Herron welcomed members to the May 2023 Management Board and thanked Mr Agnew for chairing the previous meeting.

2. Apologies

None.

3. Declaration of Board Members’ Interests

None.

4. Management Board Minutes.

The previous minutes were agreed.

5. Actions from the Management Board Meeting of April 2023

AP 01-23/24 Mr Luney to circulate the PP resourcing paper to members for information.

Cleared. Paper issued to members.

6. Reports from Management Board Committees.

Senior Management Group 18 May 2023.

Mr Agnew provided an overview of the matters discussed at the Senior Management Group Meeting of 18 May 2023.

Members discussed the presentation of performance data and issues arising from the varying data snapshots and comparisons with differing baselines, making it difficult to interrogate the KPIs. An action has been taken to arrange a meeting with Statistics and Research to review performance reporting and to consider how these issues could be addressed.

Mr Herron highlighted the impact of the high number of court listings on recovery costs and noted that it is difficult to draw comparisons from the figures available for disposals and existing backlogs. There is an approximate 60% increase in the number of cases in the court system. It is acknowledged that given the impact of sustained high numbers of cases and slower than expected clearance rates, PPS could have increased the resourcing requirements and bids for Recovery.

The frequency of the various Committee meetings and the repetition of agenda items was also discussed. It was agreed that this should be considered as part of the BCS Effectiveness Review of the Management Board. Mr Houston also highlighted that decoupling the ARC meetings and Management Board meetings would significantly reduce pressures in reviewing a high volume of papers for each of the respective meetings and attending the meetings within a short timeframe.

Members also discussed the merits of having a follow up event to the annual Planning Day to evaluate progress to date and to provide an in year opportunity for updates and feedback from the ADs. It was agreed that September may be an appropriate time to schedule this meeting.

AP 02-23/24 Mr Luney to schedule a follow up planning day with the ADs and Management Board.

People and Resources Committee – 11 May 2023

Members reviewed and noted the minutes of the People and Resources Committee meeting of 11 May 2023.

Mr Luney outlined the high level of temporary arrangements still in place across the organisation. Mr Neil Gibson has written to all the Permanent Secretaries regarding the embargo on appointments and recommending that this is extended to the end of July 2023. PPS will respond to this proposal setting out the operational challenges faced by the organisation, including issues with unsustainable levels of agency staff and issues arising from CTC clearance.

Members noted that a new senior NICSHR business partner has been assigned to PPS, the principal aim moving forward will be to try to advance some of our priorities, as little progress has been made to date. A request has been submitted to have a recruitment scheme launched for all legal grades and a timeline for delivery of this has also been sought.

Mr Luney advised of pressures around availability of accountancy staff and outlined ongoing work with the head of profession to have this matter resolved. There are also concerns regarding the management of employee relations and long-term sickness absence, in particular, a lack of proactive management in following up cases. Efforts are also ongoing to find solutions to resolve issues with OHS referrals. Members agreed that it would be beneficial to invite NICSHR to attend Management Board to provide an update after the summer period.

AP 03-23/24 Mr Luney to invite NICSHR to the Board for an update in the Autumn.

In relation to staff welfare and resilience, members were informed that a Service Level Agreement has been drafted with PRRT for delivery of services to PPS in particular one-to-one counselling in trauma resilience and support. There is a pricing model available for delivery, however this does not serve as an indication of available resourcing, or if capacity is capped. It is noted that capacity for delivery of training courses is limited and at present the classroom style sessions are capped to a fixed number of participants. Consequently, alternative options are being scoped and enquiries have been made with DFC as to whether PPS can call off existing contracts, or if market procurement is required.

Ms O’Kane noted that once there is clarity as to the available options, consideration will be given to the prioritisation of staff who required this support, both legal and administrative.

PPS recently participated in the Business in the Community challenge where staff took over the running of a cancer shop and a total of £1,900 was raised, with very positive feedback from all involved.

Mr Houston raised the issue of staff morale following the recent strike and queried whether this has deteriorated and if considerations had been given to address this.

Mr Luney advised that several factors are contributing to this, more recently the pay settlement that has been imposed on staff and issues have also been exacerbated with uncertain budgets and work pressures. Several staff engagement events, including webinars and roadshows, are planned. These will enable two-way communication exchanges, providing staff with the opportunity to provide input and feedback and will assist in informing staff on the budget position and updates on the vision for the Modernisation 2030.

Performance and Delivery Committee – 15 May 2023

Ms O’Kane updated members on the matters discussed and action points arising from the Committee meeting of 15 May 2023.

The Committee agreed that the issue of staff wellbeing, should be flagged to the Board. Members agreed that while arrangements for enhanced resilience training and support should be expedited, staff should also be directed to existing support structures. This issue is to be reflected by the Director in the Core Brief.

7. Strategic Improvement Board

Strategic Improvement Dashboard May 2023

Mr Agnew updated members on progress of the key projects. There are four live projects ongoing, namely Content Manager, RECS, No Prosecution letters and DEMS.

The Content Manager Project rollout is currently amber. A phased rollout has been agreed however delivery has been impacted by the availability of resources and work is ongoing to recruit to assist with roll out of the project.

The RECs project delivery has slipped by approximately one month. The Belfast premises are now up and running, and engagement is ongoing with partners to manage expectations. It is anticipated the additional link for Craigavon RECs will not be available until Autumn 2023.

It was agreed to prioritise the No Prosecution letters project as there were no IT requirements, and it will deliver business efficiencies. Approval has been granted to commence the pilot, internal processes have been reviewed and consultation with relevant business areas and TUS has commenced. Feedback from police has indicated a preference for the pilot to be rolled out on a wide scale.

The DEMS project has been delayed and this has resulted in slippage to the go live date. Members were advised there is significant work and engagement required before the September Go Live date.

Members noted that the future of Direct Committal is still unknown. It is anticipated that a decision on this will be taken by the Criminal Justice Board. Mr Agnew advised of a significant number of internal IT changes pending which will enable staff to complete tasks more effectively. However, it is noted there is limited capacity to deliver these changes.

Scoping is also ongoing of the potential to restructure to a three-region model to alleviate some of the pressures at AD level. A workshop has been held to discuss issues including workloads, court venues, location of staff and accommodation and if the proposal is not viable, consideration will be given to alternative options.

PPS Vision 2030

Members reviewed and discussed the PPS 2030 Vision document and briefing paper. Mr Luney provided an overview of the four themes: effective processes, digital processes, proportionate processes and victim processes and the key objectives and benefits of each of the strands.

Members noted the position in relation to resourcing, with the primary focus being on project management and appropriate structures. The year one action plan details the initiatives that will be taken forward initially as part of the Modernisation programme of work.

The communication strategy is to ensure appropriate and timely engagement with all those impacted directly or indirectly by PPS 2030. It is intended to consult with stakeholders and obtain feedback on the overarching vision, with further detailed consultation on individual projects.

Mr Houston highlighted that reference to the efficiencies achieved in 2015/16 may not get the traction required with staff for a forward-looking vision statement. It was suggested that as New Ways of Working is a more recent change this could be reflected in future planning. He suggested that a stronger focus on people issues, such as the response to staff morale and workforce issues could be incorporated into the vision and planning.

Mr Best queried whether the project team would lead on implementation of changes or if staff would be required to do so alongside their day job. Mr Luney advised the project team would be responsible for driving change but that an element of operational input from front line staff would be necessary. It is proposed this will be taken forward by the project team, SIB and policy leads.

Ms Quinn queried if the business case would be completed and approved before wider consultation. This was agreed. However, Mr Luney advised that internal communications with staff could proceed pending the completion of the business case. Members formally adopted the Vision document and agreed that the Programme should proceed as set out in the briefing paper.

8. Performance Summary.

Members reviewed and discussed the Monthly Performance Summary, as of April 2023.

Mr Agnew outlined that the overall caseload awaiting a decision at the end of April 2023 stood at 5,794 which is an increase of 59% on the April 2019 baseline. The file caseload, which includes the number of files allocated and unallocated

has steadily risen over the past two years going from 1,150 to in excess of 2,000 however this number has reduced in recent months to 1,854. This is a slight increase from the previous month's figure of 1,800, however members noted that the Easter break is likely to have impacted output.

At the end of April 2023, a total of 448 files were with case prep, this is a slight reduction in the March 2023 figure of 460. Approximately 84% of the files have been with the team for over 30 days.

Mr Best highlighted the figure of 3 weeks for unallocated cases and queried whether there was a tolerance level for timescales to allocate. Ms O'Kane advised that figures vary depending on the type of case, with summary unallocated work queues much shorter than indictable case queues.

9. Finance Update

2023-24 Allocation Proposals

Ms Quinn provided an overview of the allocated budget for the 2023-24 financial year and the proposed allocations for spending and potential outstanding pressures. Although there may be opportunities to submit bids in the monitoring rounds, the PPS allocation is unlikely to change.

Board members reviewed the key categories of spending and noted the resulting pressures in each category and the position of the allocated non-cash in respect of IFRS. It is also proposed to return to DOF the £1.6m non-cash allocation for which PPS have no requirement this year.

The Capital IT/accommodation allocation is slightly below forecast requirements, and this will be flagged to Supply who have indicated that small allocations may be available in this category.

The forecast budget for 2023-24 is indicating a pressure of £911k, this is based on the assumptions around staffing levels, including that vacancies will be filled within reasonable timeframes. It is anticipated that this pressure will reduce after quarter one if vacancies have not been filled accordingly. Members reviewed and noted the need to prioritise proposals for utilising existing funding or any additional funding that becomes available, including additional costs identified in the Modernisation Business Case. Other areas that may be considered include the SCU business case, legacy cases and overtime to deal with other work pressures caused by workloads in the regions.

The Board –

- Agreed the proposed allocations provided against key categories of spend;

- Noted the current unfunded requirements detailed in section 7 of the paper and agreed that the indicative priorities should easements or additional funding become available;
- Noted that modernisation work under Vision 2030 would be subject to a separate business case and funding bid but there was a requirement to proceed at risk and allocate funding from the current baseline.

Ms Quinn advised that the amount of Recovery funding allocated will reflect the cut of 4.75% applied to the DOJ budget and is now anticipated to total £1.24m. This will be transferred to the PPS in a technical exercise in the June Monitoring Round. Members were also asked to note that several interdepartmental charges will be increasing during 2023-24 and this will be monitored accordingly.

Members noted that the provisional out turn for 2022-23 was reported as a £57k underspend. The Draft Annual Report and Accounts is progressing and will be circulated in the next few weeks.

Mr Houston queried the costs awarded against the PPS in Judicial Review cases and the potential challenges arising from these types of costs. It was noted that these costs had the potential to bring the 2022-23 budget position into overspend. Mr Agnew outlined the difficulties in anticipating the awarding of legal costs that may arise. It was agreed that the relevant business area should inform the Finance Team of any potential cost implications. The new process will ensure a risk assessment is completed and any potential costs are flagged so that, if required, a provision can be made for the potential liability. The planned audit of financial accruals will review the methodology for provision and assessment of costs.

10. People

NICS HR Summary Report May 2023

Members noted and reviewed the May 2023 NICS HR Report, including the latest staffing position, vacancies and recruitment, employee relations, absence management and performance management.

Mr Luney provided members with an overview of several people issues including recruitment competitions and apprenticeships.

New Ways of Working.

Ms O’Kane advised that an evaluation of the New Ways of Working is scheduled to commence in June 2023. It was agreed that NWW was no longer required to be a standing agenda item and will be reported on an exception basis.

11. Governance Issues.

Corporate Risk Register 2023/24

Members reviewed and discussed the 2023/24 Risk Register and noted the planned actions, mitigations, status, and rating of all risks.

Mr Luney advised that Risk 3 funding pressures has been updated to reflect the latest budget position. Members agreed that Risk 6 should include trauma resilience and the actions and controls recorded to mitigate. Consideration should also be given to incorporating the risk arising from costs awarded from JR proceedings.

Complaints Update

Mr Luney provided members with an overview of the complaints and reviews of no prosecution decisions for 2022-23. Members discussed the increase in volume of reviews and agreed it would be beneficial to include statistics on the timescales of outstanding reviews.

AP 04-23/24 Mr Luney to include reporting on timescales of outstanding reviews of No Prosecution decisions.

ARC Update

Mr Houston updated members on the audit completed on Financial Management, which received a satisfactory outcome and had two priority three recommendations. The revised internal audit plan for 2023/24 will include workforce planning and financial accruals and will be discussed at the next ARC meeting scheduled for June 2023.

Mr Houston queried whether the analysis completed by the Independent Finance Expert on the discrepancy in the accounts will be made available to the ARC. Ms Quinn advised that a technical report has been completed and a summary of the outcome and relevant assurance that it has been accepted by Audit will be provided to the Committee.

12. Communication Update.

Ms Harrison provided a verbal update on recent communications, including media handling, stakeholder engagement, digital communications, and internal communications.

Communication Planner.

The Board Members discussed and reviewed the Communications Planner and update.

13. Next Meeting.

The next Management Board will take place on the 28 June 2023 at 10.00 am in Belfast Chambers.

Summary of Action Points arising from Management Board.

Meeting of 24 May 2023

<i>AP 02-23/24</i>	<i>Mr Luney to schedule a follow up planning day with the ADs and Management Board.</i>
<i>AP 03-23/24</i>	<i>Mr Luney to invite NICSHR to the Board for an update in the Autumn.</i>
<i>AP 04-23/24</i>	<i>Mr Luney to include reporting on timescales of outstanding reviews of No Prosecution decisions.</i>

Action Points carried over from previous meetings.

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