

**MINUTES OF A MEETING OF THE COUNCIL
OF THE PROBATION ASSOCIATION
22 JANUARY 2009**

Present: *Alan Wooderson – Chair; Bedfordshire – Adrian Heffernan; Cumbria – Richard Rhodes; Derbyshire – Stephen Taylor; Dorset – Mary Fielding; Co Durham – Sebert Cox; Gloucestershire – Tony Fitzsimons; Hampshire – Michael Fisher; Hertfordshire – Robin Gardner; Kent – Janardan Sofat; Lancashire – Les Sewell; Leicestershire & Rutland – Jane Wilson; Lincolnshire – Chris Cook; London – Julie Dent; Gtr Manchester – Hilary Tucker; Merseyside – Linda Bloomfield; Norfolk – Sue Gale; Northamptonshire – David Moir; Nottinghamshire – Jeff Grant; Suffolk – Ivan Smith; Surrey – Pauline Dawkins; Sussex – John Steele; Teesside – Bill Thethi; Thames Valley – Malcolm Fearn; West Midlands – Alan Harrison; Wiltshire – Tim Skelton; North Yorkshire – Ken Bellamy; South Yorkshire – Peter Smith; West Yorkshire – Geoff Alvy; Dyfed/Powys – Keith Turner; Gwent – John Harray; North Wales – Clifton Robinson; South Wales – Mansel Jones; Northern Ireland – Ronnie Spence.*

Attending from PA: Mike Caldwell – Governance Services Manager; Chas Dowden – Employment Relations Pay and Policies Manager; Nigel Spencer – Interim Board Secretary; Jo Whyte – Board Secretary.

1. Welcome, Apologies and Conflicts of Interest.

Apologies had been received from Joe Kuipers – Avon & Somerset; Brenda Palmer – Cambridgeshire; Leslie Robinson – Cheshire; Topsy Murray – Devon & Cornwall; Bill Puddicombe – Essex; Deep Sagar – Hertfordshire; Roy Male – Lancashire; Christine Goldstraw – Nottinghamshire; Roger Thayne – Staffordshire; Paul Harford – Teesside; Robin Verso – Warwickshire; James Kelly - West Mercia; Paul Aviss – Wiltshire; Stan Hardy – West Yorkshire; Joanna Jenkins – South Wales; Judith Poole – NAPA and from PA: Christine Lawrie – Chief Executive and Norma Beechey.

Alan Wooderson welcomed members and substitutes to the meeting. No conflicts of interest were expressed.

2. Minutes of the Meeting held on 13 November 2008.

The minutes were accepted as an accurate record and signed.

Matters Arising

Item 4 – PA had made a formal submission to NOMS on the KPMG Report, taking into account members' feedback. A response had now been received.

Staffing – there were several staffing issues on which Alan Wooderson wished to report:

- Jo Whyte had joined PA as the new Board Secretary, taking over from Nigel Spencer. Alan Wooderson thanked Nigel and welcomed Jo Whyte;
- Neil Lampert had been appointed as PR and Communications Manager and would start on 3 February 2009;
- Nigel Spencer was taking responsibility for some governance and project work and Paul Wilson would be working as a contractor on work relating to the transition to trust status;
- It was hoped that one further member of staff would be appointed to work on governance and project work. PA would then be fully staffed in line with the Business Plan.

3. Chief Executive Terms and Conditions

Chas Dowden outlined the current position with regard to agreeing pay and terms and conditions. He explained that no decision had been taken as to whether setting non-financial terms and conditions would be the responsibility of trusts or of NOMS. He expressed concern that the situation could lapse into collective national bargaining and he sought the authority of Council to raise the issue with NOMS. He questioned whether decisions on terms and conditions should be made collectively by trusts or on a trust by trust basis.

Members agreed that individual trusts should have the freedom to determine their own pay and terms and conditions. However, it was felt that parameters were needed to prevent disproportionate increases in salary and that there was work to be done on determining the key competencies of chief executives.

As a priority, Chas Dowden would write to NOMS asking for clarification on issues of pay and terms and conditions and making the case for trusts retaining control but within a sensible framework. He would also consider ways of bringing together views on core competencies and would develop PA's position on the issues going forward; for instance on pay guidelines and job evaluation.

4. Board of Directors Report

Alan Wooderson summarised the main points of interest from the meeting of the Board of Directors on 11 December 2008.

- Louise Casey had not responded to PA's correspondence.

- Christine Lawrie had updated the Board on the Freedoms Project being worked on by Ian Clarke. A report was expected in February.
- The Board had welcomed members' comments which had informed the response to the KPMG report.
- The Board had discussed PA's financial liabilities, including pensions. This was to be discussed again at the Board meeting in February when a final decision would be made and reported to Council.
- Subscriptions – invoices were going out soon. The percentage rate was staying the same and Boards had been given the opportunity to pay for two years at once.
- The Board was holding an Away Day on 11 February. The discussion under item 6 of this meeting would form the Council's contribution to the agenda of the Away Day. There would be a report at the next Council meeting.

5. Recent Business.

Mike Caldwell – Governance Services Manager. MC talked about estates issues. He reported that John Aspinall, the new NOMS Estate Capacity Director, had put in place an improvement programme in relation to the Facilities Management Contract but it remained to be seen whether this was impacting positively in Areas. Sofat Janardan highlighted how the current constraints in relation to probation property needed to be addressed if real progress was to be made. For property to be fit for purpose and for the required cost savings to be achieved there must be sufficient freedom and flexibility for trusts to deal with property independently. Julie Dent stated that London was doing some useful scoping work reviewing its estate, looking at the business needs and possible solutions.

MC reported that progress was being made regarding ICT and training. PA had held a successful consultation workshop on the emerging Probation Qualifying Training Framework. In addition, he thanked those Council members who had commented on the Framework to date.

Chas Dowden – Employment Relations Pay and Policies Manager. Chas Dowden reported that the 2008 pay award had been implemented and he thanked all those who had helped to deliver it. He recognised that the process could be improved for estimating the cost of future settlements. He would now be producing a programme of work for 2009. He advised that a joint meeting of NNC Employer Side and Regional HR representatives on the HR Strategic Board would shortly be considering pay strategy for modernisation negotiations and asked Council to convey board views to their respective representatives.

Finally, CD reported that a successful consultation event had been held on the proposed new Qualifications Framework and on workforce planning

Nigel Spencer. Nigel Spencer reported that the "FORT" group had been established to act as a sounding board for NOMS on proposed options, under the

SBC programme. NS understood that the first tranche of £20m savings would have been deducted from 2009/10 budgets when areas were advised of these. The group had expressed some concern about how these savings could be distributed equitably; NS understood that Michael Spurr would be writing to areas about this. Members emphasised the need to provide sufficient notice to areas expected to change practice to implement savings, and emphasised the urgent need for the promised revision of National standards.

6. 2009/12 Framework and 2009/10 Priorities

In Christine Lawrie's absence, Alan Wooderson gave two presentations. The first was on the document "A Framework for the Future" which had been up-dated in order to be reproduced as a 2-3 Year Plan. AW explained each of the suggested amendments and asked Council to agree them. All the amendments were approved.

The second presentation was on a piece of work which identified the key priorities for 09/10. Council was asked to feedback their views on what the top priorities should be and whether there were any omissions. Alan Wooderson explained that these views would inform the Board Away Day in its discussion on PA's strategic priorities for the coming year.

The feedback was as follows:

i) NEW PRIORITIES TO BE INCLUDED:

- The need to influence the regulatory burden around national standards.
- The new PA Communications Manager should work to develop and protect the PA brand and become the voice of probation.
- ICT to be included, with OMNI, estates/FM and training, as an area on which PA represents Boards and Trusts on national strategic groups.
- The need to work with NOMS on contingency planning.
- The need for PA to facilitate the sharing of experience between Trusts and Boards approaching and going through the application process. [Hilary Tucker offered to share information on Greater Manchester's experience.]
- The need for PA to be a repository for the latest information and for the sharing of this information.
- PA to be a conduit for early thinking from NOMS; to be the communications link.

ii). KEY PRIORITIES

- The support of members' interests in the probation trusts programme.
- The need to facilitate agreement amongst members as to how to move forward together, with a common view of the future and of the desired freedoms and flexibilities, in order to maximise influence.

- The need for PA to influence the trust agenda.
- PA should promote probation, using its links and influence to aid understanding of the concept of probation and to demonstrate cost benefits.
- The need to sort out the 2nd generation contract before March as currently the two contracts do not match.

7. Members' Forum

No issues were raised under this item.

8. Confidential Items

It was agreed that no items needed to be raised or minuted under this section.

9. Date of Next Meeting

The next Council meeting would be held at 10.45am on 7 April 2009 at 100 Rochester Row.

The meeting closed at 1.30pm.