

Minutes

Meeting: **Board meeting**
Date: **17 June 2014**
Time: **16.00-18:15**
Location: **Hilton Garden Inn Hotel, Bristol**
Reference: **YJB (14) 4th meeting**
Protective marking: **Official**

Attendees

Lord Tom McNally (YJB Chair)	Angela Sarkis (Board member)
Amanda Sater (Board member)	Rob Butler (Board member)
Seamus Oates (Board member)	John Wrangham (Board member)
David Banks (Board member)	Neil Rhodes (Board member)
Gillian Fairfield (Board member)	Bob Reitemeier (Board member)
Chris Davies (Board member)	Dusty Kennedy (Head of YJB Cymru)
Lin Hinnigan (Chief Executive)	Lucy Dawes (Director, Operations)
Martin Skeats (Director, Corporate Services)	Kate Morris (Director, Partnerships and Performance)
Paul Candler (Deputy Director, Youth Justice Policy, MoJ)	Anjli Mapara (Strategy and Stakeholder Manager)
David Wells (Corporate Governance - Minutes)	

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Items 1 and 2 - Apologies, register of interests, minutes of previous meetings and matters arising

1. There were no apologies and no additional declarations of interest to those already included in the register.
2. The minutes of the previous meeting were agreed without change.
3. The outstanding actions log was reviewed. It was agreed that actions should not be proposed for closure until such a time as the action has actually been completed (for example, where there is an action to place an item for discussion on a future agenda the action should remain open until such a time as the

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meeting has taken place). It was agreed that the following actions could be closed, with all others remaining open: 1, 3, 4, 8 and 10.

4. There were no other matters arising.

Item 2 – Secure College Pathfinder: YJB Under 15s Position Statement

5. The Board were presented with a draft position statement on the inclusion of under 15s in the secure college model. It was noted that the Board had already discussed the YJB position in relation to girls and secure colleges, and it was agreed that Kate Morris would circulate the final statement in that regard.

6. The Board agreed that the inclusion of under-15s in the secure college model added a layer of complexity and challenge, including for staff in having to manage a larger range of ages. However, the Board also agreed that it should not have an absolute position against the proposition, and that the concept of the secure college model is that it would address all genders/ages. While the environment of the college would need to demonstrate that it could meet the needs of under-15s, the Board would not want to exclude younger children from the potential benefits if these were demonstrated.

7. It was noted that the YJB placements function will not place young people in an unsuitable environment, and so protection against an inappropriate placement is already provided for. The Board agreed that a phased approach for including under 15s in secure colleges should be adopted, with no such placements in the initial phases, although the design of the college would need to ensure the possibility of including under 15s. The intention to potentially cater for under 15s would also need to be raised with the service provider from the outset.

8. It was agreed that Kate Morris would amend the position statement in light of the above comments, and circulate it to Board members for comment.

Item 3 – Chair’s Items

9. Lord McNally reported that following the item on future Board roles and responsibilities at the previous meeting consideration has now been given to the membership of YJB committees, and that the following members will sit on each:

- Finance, Audit and Risk Assurance Committee:
David Banks (Chair), Neil Rhodes, Seamus

Kate Morris to provide the Board with the final YJB position statement on including girls within the secure college model.

Kate Morris to amend the position statement in light of the Board’s comments, and re-circulate for final comment.

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	<p>Oates and Amanda Sater;</p> <ul style="list-style-type: none">- Performance Committee: Gillian Fairfield (Chair), John Wrangham, Seamus Oates and Rob Butler;- Remuneration Committee: Christine Davies (Chair), Angela Sarkis and Neil Rhodes;- Wales Youth Justice Advisory Panel: John Wrangham (Chair, jointly with the Welsh Government). <p>10. Lord McNally will attend the Finance, Audit and Risk Assurance Committee, the Performance Committee and the Remuneration Committee. David Banks and Gillian Fairfield will each attend the committee that the other chairs on an ex-officio basis, to ensure there is no duplication or gaps in scrutiny.</p> <p>11. Lord McNally briefed the Board on his recent activities, including an appearance with Lin Hinnigan before the Lord Harris Committee which is looking into self-inflicted deaths of 18-24 year olds in custody; a trip to New Zealand where he met with the Youth Justice Minister and learnt about their approach to family conferencing, managing prolific offenders and issues with the over-representation of Maori and Pacific-Island young people in the justice system; a meeting with Sir Bernard Hogan-Howe, Commissioner of the Metropolitan Police service, including discussion about improving school-police liaison; a visit to Parc Young Offenders Institution along with Board members Amanda Sater, John Wrangham and Seamus Oates; and a meeting with Plymouth Youth Offending Service, where Lord McNally stated he was hugely impressed by the enthusiasm and commitment of the staff.</p> <p><u>Item 5 – Chief Executive’s Report</u></p> <p>12. Lin Hinnigan’s written report was noted. Lin stated that she had taken part in the selection panel for the new senior role to lead on the youth estate within the National Offender Management Service (NOMS). The successful applicant will spend two days with the YJB as part of their induction. On a related issue, the YJB are receiving weekly updates from NOMS about staffing levels in Young Offender Institutions.</p> <p>13. The Ministry of Justice (MoJ) has announced that Wates has been named as the preferred bidder to design and build the secure college pathfinder. Seamus Oates has been invited to view and comment on the initial plans presented by the company.</p>	

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	<p>14. The YJB has offered a settlement with a number of claimants relating to the historic unlawful use of force in STCs, which involves a split of costs with the operator. The claimants have 35 days to accept or reject the offers.</p>	
	<p>15. Senior management at Serco have been meeting with MoJ officials to discuss performance issues in relation to their secure escorts contract. The YJB will be kept abreast of developments.</p>	
	<p><u>Item 6 – Dedicated and split sites in under-18 Young Offender Institutions (YOIs)</u></p>	
	<p>16. The paper provided the Board with comparative data and background information in regard to dedicated and “split site” under-18 YOIs.</p>	
	<p>17. The YJB’s historic position has been to provide an entirely separate secure estate for young people. The view has been that split-sites are more likely to make it challenging for providers to deliver against the service level agreement with the YJB, particularly where there are conflicting priorities between adults and young people, or when the former outnumber the latter. However, the paper acknowledged that this is not to say that split sites can never provide a level of service in line with YJB requirements.</p>	
	<p>18. Lin Hinnigan stated that the Secure Accommodation Committee had discussed the issue at its meeting in January 2014, and agreed to hold the position on separate sites wherever possible. However, it has been suggested that the view of the Board may now need to be more nuanced given the falling numbers in the secure estate and the significant number of vacancies being carried, and given that the data presented with the paper did not provide a clear message that split sites are failing to deliver.</p>	
	<p>19. The Board welcomed the paper, and thanked the authors for their work. The Board agreed that the YJB’s historic position needs reviewing within the current context. The Board did not support an absolute position against the use of split-sites, and agreed that with the right quality of management, staff and monitoring split-sites were viable. However, the YJB needs to remain clear about the expectations and principles to be in place to ensure that such sites meet the complexity of needs of the young people for which it is responsible.</p>	
	<p><u>Item 8 – Secure Estate Commissioning Plan</u></p>	
	<p>20. The paper provided the Board with the current and emerging plans underpinning the YJB’s commissioning</p>	

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	<p>function form 2014/15 to 2017/18. The key points of the plan include:</p> <ul style="list-style-type: none">- the Transforming Youth Custody Programme, which includes developing a secure college pathfinder, re-competing three Secure Training Centres, and the YJB undertaking responsibility for commissioning education provision in under-18 YOIs;- exploring options for further reductions across all sectors where appropriate;- a programme of safeguarding capital improvement works, with work planned at three under-18 YOIs;- feeding in to the MoJ feasibility study to develop a London Justice Centre;- working with NHS England to ensure alignment of commissioning activities;- reviewing the assisted visits scheme to support parents and carers to visit young people in SCHs and STCs;- reviewing the 93% contingency level. <p>21. The Board endorsed the plan.</p> <p><u>Item 9 – Draft YJB Stakeholder Engagement Strategy</u></p> <p>22. The paper proposed a new approach to stakeholder management, based on collaboration between the Board and the Executive, and in support of the YJB communication strategy. Kate Morris stated that the work currently planned only encompasses stakeholders in England, and a separate discussion still needs to be had in respect of Wales. The intention is for the strategy to identify groups of stakeholders who are of strategic importance to youth justice delivery, and have the ability to impact on and influence the operation of the system. Kate Morris explained that the strategy will:</p> <ul style="list-style-type: none">- include a narrative about why it is important for the YJB to recognise this group of stakeholders and to develop effective and appropriate relationships with them;- describe the role of both the Board and the Executive in managing these relationships; and	

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	<ul style="list-style-type: none">- identify a lead member(s) within both the Board and the Executive who will jointly own the development and maintenance of this section of the strategy. <p>23. The Board welcomed the paper and endorsed the approach being suggested. Neil Rhodes stated that there was no mention of the National Criminal Justice Board in the list of stakeholders identified to date, and that they needed to be added. Rob Butler also highlighted that victims need to be added as a group of stakeholders. Kate Morris agreed, and stated that the finer details of the groups/stakeholders to be engaged with still needs to be worked through.</p> <p>24. Gillian Fairfield stated that the YJB now needs to consider the vehicles for getting messages broadcast, and that these will differ depending on the stakeholders. Gillian stated that she will let Kate Morris have a list of additional health-related stakeholders that need to be added to the list. Bob Reitemeier added that faith groups were also relevant stakeholders, and that consideration needed to be given to engagement at the local level.</p> <p>25. Angela Sarkis stated that the more detailed work to come needs to consider how the YJB engages with stakeholders long-term, what outcomes it is looking to achieve, and to link the work to our strategic priorities and Business Plan.</p> <p>26. Lord McNally asked that a succinct “key messages” document be prepared for the Board, and that Board members need to report information back from their external visits and engagements. Lord McNally also stated that he wants the Board and the Executive to be interchangeable when it comes to stakeholder management.</p> <p>27. The Board agreed that the proposed names of Board members shown against the different stakeholder groups was appropriate, albeit more work needed to be done on finalising the list of groups/stakeholders.</p> <p><u>Item 10 – Safeguarding Update</u></p> <p>28. The paper provided the Board with an update on the YJB’s recent and planned strategic safeguarding activity. The paper outlined activity against five separate items:</p> <ul style="list-style-type: none">- publication of the YJB “<i>Commitment to Safeguard</i>” statement, planned for July 2014;	<p>Kate Morris to produce a “Key Messages” document for the Board.</p>

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	<ul style="list-style-type: none">- the all-staff “<i>Child Protection Policy</i>”, which is due for implementation in July 2014;- the review of the Community Safeguarding and Public Protection notification and learning system;- the Annual Safeguarding Report;- revisions to the service specification for dedicated social workers in YOIs in England.	
	<p>29. The Board welcomed the paper. Chris Davies highlighted the need for all staff working in split-sites who come into contact with youth offenders to have appropriate training in relation to safeguarding issues.</p>	
	<p>30. In relation to the “Commitment to Safeguard” statement, Bob Reitemeier suggested that the use of the word “welfare” in the sub-heading may be unnecessary, and detract from the focus on safeguarding. Similarly, it was suggested that the Annual Report could focus more narrowly on safeguarding.</p>	
	<p>31. In relation to the internal YJB staff training, Seamus Oates and Gillian Fairfield suggested that it should apply to <i>all</i> YJB staff.</p>	
	<p>32. David Banks asked where responsibility for oversight of safeguarding now sat at the Committee level, now that the Secure Accommodation and Community Justice committees had been disbanded. Lin Hinnigan stated that the Board would have oversight, although the Audit and Risk Committee would continue to receive an annual report from the risk-management angle. Gillian Fairfield suggested that the Performance Committee should receive relevant data in the performance report.</p>	
	<p><u>Item 11 – Responsibilities of Board Members in Regard to Other and Future Employment</u></p>	
	<p>33. The paper provided the Board with the MoJ draft policy “<i>Business Appointment Guidance in Respect to Public Appointments</i>” for consideration and comment. The policy will outline the rules in place for Board members taking up additional posts, both during and at the end of their terms as Board members.</p>	
	<p>34. The Board welcomed the policy, but made the following requests:</p> <ul style="list-style-type: none">- that a clause be added stating that “<i>consent shall not be unreasonably withheld</i>”;	

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	<ul style="list-style-type: none">- that the decision maker should be defined in the policy;- that a review/appeals process should be put in place;- that the intention that the policy applies for two years post-Board membership was unnecessarily lengthy. <p>35. The Board's comments would be passed to MoJ for consideration as part of their consultation process. Once the final document is agreed it will be circulated to Board members.</p> <p><u>Item 12 – Any other business</u></p> <p>36. Lord McNally praised the quality of papers that were provided to the meeting, and thanked the authors for their work. There was no further business. The meeting closed at 18.15.</p>	<p>Martin Skeats to feed-back to the MoJ consultation team, and the final document to be circulated to Board members.</p>

David Wells
YJB Corporate Governance
19 June 2014