

# Minutes

Meeting: **Board meeting**  
Date: **10 September 2014**  
Time: **09.00-14:20**  
Location: **102 Petty France**  
Reference: **YJB (14) 4<sup>th</sup> 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 – item 8 onwards)                    |
| Chris Davies (Board member)   | Lucy Dawes (Director, Operations)                                 |
| Lin Hinnigan (Chief Executive)  | Kate Morris (Director, Partnerships and Performance)              |
| Martin Skeats (Director, Corporate Services)  | Kevin Venosi (Head of Commissioning and Change)                   |
| Summer Nisa (Head of Communications)  | Catherine Bennion (Head of Youth Justice Strategy – item 10 only) |
| Karl Mittelstadt (Development Manager – item 8 only)                                | Ann Skamarauskas (Head of HR – item 7 only)                       |
| Darren Tierney (Director, Transforming Justice, Ministry of Justice – item 11 only) | David Wells (Corporate Governance - Minutes)                      |

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| 1-2         | <p><b><u>Apologies, register of interests, minutes of previous meetings and matters arising</u></b></p> <p>1. Apologies were received from Dusty Kennedy. On the register of interests, Rob Butler stated that his tenure as a Governor at the AAT Rivers Academy West London had now ended. Seamus Oates stated that he is now a Director of the Westminster Family Free School.</p> <p>2. The minutes of the previous meeting were agreed without change.</p> | <p><b>Changes to the Register of Interests to be made as highlighted in paragraph 1, left.</b></p> |

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|             | <p>3. The outstanding actions log was reviewed. Items 1, 2, 6, 7, 8, 9, 11 and 12 are all now closed. It was noted that actions 5 (<i>A paper on communicating with young people to be brought to a future Board meeting for consideration</i>) and 13 (<i>Kate Morris to produce a "key messages" document for the Board</i>) have been deferred to the November 2014 meeting. In relation to action 4 (<i>A feedback form to be added to briefing papers</i>) it was stated that feedback will be sought by Amie Wilsden-Tagg.</p> <p>4. In relation to action 16 (<i>The paper referenced above (on the issue of the disproportionate number of BAME young people being involved in violent incidents to be brought to a future Committee, including consideration of positive solutions) to include specific consideration of the issue of violence at Feltham</i>) - Lin Hinnigan stated that it was not possible for the YJB to carry out a specific piece of work on BAME and violence at present given the lack of quality data on the matter. Angela Sarkis stated that the YJB needs to demonstrate that it is keeping momentum going on the issue. Angela asked whether NOMS would have any relevant data, and Kevin Venosi agreed to liaise with them to that end. The possibility of commissioning a distinct piece of work using an outside resource was also mooted by Board members, and Amanda Sater stated that there are a number of foundations and trusts that have money available for spending on youth projects that could be tapped into. Lin Hinnigan stated that it would first be necessary to establish whether or not the data existed for such a piece of work to be undertaken, and for the YJB to be clear on what it was looking to achieve. The Board agreed that initial consideration should be given as to whether or not such work was possible.</p> <p>5. Board members were reminded to let Rowena Finnegan know of any items that should be added to the "activity schedule".</p> <p>6. There were no other matters arising.</p> <p><b>3</b>      <b><u>Chair's Items</u></b></p> <p>7. Lord McNally updated the Board on his recent activities. These included visits to Kids Company (and it was reported that its founder, Camila Batmanghelidjh, has agreed to address the youth justice convention in November); the Your Life Your</p> | <p><b>(i) Kevin Venosi to find out whether NOMS hold any relevant data on the issue of the disproportionate number of BAME young people being involved in violent incidents in custody.</b></p> <p><b>(ii) Kate Morris / Luke Taylor: consideration to be given as to whether or not a bespoke piece of work on BAME violence in the secure estate is possible given the available data and, if so, whether the YJB should commission external assistance to that end.</b></p> |

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|                    | <p>Choice programme at the Alec Reed Academy in Northolt (with Amanda Sater); Manchester YOT along with PCC for Manchester, Tony Lloyd; and Hindley YOI.</p> <p>8. Other activities included entertaining delegates from the New Zealand Youth Board including Bernadine McKenzie, their Deputy Chief Executive; a meeting with John Thornhill, President of the Independent Monitoring Boards; and a meeting with Javed Khan, Chief Executive of Barnados. Lord McNally also stated that he will shortly be visiting the Bridge AP Academy and attending a lecture by the Home Secretary on the future of policing.</p> <p>9. Angela Sarkis and Neil Rhodes stated that the YJB needs to be focussed and active in its engagement with PCCs. Lucy Dawes stated that Marion Sandwell, the YJB senior police advisor, works with Lord McNally to this end. Rob Butler highlighted the importance of engaging with the Association of PCCs.</p>   |               |
| <b>4</b>           | <p><b><u>Chief Executive's Update</u></b></p> <p>10. Lin Hinnigan's written report was noted. Lin stated that interviews for Kate Morris' maternity cover had been held and a successful candidate (Luke Taylor) will be joining from the National Offender Management Service.</p> <p>11. A consultation on the approach to the secure college rules will be issued after conference season. Board members were invited to contact Brett Greenwood by the end of the week regarding the YJB's input.</p> <p>12. The YJB has completed the evaluation of YOI education tenders and a report has been passed to MoJ procurement. Lin Hinnigan congratulated the team on their work in challenging circumstances .</p> <p>13. The launch event for the four new resettlement consortia has now been scheduled for November.</p> <p>14. Serco has been granted a one month extension in relation to the operation of Hassockfield STC while negotiations continue on a longer-term deal.</p> <p>15. The decommissioning board will reconvene in September and consider the current number of vacancies in the secure estate and what can be done to safely reduce them. The outcomes will be</p> |               |

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|                    | <p>shared with the Board.</p> <p>16. Lin stated that the issue of staffing in under-18 YOIs is being carefully monitored at the moment, with weekly figures being provided by NOMS. Staff are being recruited in the north of the country and sent on detached duty to the south to fill vacancies. Violence and staffing are covered as one of the YJB's key strategic risks and a large number of active controls are in place, such as using the "Promoting Risk Intervention by Situational Management" methodology at Feltham to better understand environmental factors that contribute to violence.</p> <p>17. Chris Davies stated that the YJB should continue to engage in discussions with the Department for Education and other relevant stakeholders on the subject of a more strategic approach to the commissioning of welfare places in Secure Children's Homes.</p> <p>18. The Board considered whether there were any implications for the YJB in connection with child abuse cases in Rotherham. Lin Hinnigan stated that the YJB was engaging with ongoing work into child sexual exploitation. Lucy Dawes stated that Rotherham YOT were not part of the investigation and that none of the victims in the investigation were known to the YOT. It was agreed that a paper on the issue should be brought to the next Board meeting for further discussion.</p> |   |
| <b>5</b>           | <p><b><u>Minutes of Committee Meetings</u></b></p> <p>19. Angela Sarkis reported that the Secure Accommodation committee held its last meeting in April. Angela praised the quality of the secure estate performance report and hoped that the new Performance Committee would receive the same quality of information. The committee had considered the issues of staffing levels in YOIs and staff cultures/values in SCHs in particular.</p> <p>20. John Wrangham reported on the latest activity of the Wales Youth Justice Advisory Panel. The Panel is undertaking a review of effectiveness, which will look both backwards and forwards in order to consider possible changes to its remit. The Panel had also launched the new Welsh Government / YJB Cymru <i>Youth Justice Strategy for Wales</i>. Lord McNally added that he had met with the PCCs for both north and south Wales who had spoken highly</p>  | <p><b>A paper on the implications to the YJB of the Rotherham child abuse investigation to be brought to the next Board meeting for further discussion.</b></p> |

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|                    | <p>of the links between the YJB and Welsh Government. Lord McNally also praised the work that had been undertaken in Wales looking at youth justice and mental health matters.</p> <p>21. David Banks reported against the Audit and Risk Committee minutes. Outturn for the year 2013/14 came in under budget by £6m. The YJB had received an unqualified audit report on the annual accounts, which David stated was hugely important and reflected the good work in the year on managing and handling the accounts. Lord McNally echoed that sentiment on behalf of the Board. The NAO were also satisfied with the processes for producing the accounts. YJB internal audit assurances had been generally positive, although in relation to the governance of grants a lack of evidence over local authority expenditure had been highlighted. The format of the corporate risk register has been revised, and the Committee had considered in particular the risks associated with the new secure college model. David Banks will be linking-in with the Ministry of Justice Audit and Risk Committee on that matter.</p>   |               |
| 6                  | <p><b><u>Report from the Performance Committee</u></b></p> <p>22. A written report following the inaugural meeting of the Performance Committee the previous day was tabled at the meeting. Gillian Fairfield stated that the Committee had agreed to its terms of reference and governance arrangements, and then concentrated on reviewing the Corporate Performance Report.</p> <p>23. On the YJB's outcome measures, it was noted that the indicators are generally moving in the right direction. Secure estate occupancy stands at 81% compared to a target of 93%, and the Committee agreed the issue will need revisiting. On the key financial data, an overall underspend against budget was forecast, but the YJB was managing pressures of around £1m arising from the delayed novation of some contracts. The Committee also recognised the need not to duplicate the work of the Finance, Audit and Risk Assurance Committee in this area.</p> <p>24. On the key people data, Gillian Fairfield reported that the Committee had agreed its role was to consider the deployment of resources in relation to achievement of the corporate plan. The Committee had also expressed concern at the staff engagement figures arising from the latest staff survey (2013) and would look closely at the results of the 2014 survey.</p> |               |

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|                    | <p>25. On the progress against business plan outcomes, the Committee felt that the role of police officers in YOTs needs to be watched to ensure that the new guidance is having the desired effect. The Committee was also concerned at progress with outcome D: <i>young people are placed efficiently in the most appropriate establishment</i>, particularly in regard to the rate of quality documentation being returned by YOTs, and in respect of violence within the secure estate. A verbatim extract from the report on the issue of violence was included in the tabled paper to the Board.</p> <p>26. In respect of YOT and secure estate performance, the Committee had noted that an escalation process for YOTs had been agreed with Ministers and that two YOTs are currently subject to updates to Ministers.</p> <p>27. Finally, the Committee had welcomed the good progress being made with completing Triennial Review recommendations.</p> <p>28. The Board welcomed the report, and were pleased with the breadth of subject matter covered by the Committee. While the need to avoid duplication with the Finance, Audit and Risk Assurance Committee was agreed, it was also agreed that a degree of overlap was preferable to gaps in assurance. As the work of the Committee evolves further thought will need to be given as to how it feeds into the Board and triggers wider discussion on key issues.</p> |               |
| 7                  | <p><b><u>YJB Restructure</u></b></p> <p>29. The paper provided the Board with an update on the progress of the YJB organisational restructure. The EMG revised structure was presented to the Board in December 2013 and implemented on 1 April 2014. Work has since been underway to design and implement a complementary structure below EMG. The key drivers are to better integrate custody and community; to enable flexible use of skills and capacity to deliver the YJB business now and in the future; and to have a permanent structure which is affordable within the pay bill budget. Lin Hinnigan stated that it was a demanding piece of work and praised the work of Ann Skamarauskas and her team. Lin also stated that the structure is not static, and that its effectiveness will lie in the interface between teams.</p>  |               |

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|             | <p>30. Chris Davies asked whether the cost of shared services was supposed to be more economic for the YJB. Lin Hinnigan stated that the economics were calculated on a cross-departmental basis in order to get the best value for government overall. David Banks stated that the Audit and Risk Committee had considered the business case for shared services and it was not predicated on costs alone.</p> <p>31. Angela Sarkis raised the issue of equality and diversity, and asked for assurances that the YJB's BAME staff would not be adversely effected by the changes. Further, Angela stated there should be opportunities for staff to learn new skills and progress their careers, and for new staff to be recruited. Ann Skamarauskas highlighted paragraph 7.1 of the paper, which stated that the YJB is working with Trade Unions in developing an equality impact assessment to ensure that it fully understands and deals sensitively and effectively with any equality and diversity issues arising from the restructure.</p> <p>32. Gillian Fairfield supported the proposals, and in particular the focus on functions. Gillian highlighted the need to cement changes in culture as soon as possible.</p> |        |
| 8           | <b><u>Corporate Planning</u></b>  |        |
|             | <p>33. Karl Mittelstadt presented the paper which provided the Board with an update on the YJB's corporate and business planning process. In contrast to previous years the YJB is planning the development of two distinct documents. The 'strategic plan' will be the primary vehicle through which the Board and EMG can set the YJB's future strategic priorities. The 'business plan' will more explicitly focus on the YJB's business activities and how they contribute to achieving the vision and mission outlined in the strategic plan.</p> <p>34. John Wrangham welcomed the paper, and stated that the proposals represented a real improvement, with the potential to become the lead documentation for the YJB. Rob Butler also supported the proposal for two distinct documents. While Rob agreed with the overall layout, the detail still needed to be worked though and he would welcome the opportunity to be involved.</p> <p>35. The Board discussed the proposed new vision: <i>"Every child and young person lives a safe and</i></p>  |        |

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|                    | <p><i>crime-free life, and makes a positive contribution to society</i>". While questions were raised as to whether the vision demanded too much, consensus was reached that it was appropriate, in that it was an ideal to be aspired to. The Board also agreed that the Strategic Plan should more explicitly state and project that the YJB is, at its core, a child-centred organisation.</p> <p>36. Amanda Sater stated that the reference to a "robust monitoring system" in the mission statement needed to be backed-up in practice. Lord McNally stated that this was the intention, and that more focus was being put into monitoring.</p> <p>37. On the draft strategic objectives, the Board suggested that the wording needed to be considered again to ensure greater clarity was provided, especially in respect of (a)(3) in relation to "...<i>the transformation of the local delivery landscape...</i>". It was also suggested that reference to the YJB's role in disseminating good practice ought to be made in the "<i>Centre of excellence for youth justice</i>" section.</p> <p>38. The Board agreed to the three decisions listed at paragraphs 2.1 of the paper, provided the comments made above were taken into account. It was noted that any additional comments should be sent to Karl Mittelstadt via email.</p> |               |
| 9                  | <p><b><u>Board Annual Report to the Secretary of State</u></b></p> <p>39. The paper provided the Board with a draft copy of the first Annual Report to the Secretary of State, and asked it to agree whether the issues raised in the paper are the key ones it wants to report, and whether the style and structure of the report were right.</p> <p>40. Chris Davies commented that the report was not intended to be a detailed catalogue of everything the YJB had done in the year, but to focus on the most significant achievements, challenges and risks. While the tone was engaging and conversational, it was also mindful of a wider audience. Bob Reitemeier added that it had gone through various iterations, and was now an issues-based report which would be well worthy of Ministerial attention.</p> <p>41. John Wrangham stated that the section on YOT performance could be stronger, and that the section on Wales needed to be updated to reference the</p>  |               |

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|                    | <p>strategy for mental health that has now been agreed.</p> <p>42. Neil Rhodes welcomed the report and supported the style and content overall, but suggested that the names of individuals should be removed. Gillian Fairfield agreed, and added that a section on working with partners ought to feature.</p> <p>43. David Banks stated that the report was excellent, and that the YJB now ought to anticipate supplementary questions and consider the answers. In terms of challenges, the report could include more content on what the YJB is doing to address them. Angela Sarkis liked the succinct style, and agreed with the suggestion that a section on working with partners should be included. Ideally, it would be a document that the Secretary of State could share with others. Rob Butler suggested the document could be shorter if possible, and to focus on what we want the Secretary of State to know that he does not know already. Neil Rhodes stated that the document needs to square with the YJB's vision and mission statement.</p> <p>44. The Board agreed with the decisions listed at paragraph 2.1 of the paper, in light of the comments above. It was agreed that any further thoughts on the document should be emailed to Catherine Bennion. It was also agreed that the private office should be given advance notice that the document was forthcoming.</p> |   |
| 10                 | <p><b><u>Anonymity of Children Involved in the Youth Justice System</u></b></p> <p>45. The paper presented the Board with a draft position statement on the anonymity of children and young people in the youth justice system, for comment and agreement. The statement relates to the Criminal Justice and Courts Bill currently before Parliament and the proposed amendments to:</p> <ul style="list-style-type: none"><li>- ensure reporting restrictions applied to social media;</li><li>- ensure reporting restrictions do not expire when a child turns 18; and</li><li>- prevent young people being named pre-charge.</li></ul> <p>46. Rob Butler declared that he has the Telegraph Media Group amongst his clients – given the press interest in this issue – but that he was not speaking</p>  | <p><b>Private office to be given notice that the YJB's Annual Report to the Secretary of State is forthcoming</b></p> |

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|                    | <p>on their behalf. Rob stated that he would like to see more detail on how and why the media are opposed to the changes, given that this suggestion appeared to be reliant on one piece of research only. Rob also stated that the proposed s44 amendment (in relation to alleged offences) was broader than implied in the paper, relating not just to young people. Overall, Rob felt the YJB should avoid making specific comments about the proposed amendments but instead promote the general principle that young people should have their anonymity protected, starting at the beginning of an investigation rather than at the start of a court case, and that this should extend to social media where practicable.</p> <p>47. Amanda Sater agreed that more background information would be useful, and that the YJB ought to formulate its own position independently of the proposed amendments to the Bill. Chris Davies agreed, stating that the YJB ought to have young people at the heart of any decision and maintain our own position by sticking to matters of principle. Neil Rhodes also agreed that the YJB should focus on principles, including recognition that in practice it was difficult to enforce controls on social media. Bob Reitemeier stated that the YJB's position should tie-in with its mission and vision, and that a child-centred approach should be the driving factor.</p> <p>48. Lord McNally summarised the Board's position, stating that there was a clear consensus that the YJB does not want to comment on particular amendments, but to formulate a position statement based on matters of principle. A re-cast statement will be circulated to the Board for comment.</p> |   |
| 11                 | <p><b><u>Transforming Youth Justice Policy Programme</u></b></p> <p>49. Darren Tierney, Director of Transforming Justice at MoJ, gave the Board a presentation on the Transforming Youth Justice programme. The programme will focus on reducing demand through early intervention, a more effective justice system for young people, and through enhanced rehabilitation.</p> <p>50. The Board welcomed the presentation and were pleased with the focus on early intervention. The Board also stressed the successes of the current YOT model and partnership working, and also the importance of effective resettlement.</p> <p>51. It was agreed that as the programme develops a workshop would be held with the Board to enable it</p>   | <p><b>A re-cast statement taking account of paragraphs 46-48 to be drafted and circulated to the Board for further comment.</b></p> <p><b>A Board workshop to be held on the Transforming Youth</b></p> |

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|                    | to engage with the programme further.   | <b>Custody programme.</b> |
| <b>12</b>          | <b><u>Any other business</u></b><br>There was no further business. The meeting closed at 14.20. |                           |

David Wells  
YJB Corporate Governance  
18 September 2014