

Minutes



Meeting: **Board Meeting**
Date: **5 August 2015**
Time: **10:45-15:00**
Location: **102 Petty France**
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)	Gillian Fairfield (Board member)
Neil Rhodes (Board member)	Bob Reitemeir (Board member)
Christine Davies (Board member)	Lin Hinnigan (Chief Executive)
Kate Morris (Director of Operations)	Louise Falshaw (Director of Partnerships and Performance)
Dusty Kennedy (Head of YJB Cymru)	Kevin Venosi (Director of Commissioning and Change)
Martin Skeats (Head of Finance and Business Assurance)	Catherine Worswick (Head of Strategy and Communications)
Summer Nisar (Head of Media and External Communications)	Niall MacEntee Creighton (Head of Chief Executive Office – minutes)
Poppy Harrison (Head of Safeguarding and Placements – items 3 and 4)	Clive Newsome (Head of Assurance and Risk – item 5)
Rob Burnand (Head of Finance – item 6)	Peter Savage (Head of Contracts and Business Management – item 7)

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1	<p data-bbox="325 327 695 349">Introduction and business</p> <p data-bbox="325 398 770 427"><u>Board and Subcommittee Minutes</u></p> <p data-bbox="325 434 1029 573">1. The Board agreed without change the draft minutes of the previous meeting. The Board noted the subcommittee minutes from meetings that had taken place since the last full Board meeting.</p> <p data-bbox="325 613 647 642"><u>Outstanding Actions Log</u></p> <p data-bbox="325 649 967 678">2. The Board reviewed and noted the actions log.</p> <p data-bbox="325 719 727 748"><u>Register of Members' Interests</u></p> <p data-bbox="325 754 895 784">3. The Board noted the register of interests.</p> <p data-bbox="325 824 638 853"><u>Board Activity Schedule</u></p> <p data-bbox="325 860 858 889">4. The Board noted the activity schedule.</p> <p data-bbox="325 929 911 958"><u>Performance Committee Report to the Board</u></p> <p data-bbox="325 965 1029 1442">5. Gillian Fairfield, Chair of the Performance Committee, noted that the report to the Board for this meeting included in annexes the full reports on the YJB's six priority projects. Gillian explained that the reports would be considered regularly by the Performance Committee. They had been included for this meeting to sight the Board as it was the first time the priority projects had been part of the report, but would not be included for future meetings. Gillian also noted that the Performance Committee would welcome a full discussion on the Young Offender Institution (YOI) reform programme at the next full Board meeting.</p> <p data-bbox="325 1482 520 1512"><u>Chair's Update</u></p> <p data-bbox="325 1518 1029 1659">6. Lord McNally updated the Board on his recent activities, which included opening a new building for Leeds Youth Offending Team (YOT) and planting a commemorative tree.</p>	<p data-bbox="1054 1167 1355 1361">Niall MacEntee Creighton to add the YOI reform programme to the agenda for the next Board meeting</p>
2	<p data-bbox="325 1704 679 1733">Chief Executive's Update</p> <p data-bbox="325 1774 1029 2058">7. The Board noted Lin Hinnigan's written report. Lin highlighted her engagements concerning Rainsbrook Secure Training Centre (STC), explaining that the YJB's executive management team was content with Rainsbrook's progress on the action plan put in place following the joint inspection in February 2015. Lin also highlighted the progress made with plans to retender contracts for STCs, and explained that the</p>	

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	<p>YJB expected contracts to be awarded in September. The last item Lin highlighted from her written report was progress on plans to commercialise AssetPlus. Lin noted that changes at the Ministry of Justice's (MoJ) commercial arm, Just Solutions International, may delay the project.</p>	
	<p>8. In addition to her written report, Lin updated the Board on the in-year budget pressure faced by the YJB. The MoJ had reduced the YJB's 2015/16 budget by £12m. To help meet this challenge, the YJB intended to consult interested parties on an in-year reduction to the YJB's grant to YOTs. Lin stressed that the Board should consider the consultation responses in full before reaching a decision. Lin noted that she had written to YOTs on 29 July to inform them of the possibility of an in-year reduction to the YOT grant of up to 14%. By 4 August the YJB had received more than 40 responses. All responses highlighted that a reduction of this scale would affect staff working directly with young people, and noted the pressures under which local authorities are already operating. A quarter of responses warned that such a reduction would affect their ability to meet statutory obligations. Lin noted that the Board should meet once the consultation closed to take a formal decision on the in-year reduction to the YJB's 2015/16 budget.</p>	
3	Harris Review	
	<p>9. Poppy Harrison presented a paper to the Board seeking comment on the YJB's approach to the recommendations made in the Harris Review into self-inflicted deaths in custody of 18-24 year olds.</p>	
	<p>10. Poppy sought the Board's views on the YJB's approach to the three recommendations made directly to the YJB. In relation to recommendation 36, Christine Davies questioned whether the YJB held a firm view that young adults should be subject to a separate regime from children and young people – the important point was that the regime should be distinct. Bob Reitemeir expressed support for the principle behind recommendation 36, but was concerned that the YJB would be unable to implement it given current and future budget pressures. Lord McNally stated that where the recommendations would bring benefits, the YJB</p>	

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	<p>should seek to implement them if possible. Poppy added that the YJB would use the wider recommendations made in the document to audit the youth justice system. Lord McNally suggested that the YJB identify key recommendations that it is pursuing beyond the three made directly to the YJB, and cover these in the response. Subject to the comments expressed in this paragraph, the Board agreed to the approach set out in the paper.</p> <p>11. Poppy proposed that the Board revisit the YJB's response to the recommendations by way of a workshop in the autumn. The Board decided that there was no need for a workshop, and that a draft response should be circulated to all Board members for comment ahead of the deadline for submission on 30 September.</p>	
4	<p>Serious incident reporting</p> <p>12. Poppy Harrison presented a paper to the Board summarising the YJB's serious incident reporting arrangements. The paper had been requested by the Board. Poppy sought comment on the arrangements set out in the paper.</p> <p>13. Poppy explained that the reporting of individual incidents to local authorities was the responsibility of individual providers, but the YJB had an important role in communicating any broader concerns about the secure estate to local authorities. Lord McNally noted that he had visited Rainsbrook STC over the past month, meeting with staff and young people, and was confident that the STC is safe and secure. His concern was that incidents at Rainsbrook had not been escalated high enough and early enough, and that there were lessons for both the YJB and G4S. Poppy noted that the YJB held weekly meetings involving the Head of Placements, the Contract Management Team and representatives from the YJB's regional community-based teams to identify and escalate emerging issues in the secure estate.</p> <p>14. Lin Hinnigan sought the Board's views on the correct level of information relating to serious incidents that should come to the Board. Lord McNally noted that it will be a judgment call. Rob Butler suggested that the executive err on the side of caution by sharing information if there is any doubt.</p>	<p>Lin Hinnigan to report back to Lord McNally on serious incident reporting at Rainsbrook STC prior to its most recent inspection.</p>

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	<p>Rob also suggested that the number of assaults at each secure establishment should be seen by the Performance Committee. Gillian Fairfield agreed. Lord McNally highlighted the importance of a clear audit trail in all serious incident reporting. Lin thanked the Board for their comments and noted their view that if in any doubt the executive should inform the Board of serious incidents, and should make sure that there is a clear audit trail.</p>	<p>Niall MacEntee Creighton to liaise with Poppy Harrison to include the number of assaults at secure establishments in reports to the Performance Committee</p>
5	<p>Enhancement of Governance</p>	
	<p>15. Lin Hinnigan presented a paper to the Board seeking its approval to change the terms of reference of the Remuneration Committee and the Finance, Audit and Risk Assurance Committee. Lin explained that the paper stemmed from a discussion at the last meeting of the Finance, Audit and Risk Assurance Committee about the management of sensitive risks, and that she and Martin Skeats had subsequently discussed the matter with Neil Rhodes. Neil noted that he had been reassured by the discussion.</p>	
	<p>16. On the change to the Remuneration Committee terms of reference, Lord McNally suggested that the Committee be renamed the Remuneration and Personnel Committee. The Board approved the change to the terms of reference and agreed to the change of name.</p>	<p>Niall MacEntee Creighton to update the terms of reference of the Remuneration Committee</p>
	<p>17. On the change to the Finance, Audit and Risk Assurance Committee terms of reference, Rob Butler suggested that, as well as the Committee Chair, the Chair of the Board should be able to determine whether a subject matter is too sensitive for discussion in committee. The Board approved the change to the terms of reference, subject to the amendment suggested by Rob.</p>	<p>Niall MacEntee Creighton to update the terms of reference of the Finance, Audit and Risk Assurance Committee</p>
6	<p>Capital Budgets</p>	
	<p>18. Lin Hinnigan presented a paper to the Board updating Board members on the YJB's capital funding position, and seeking approval for the draft 2015/16 capital budget allocation. Lin noted that this would be an approval in principle of a draft budget that was subject to change during the course of the year.</p>	
	<p>19. Christine Davies questioned the "currency</p>	

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	<p>misalignment” of £2m allocated to the YOI reform programme. Rob Burnand explained that NOMS and the YJB had not yet reached agreement on the categorisation of the funds as either capital or resource expenditure. A delay to agreement could put the funds at risk.</p> <p>20. The Board approved the draft 2015/16 capital budget allocation.</p>	
7	<p>Performance Management in the Secure Estate</p> <p>21. Peter Savage presented a paper to the Board outlining the YJB’s approach to performance management in the secure estate, and sought the Board’s comment.</p> <p>22. Peter noted that, as part of the YJB’s recent restructure, more resource had been allocated to the YJB’s monitoring function, and YJB monitors were now based at Young Offender Institutions (YOIs) as well as STCs. Peter outlined the monitoring process and highlighted the performance review as the key meeting that leads to actions on the ground as well as feeding into the YJB’s formal governance review.</p> <p>23. Rob Butler noted that slide six of the presentation incorrectly referred to the Independent Monitoring Board (IMB) as advocating in YOIs. The IMB no longer has this function.</p> <p>24. Christine Davies questioned the difference the YJB’s monitoring makes to the quality of services received by young people in custody, and noted that the YJB appeared to be caught out by the recent inspection at Rainsbrook STC. Peter explained that not all of the YJB’s monitoring is made public and, in the case of Rainsbrook STC, the Monitors had been aware of and dealt with the incidents identified in the Ofsted report, and had pointed these out to Inspectors.</p> <p>25. David Banks expressed concern at the apparent separation of performance management from the commercial aspect of contract management. He stated that there needed to be a link between the two to give performance management teeth. Peter confirmed that the MoJ commissioning model did split the two, but noted good working relationships with MoJ’s commercial team who were very responsive.</p>	

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	<p>Kate Morris emphasised that the model was a MoJ requirement.</p> <p>26. Rob Butler registered his support for the monitoring system, but expressed concern about the quality of service received by young people detained in public sector YOIs. Gillian Fairfield also expressed concern about the performance of public sector YOIs, and questioned whether the approach outlined in the paper was an approach to performance reporting rather than performance management. Lin Hinnigan agreed that the performance of public sector YOIs was a serious concern, but explained that the YJB has more levers in some of its commissioning relationships than others. Kate Morris noted that in the past the YJB had pulled out of poor performing YOIs, but its options were now limited due to the reduction in the size of the youth secure estate. Peter emphasised the joint recovery plan that the YJB has put in place with NOMS at Feltham YOI which has seen YJB staff on site. Lin noted that she had escalated the performance of Feltham to Michael Spurr, Chief Executive of NOMS. Kate informed the Board that an unannounced inspection was underway at Feltham and, although it had come too soon for the full benefits of the recovery plan to be evidenced, the YJB was confident that Inspectors would notice an improvement. Lord McNally noted that he was encouraged by the existence of the joint recovery plan at Feltham.</p> <p>27. Lord McNally asked how YJB Head Quarters supported Monitors based on site. Peter reassured the Board that Monitors were not isolated, and explained that they interacted often with the team in London and supported each other through joint working and peer reviews. Lord McNally registered his support for the restructure that had put more resource into monitoring the secure estate.</p> <p>28. The paper raised a series of discussion points as to how openly the YJB shares information from its monitoring activity. Peter informed the Board that Monitors will soon attend regional meetings of YOT Managers to discuss general issues concerning the secure estate which should improve communication with YOTs</p>	

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8	Any other business 29. There was no further business.	

**Niall MacEntee Creighton
Chief Executive Office
24 August 2015**