



Board meeting - Minutes

Meeting date:
19 June 2019

Time:
10:00 – 14:00

Location:
Conference Room 4, Clive House

Board Attendees

Name	Title
Charlie Taylor	Chair
Brian Tytherleigh	Board member
Neil Rhodes	Board member
Keith Fraser	Board member
Mairead Healy	Board member
Alan Wood	Board member
Ben Byrne	Board member
Gillian Fairfield	Board member
Neal Hazel	Board member
Keith Towler	Board member

Executive and other attendees

Name	Title
Colin Allars	Chief Executive Officer
Stephanie Roberts-Bibby	Chief Operating Officer
Mairi Warrington	Director of Strategy and Planning
Martin Skeats	Director of Programme Delivery
Ann Skamarauskas	Organisational Development & Change
Stephanie Dilloway	Head of Chief Executive's Office
Genet Tefera	Minutes

Apologies

Name	Title
Neil Rhodes	Board member
Sharon Gray	Board member
Alison Wedge	Deputy Director, Head of ALB

Presenters

Name	
Nicky Hill	(presenter – Item 9)
Rob Newman	(Youth Justice Policy Unit, MoJ – Item 7)

Observers

Name	
Neil Bower	(YJB Programme & Project Manager)
Liza Durkin	(Head of North of England Youth Justice Business Area)
Nekisha Robinson	(Shadowing Colin Allars)

1. Chair's Introduction, Minutes and outstanding Actions

- 1.1 Charlie Taylor began the meeting by suggesting the Board have an away day in October to discuss the Structure of YJB, Criminal Records, the update on the green paper and a Comprehensive spending review.

**Action: To arrange a Board away day.
Assigned to: Stephanie Dilloway**

- 1.2 Charlie invited Board Members to attend the All-staff briefing that was due to take place after the Board meeting. The chair informed Liza Durkin, Neil Bowler and Nekisha Robinson who were observing, that the Board would appreciate to hear their views at the end of the meeting.

- 1.3 The Board agreed the following:

- Board Minutes (Draft) 20 March.
- Board Outstanding Actions Log (Draft) 20 March – As in action 12, the CEO asked that the Board share their relevant upcoming YJB stakeholder engagement with the CEO team.

- 1.4 Board Member Activity Schedule / Register of Interests / Gifts and Hospitality Register

The Board noted the following:

- the Board member's activity schedule
 - the Board member's register of interests, - Gillian Fairfield raised that she has a potential conflict of interest on the agenda and would not take part in discussion related to Criminal Records. Ben Byrne informed the Board that he is a trustee of the National Association for Youth Justice, which is a member organisation of the Standing Committee for Youth Justice (SCYJ). The SCYJ has commissioned research on youth criminal records and provided evidence to the Justice Select Committee for its report on this subject.
 - FARAC minutes – Brian Tytherleigh informed the Board that there has been a clear improvement around the processes however, a few staff issues remain open nonetheless, this is being worked on by Colin Allars, so should be closed very soon. The Chair raised that the YJB has to date not received any substantive negative feedback from the NAO.
 - Performance Committee minutes had been circulated on 7 June - The report highlights the key points. Gillian mentioned that there is an ongoing concern around the secure estate.
- 1.5 Keith Towler raised the issue regarding Wales and its position as a priority, the blueprint and our commitment to it. It was agreed that he would meet with Charlie to discuss this further.
- 1.6 Charlie Taylor informed the Board of his visit to Essex YOT and how very impressed he was about their thoughts on county lines. He advised that it is worth considering this YOT as a path finder.
- 1.7 Gillian noted the encouraging reports regarding YOTs inspections. The Board were keen to understand the themes from HMIP inspections.

**Action: Justin Russell (HMIP) to be invited to a future Board meeting
Assigned to: Stephanie Dilloway**

1.8 The Board discussed the progress that has been made by the Communication and Stakeholder Engagement Team. Mairi Warrington stressed briefing is important for maintaining the consistent messaging from the Board therefore knowing when they attend meetings and events, is useful. Keith Fraser fed back how good the team have been regarding mapping stakeholders. The Board further discussed Twitter.

2. Engagement Update

2.1 Charlie Taylor informed the Board that this slot in the agenda was an opportunity for him to feedback on engagement.

2.2 There have been incidents where people have not known when someone is involved as a result, he believes there needs to be a better way to share information. Stephanie Roberts-Bibby requested feedback from the Board on the slides and whether the Board would like to see the dashboard monthly or quarterly. Charlie's view is that we have moved to a more systematic way of engaging. We are at a relatively early stage and have not yet seen the impact of this, however, it does feel it is going strongly in the right direction. Keith Fraser agreed with this but raised that the Board needs to utilise the right teams to map out the direction. Charlie raised that the Board should make sure to tweet where they are and that the YJB should retweet Board members.

2.3 Mairi raised that she wants to support the Board in their Engagement so they feel protected when doing so.

2.4 Stephanie Roberts - Bibby informed the Board that there is a new member in the Comms Team who is an expert on twitter so we should see more in this area.

2.5 Keith Towler raised that messages delivered require clarity and tweets should be bilingual. YJB currently does not have a Welsh speaker. The Board discussed the YJB Cymru brand and the need to implement a specific Comms plan for Wales. Keith Towler was concerned about lobbying by Welsh language groups.

2.6 Gillian felt that there had been a real step change in Comms and Stakeholder Engagement and found the dashboard very useful.

Action: The Board would like a monthly update of the dashboard.
Assigned to: Hanna Lewis and Nicola Kefford

2.7 There was a discussion about the Comms plan for secure schools. Stephanie Roberts-Bibby advised this was in draft with the Chair and that it would be shared with the Board Members once agreed.

Action: To share the Comms plan with the Board
Assigned to: Hanna Lewis & Stephanie Dilloway

3. Chief Executive's report

3.1 Colin Allars informed the Board that Lynzi Jarman has been promoted and now all senior posts have been filled.

3.2 Colin informed the Board that it has come to his attention from a 'Question Time' which he attended, that the strategic plan is being read by external parties.

3.3 The delegation of our budgets has taken place. The response from YOTs has been rather muted which we predict may be because the expectations were worse. Charlie congratulated the team for the handling of the budget, managing YOTs, pushing the Department and retaining funds for priorities.

- 3.4 Community issues – The YOTs that there were concerns about performance are moving in the right direction. The level of engagement from Minister Argar has been very good. He is asking for regular updates and looking to YJB for advice.
- 3.5 Colin informed the Board that YCS have changed some of their senior staffing.
- 3.6 Secure Schools – Charlie and others have done a lot of work on this. Ministers have reaffirmed their commitment to it. Colin informed the Board that the next challenge is to get the preferred provider announced.

Action: To discuss this further in the Performance Committee.
Assigned to: Gillian Fairfield & Stephanie Dilloway

- 3.7 Brian Tytherleigh noted that the Secure oversight issues were of most concern. Neal Hazel reported that he had delivered two presentations to YCS regarding child first, in support of effort to influence a change in culture. He endorsed the YCS senior staff appointment.
- 3.8 Steph Roberts-Bibby asked the Board to note HMIPs thematic resettlement and segregation reports.
- 3.9 Colin informed the Board that he has had to reaffirm the rules for booking tickets for staff and the Board and we are having to ensure adherence to the published MOJ's rules going forward.
- 3.10 He thanked Board members for their understanding when travel costs could not be reimbursed because tickets had not been booked three clear working days before the date of travel.

Action: The staff message regarding travel rules to be copied to the Board.

- 3.11 Following intervention, wording in the Green paper on tagging was now expected to reflect the Board's views. The Board understood that the paper will not be fully "child first". This should be picked up in more detail once the Green paper is published.
- 3.12 The Board discussed criminal records and agreed they wanted to see something more radical that is child first. Charlie raised that the current system is risk averse and there is an opportunity to do something here. With some push and lobbying from us, we hoped to build some momentum for change.
- 3.13 It was felt that at every level, the current process added to disadvantage for children. Ministers are in the space where they are considering change. Colin asked the Board's views on this to feed to the Ministry. There was concern that the arrangements are not protecting the public in the long-term and in holding personal information for a very long period when there is no re-offending.
- 3.14 Brian raised that there is an issue to engage with the Information Commissioners Office on the issue in relation to data protection.
- 3.15 The Board agreed that current disclosure arrangements represented a meal stone for children which potentially hold them back for the rest of their lives. It was noted the Information Commissioner may have an interest. The Board did not think the process provided the public with value for money or protection when looked at historically. The Board concluded that as there is a separate and distinct youth justice system, there needs to be a separate and distinct process for children. Charlie proposed a smaller working group on this.

Action: To circulate a request for specific Board members to join a working group on criminal records.
Assigned to: Mairi Warrington

4. Board Effectiveness & Governance Review

- 4.1 Steph gave her apologies for the papers being circulated late. Brian confirmed that FARAC are keeping this under review.
- 4.2 Steph directed the Board to section 4 of the paper. There were several questions that came out of the review. A number of Board members had raised that they would like more frequent meetings. The Board agreed that they are happy to keep the arrangements as they are.
- 4.3 Steph asked the Board how they suggest we drive change in performance or are they happy as is? Brian raised that those Board members who attend all Committee meetings, have more frequent input and a fuller picture. Board members must trust that there is enough scrutiny taking place. Brian stated that he had seen many positive changes since being appointed as a Board Member. Ben raised that he is happy to be invited to discuss specific issues. The Board were content with present arrangements.
- 4.4 The review suggested that a small number of Board members might have felt there was a lack of regular assurance. The Board confirmed that this is not the case.

5. Spending Review (SR)

- 5.1 Mairi informed the Board that the next spending review had been announced, but timing was likely to depend on Brexit.
- 5.2 Charlie suggested that the Board arrange an awayday along with looking at structures of YJB and wider structural options for where youth justice might sit going forward. There is a significant variation in equity. We have a system where Newham gets significantly more money than Enfield. There is a question about how we project the money spent going forward or whether we stick to the status quo. The difficulty with the status quo is it is difficult to defend
- 5.3 Brian questioned whether YJB is adding value in distributing funds to YOTs and whether MoJ might do it directly. Our influence should be with the Minister, our influence on the finance is a risk. We do however, need to get to a point where we can say we are comfortable with the funds that are distributed.
- 5.4 Colin agreed, but noted that when speaking to DCS's he has been surprised about the extent to which they value and talk about the importance of YJB and Local Authority level, money being one part. He raised the question as to whether the Board would prefer the YJB to maintain responsibility for the funds or not. Should it be ringfenced or not. What is the right balance between case YOT grant and priorities? All were issues for the awayday.
- 5.5 Gillian raised that she is focused on improving safety and on delivering the priorities. This was agreed by the Board.
- 5.6 The Board explored implications of giving the funds to the Welsh government. The Board agreed that they need a round table discussion as this is a big topic.
- 5.7 Alan raised that we should reflect on the last couple of years. Colin and his team have done a lot of work around how you can allocate the fund in different ways. What we perhaps haven't done enough, is impact on how the money is used once allocated. If the YJB no longer has any influence over the funds, the role of the organisation would need to be re-assessed.
- 5.8 Charlie raised that there is a need to revisit both the formula and distribution process. These are two separate issues that need to be considered. Charlie raised the urgency of this, as the YJB currently cannot assure Ministers that the funds are being distributed equitably.
- 5.9 Alan suggested that even if the money is not distributed by the YJB, the money spent will still require accountability and may be an area for the Board to consider as part of its responsibility to advise Ministers.
- 5.10 The Board discussed YOT mutualisation and the need to understand what the driver is. It was agreed that there was a place for it but bottom up not top down. We shouldn't use

terms such as co-commissioning and mutualisation. It was noted that there are particular challenges for Wales.

6. YJB response to the review of pain-inducing techniques (PIT)

6.1 Rob Lawman entered the room.

6.2 Charlie introduced the Board to Rob Lawman, who had supported him on the review of pain inducing techniques. Charlie informed the Board that he has been gathering the opinions of many people across the country but has not yet brought this to the YJB. Brian took the Chair for the discussion. Charlie was for this item the Review lead.

6.3 Charlie provided an overview of his work to date.

Action: Agree record of Board position on PIT
Assigned to: Brian Tytherleigh

Action: To circulate a summary of the Board's view on PIT by 25th June.
Assigned to: Stephanie Dilloway

7. Lessons Learnt from oversight of Blackpool. Western Bay and Lambeth

7.1 Due to time constraints, it was agreed that this item would be covered at Performance Committee on 10th July 2019.

Action: Add to Performance Committee agenda
Assigned to: Stephanie Dilloway

8. Consider items for quarterly Secretary of State letter

8.1 Due to time constraints, it was agreed to be done via correspondence.

Action: Stephanie to circulate items for the Secretary of State letter out of committee.
Assigned to: Stephanie Dilloway

9. Newham Serious Case Review

9.1 Nicky Hill provided an overview of her review of a 14yr old boy in Newham who was shot.

9.2 Alan suggested we connect with the National Panel of Learning from Serious Events looking at children who have died because of organised crime.

9.3 Ben raised individual serious case reviews are taking place and it would be useful to have a systemic view.

Action: Mairi Warrington to consider a YJB view on the Children's Safeguarding Practice Review Panel on complex cases.
Assigned to: Mairi Warrington

10. AOB

10.1 The observers fed back their views. Liza found the experience and the FARAC assurance useful. She found the issues around grants and the Board's division of legitimate use of force and illegitimate use of force as a technique, very interesting.

10.2 Neil Bower and Nekisha Robinson found it very useful and felt that it was positive to see the Board member's commitment and hear the Child First test being put into action.

Genet Tefera
Business Support Manager
19 June 2019