

PPS Management Board

10.00am Wednesday 24 January 2024

Belfast Chambers

Members: Stephen Herron
Michael Agnew
Marianne O’Kane
David Best
Glenn Houston
Peter Luney
JoAnne Quinn

In Attendance: Tom Murphy (Private Office)

Secretariat: Policy and Information Unit

1. Welcome.

Mr Herron welcomed members to the January 2024 Management Board.

2. Apologies

Claire Harrison.

3. Declaration of Board Members’ Interests

None.

4. Management Board Minutes.

The previous minutes were agreed.

5. Actions from the Management Board Meeting of November 2023

AP 08-23/24. Peter Luney to draft an action plan to address the recommendations from the Board Effectiveness review for the January Board meeting.

Closed – The Board Effectiveness Action Plan to address the recommendations from the review is included at item 3.2 of the agenda.

In respect of Recommendation 11, Succession Planning for the Board, Mr Luney advised this has been accepted in principle however there are some controls and

constraints that may determine how this is addressed, and further scoping is required.

Mr Luney updated members on actions planned in respect of the remaining recommendations, including further discussions planned regarding the role of the of the AD Forum. Members noted that the plan is a living document, and the Board will be kept apprised on progress.

AP 09-23/24. Mr Luney to make enquiries regarding forecasts for costs awarded.

Closed. Mr Luney advised that there are a small number of potential cases and whilst there is not a dedicated budget, provision has been made to cover any costs.

6. Reports from Management Board Committees.

Senior Management Group 18 January 2024.

Mr Agnew provided members with an update on the Senior Management Group Meeting of 18 January 2024.

Members noted that matters discussed included the actions planned to address the recommendations from the Board Effectiveness review, resourcing and challenges with performance. Members noted considerations with recruitment, recovery funding and the ongoing balance of financial risks with the management of operational risks.

People and Resources Committee – 11 January 2024

Mr Luney provided an overview of the matters discussed at the meeting of 11 January 2024.

The figure for PRC approval of business cases has been confirmed at amounts up to £30k.

Mr Luney provided a progress update on recruitment to fill vacancies. A number of offers have been made and start dates agreed for AO positions, with work ongoing with NICS HR to fill remaining positions. Line managers have highlighted concerns around losing some experienced staff, however overall it is recognised that filling positions with permanent staff will have more positive impact and will create more stability in the long term.

There has also been progress made on filling legal positions with the SPP competition at the initiation stage. There continues to be wider challenges in recruitment of Accountancy and ICT staff. The Staff Officer Accountant competition is ongoing with interviews to be concluded by mid-February. Ms

O’Kane advised members that interviews for the counsel panel are scheduled for 9 February 2024. The appointment of Kings Counsel has been postponed to a date unknown and this may have an impact on availability of some counsel thus requiring the panel to be reconstituted at some point in the future.

In respect of sick absence management, although there is a slight decrease in comparison to last year, there are still concerns with the absence levels. There is an increase in new long-term sick absence cases, and a few cases are being considered for inefficiency action.

Mr Luney advised of a meeting scheduled with NIO to discuss assistance in addressing a number of minor issues arising in the vicinity of PPS buildings.

Performance and Delivery Committee 15 January 2024

Ms O’Kane provided a verbal update on the matters discussed at the meeting of 15 January 2024.

There are continued pressures across all areas and concerns regarding the increase in caseload of category 1-4 case weights. There have been some measures put in place to mitigate risk. Ms O’Kane advised that PP capacity in B&E is impacted by the volume of staff on sick leave. There are also limitations on work that can be allocated to Agency staff, in the absence of signing authority.

Mr Herron queried whether figures could be obtained for the average number of cases so that targets for a timeframe for unallocated cases could be determined. This may involve benchmarking with other prosecutorial authorities.

Members were advised that several other initiatives are being considered to relieve pressures, including the introduction of a role between the ADs and Business Managers to ensure more influence in managing operational business. There are also IT requirements to be implemented, which will have an impact by delivering efficiencies in processes and tasks.

Policy & Quality Committee 22/11/23 & 18/12/23

Mr Agnew provided an update of the matters discussed at the Policy and Quality meetings of 22 November 2023 and 18 December 2023.

The Domestic Abuse Policy is scheduled to be published on 22 February 2024. Responses received from stakeholders have been incorporated and the policy amended accordingly.

7. Strategic Improvement Board

Strategic Improvement Dashboard January 2024

Mr Agnew updated members on the progress of the key projects.

Members were briefed on progress with the No File Decision project. The Quality assurance check figures are relatively low and whilst there is a high level of accuracy, several issues have arisen in respect of domestic violence cases. It has been agreed that the planned interim evaluation scheduled for 5 months should be postponed allowing for more data gathering. An increase in the number of calls to the duty prosecutor has been flagged and it is intended that data will be captured for further evaluation.

Members were updated on progress of the rollout of the Content Manager Project. A high-level project plan has been developed detailing the seven remaining phases of rollout. ICT staff will assist in delivery of the file plan implementation, training and go live support.

In respect of the new RECs facility, awareness raising training sessions have been delivered to Newry and Belfast and Eastern prosecutors. Overall feedback from the centres is that they are delivering favourable verdicts.

The change requirements for the No prosecution letters will be flagged again at the next Working Together Project Team meeting to establish if February remains PSNI 's timeframe to make the necessary changes.

Mr Agnew advised that in regards the DEMS project, issues around displaying information in court have now been resolved with counsel provided with laptops. Further discussions will be held with NICTS to address sharing facilities.

8. Performance Summary.

Members discussed and reviewed the Monthly Performance Summary, as of December 2023.

There are continuing resourcing pressures and concerns with the increase in volume of case weight 1-4 files, total caseloads, and unallocated work queues.

Overall Caseload awaiting a decision at the end of December 2023 has decreased by 0.5% from December 2022. However, the total caseload for indictable cases has increased from 1180 in 19/20 to a total of 1924. The volume of summary cases is up from 2394 to 4904. A breakdown regionally indicates an increase in caseload in B&E from 231 in 19/20 to 869 currently, and in Western and Southern an increase from 409 to 728. There has been no uplift in resources to manage this increase and the increasing complexity of cases has contributed

to the existing pressures. Recently a small cohort of staff from SCU have been redeployed back to the business areas to increase the available capacity to manage workloads.

The number of decisions taken during the financial year to December 2023 was higher than the same period last year. SPP Decisions per day exceeded 2023/24 and PP decisions per day also exceeded the target. Staff are working at capacity, but resources are insufficient to manage the backlog. Caseloads are being monitored closely and, where possible, steps have been taken to mitigate risks in respect of the impact of delay. Ms O’Kane advised of a protected time initiative which allows prosecutors time to focus solely on taking decisions only, without the interruptions of emails engagements etc. Members agreed that it is vital to reinforce the discussion about recovery pressures.

Mr Herron highlighted the need to gain an understanding and to detail the rationale and reasons for the volume of cases received, and the figures for total caseloads and unallocated cases. Analysis of this information would assist in informing capacity and in determining timeliness and quality requirements, which would in turn be linked to a business case for additional resources.

9. Finance Update

Executive Summary

Members discussed and reviewed the key financial issues being managed by the Finance Team as of December 2023.

Ms Quinn advised members that the revised forecast would now show an outturn adverse to budget with a projected pressure of approximately £1m, however there may be some capacity to manage this down and discussions with Finance Supply are ongoing.

Ms Quinn advised that a paper has been drafted proposing considerations and options to try to reduce spending should funding bids be unsuccessful and agreed to circulate this to members in advance of the next Board meeting.

AP 10-23/24 Ms Quinn to circulate draft savings paper to Board Members.

Members were advised that counsel fee spend is forecast at £6.4m, however this may be revised downward as work continues through the review of accruals. There is a risk that cash flow may be interrupted by mid-March, however it is hoped that a reserve claim may be forthcoming that would address this. It was agreed that ARC would be advised should there be any update received in respect of the reserve claim.

AP 11-23/24 Ms Quinn to advise ARC of any updates received regarding the reserve Claim.

Ms Quinn updated members on the latest position with spring /summer estimates which have pending advice from the Treasury. Forecast pressures for 2024/25 are anticipated to be in the region of £2.2m.

10. People

Resource Management Team Update January 2024

Members noted the RMT January Update, including the latest staffing and recruitment, corporate social responsibility, health and wellbeing and training.

Mr Luney advised of progress to fill vacancies in both legal and specialist posts. The challenge remains in recruiting to specialist posts, particularly accountancy and IT posts.

11. Governance Issues.

Corporate Risk Register 2023/24

Members reviewed and discussed the 2023/24 Risk Register and noted the planned actions, mitigations, status, and rating of all risks.

Mr Luney advised that actions to mitigate in Risks 9, Workforce Planning and Risk 11, Staff welfare and Resilience are being reviewed to ensure they are having the required impact.

Risk 3, Funding Pressures will be reviewed following further discussions and, if required, will be revised accordingly.

Members noted controls that are currently in place for Risk 4, Information Management and Security, which include mandatory training and guidance. A discussion paper will be tabled for the next Audit and Risk Committee meeting.

Mr Luney advised that in respect of Risk 8, New Ways of Working, a draft evaluation is with SMT and NICSHR are currently reviewing the policy centrally, with the outcome of these discussions to be made known before the end of the year.

It is noted that although information is limited regarding attrition rates, issues with the accumulation of unallocated cases, delays and challenges with DV cases are all considerations in assessing Risk 6, Operational Caseloads. Discussions will be held with the Victims Forum on DV cases and the outcome of these will be flagged to funding providers.

ARC Update

Mr Houston updated members on the progress of the 2023/24 Audit Plan and members noted the Finance audit has been rescheduled. A member of the Committee has tendered their resignation and plans have commenced to fill this vacancy. There will be an opportunity to recognise this member's contribution at the next meeting scheduled for the 13th of March, immediately after Management Board. The findings of the Report to Those Charged with Governance have all been accepted and plans have been put in place to address the recommendations which the ARC will monitor.

12. AOB

Mr Herron provided members with an update on the Post Office Horizon Appeals and advised that he has requested a working group to be established to take forward and consider how to address any unsafe convictions.

13. Communication Planner.

The Board Members discussed and reviewed the Communications Planner and update.

14. Next Meeting.

The next Management Board will take place on 13 March 2024 at 10.00 am in Belfast Chambers.

Summary of Action Points arising from Management Board.

Meeting of 24 January 2024

<i>AP 10-23/24</i>	Ms Quinn to circulate draft savings paper to Board Members.
<i>AP 11-23-24</i>	Ms Quinn to advise ARC of any updates received regarding the reserve Claim.

Action Points carried over from previous meetings.

--	--