

PPS Management Board

10.00am Wednesday 30 November 2023

Belfast Chambers

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

In Attendance: Tom Murphy (Private Office)
Claire Harrison (Comms)

Secretariat: Policy and Information Unit

1. Welcome.

Mr Herron welcomed members to the November 2023 Management Board.

2. Apologies

None.

3. Declaration of Board Members’ Interests

None.

4. Management Board Minutes.

The previous minutes were agreed.

5. Actions from the Management Board Meeting of October 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.

Ongoing – Action Plan will be reviewed by SMG and shared at the next Management Board.

6. Reports from Management Board Committees.

Senior Management Group 16 November 2023.

Mr Agnew provided members with an update on the Senior Management Group Meeting of 16 November 2023.

Among the matters discussed included the evaluation of performance of the merged Case Preparation Team. Several processes have been changed, and it was agreed that some regional anomalies are justified due to the complexity of some of the Belfast and Eastern caseload. Overall, the evaluation of staffing levels has found that these are appropriate however, turnover and loss of staff presents ongoing challenges. It was noted there may be a slight reduction in pressures, with the rollout of DEMS 3 reducing the requirement for staff to chase up police files. Further consideration will be given to the quality of police files, and it has been agreed a review is required of the roles and responsibilities for tasks and functions across legal and admin grades. The Report is to be considered further at next PDC meeting.

An update was also provided on the Performance of SCU. Members noted the additional staff has significantly progressed the reduction in caseload, however the resourcing is now being recalibrated. It has been agreed that in the context of additional pressures staff should be redeployed back to the regions. Mr Luney indicated that the learning from the recent deployments which differed from the BCS model may help to inform the basis of any further bid. It was highlighted that there has been more legislation passed in the last three years than in the previous 20 years with no funding allocation to cover the impact.

People and Resources Committee – 9 November 2023

Mr Luney provided an overview of the matters discussed at the meeting of 9 November 2023.

Progress has been made in relation to filling vacancies, with several schemes now in operation. The volume of applicants for the PP scheme has not been as high as anticipated, and there are concerns that the successful supply list will be depleted quite quickly. There are also similar issues arising with the rollout of other legal schemes, and the continuing dependency on high volumes of Agency staff.

Several administrative posts have been filled from the General Service list with some delay arising from security clearance. Representations have been made to NICSHR in respect of AA grade, and proposals have been put forward to run a competition along with DOJ to fill vacancies in this grade. There continues to be

ongoing challenges in filling specialist vacancies, particularly in Accountancy and IT. A case will be made of the acute impact and requirement to fill existing vacancies in finance as a priority as smaller teams have less capacity to absorb pressures.

Mr Luney updated members on the progress of the health and well-being strategy and training. Members were advised a programme of events has been agreed with Inspire and a provisional date set for Trauma Resilience Training. A virtual workshop by NICSHR providing mandatory training on Sickness absence has been scheduled for all staff in early December.

Performance and Delivery Committee 27 November 2023

Ms O’Kane highlighted guidance and a template that would be beneficial in conducting risk assessments for staff exposed to sensitive cases, it was agreed that this should be considered by PRC.

An update was provided on the requirement for a new process to notify victims of third-party applications made by defence. Previously police had been notifying victims, however these applications are now being taken offline and a more sustainable process is required. The Assistant Director for Belfast and Eastern is considering a business case to resource this. Ms O’Kane advised of discussions held with the Lady Chief Justice regarding this matter.

Policy & Quality Committee 22 November 2023

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

Amendments have been made to the stalking policy to reflect earlier discussions and this will now be issued for consultation. There have also been some further revisions made to the policy for prosecuting cases of Domestic Abuse. The revised version will be circulated to members and publication is scheduled for January 2024. Members noted a meeting is scheduled in December to discuss the emerging findings from the CJNI Report.

7. Strategic Improvement Board

Strategic Improvement Dashboard November 2023

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

The No File Decision project has gone live. Several joint PSNI/PPS stakeholder engagement events have taken place, and it is planned to schedule further follow

up evaluation briefings. The Criminal Justice Board have been briefed on the project and is supportive. Members noted feedback from staff and the quality assurance process to dip sample cases. The pilot will be managed carefully and will be the subject of ongoing evaluation to ensure it is operating effectively.

Members were advised that support for the Content Manager project is now being provided by the Project Management Office, this will ensure appropriate governance is in place. A high-level project plan has been drafted to identify the appropriate phases to conclude the project, checkpoint meetings will be held at regular intervals and any issues escalated to the Project Board. The Project has also been advised by IT Assist of plans to migrate to a new software package that will automatically delete emails after the retention period. A request has been submitted for this to be deferred, for PPS to manage the impact.

The new RECs facility for Belfast has been opened and early feedback has highlighted concerns with low uptake. An issue has also been identified with the ability to communicate effectively between the RECS and Courts, options to resolve this are being considered. It has also been agreed that further awareness raising measures are required to promote the Centres, including using social media.

The No prosecution letters have not progressed due to other interdependencies with the police and will be considered further, alongside the rollout of the No Files project.

Mr Agnew advised that phase 3 of the DEMS project is now live and a few initial technical issues have now been addressed. Discussions are ongoing with the NICTS and Bar Library to resolve the issue around displaying information in court.

8. Performance Summary.

Members discussed and reviewed the Monthly Performance Summary, as of October 2023 and noted overall performance is steady.

Comparing the current financial year to date with the same point in the previous financial year, overall caseloads have increased by approximately 2%. The volume of files currently allocated to prosecutors has decreased by 12.3% in comparison to figures as at October 2022. Overall caseload awaiting a decision has reduced by over 3% and the total number of decisions taken during the financial year to October 23 was higher than the corresponding baseline of 2022, with an increase of 8%.

Mr Agnew highlighted that the files received in Cat 1-4 indicate a decrease of 5% over the last year but the figure has increased by 7% when compared against

a pre-covid baseline. There has been a fluctuation in improvements in performance in categories 1-4 and 5-8 in Belfast and Eastern, whilst performance in Western and Southern has remained steady. Members noted plans to redeploy staff back to the business areas and the impact of recent overtime on caseloads. Performance in SCU also remains stable, with intake, caseloads and court listings closely monitored.

Mr Houston raised the level of detail in the Performance Summary and queried whether information could be reported in a dashboard highlighting critical performance issues including volume, delays, and quality. Mr Best agreed that a synopsis of the main issues with relevant commentary would be helpful.

Mr Herron outlined that consideration should be given to setting agreed standards and joint key performance metrics with PSNI, this would be particularly beneficial and give a better indicator of file quality.

Members were advised that the LCJ had noted that the investment in the Criminal Justice System has increased by 3% since 2014, however, there has been a significant increase in the volume of serious cases, with domestic abuse cases increased by 52% and sexual offences up 25%.

Mr Herron provided members with an overview of recent discussions held with the Chief Constable which touched upon several issues including police budget allocation for crime and file quality. It is noted that decisions made in PSNI in respect of funding pressures are likely to have implications for PPS.

Members were also updated on feedback from the Co Design workshops on leadership and recommendations and findings from the PA Consultancy Review. It has been agreed that further discussions and options will be explored on resourcing, capacity, performance and staff engagement at the forthcoming Planning Day.

9. Finance Update

Executive Summary

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

Ms Quinn advised members that the revised forecast would now show an outturn adverse to budget with a projected pressure of just under £900K. There has been significant overspend in counsel fees and court costs, with, as forecast, a slight underspend in non-cash, salaries and capital.

Members noted that the current salary pay award estimate has been factored in at the level forecast and there may be further surplus when actual amounts are

known which may assist in managing down the year end pressure. There is also a minor easement in salaries arising from unfilled vacancies. An allocation has already been included in the current forecast for Modernisation and any successful funding bids would assist in reducing the shortfall further.

Members queried whether an allocation is included in the forecast for costs awarded. Mr Luney advised he would make further enquiries with the High Court and International Section in this regard.

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

Ms Quinn outlined work ongoing in the calculation of accruals in respect of counsel spend. It is anticipated this may reduce, as expenditure currently reported as accruals will move to provisions, reducing DEL requirements.

It is anticipated a successful funding bid is required to prevent overspend, and to cover the significant increase in counsel fees cost from the previous year. Members noted that resourcing pressures cannot be dealt with in the absence of a Monitoring Round, however there is a technical budget exercise, and a bid will be submitted in coming days.

Members discussed and agreed that consideration needs to be given to actions that can be taken and options available to try to reduce spending should the funding bid be unsuccessful. If required, this will be dealt with by way of correspondence to members in advance of the next Board meeting.

Ms Quinn provided an outline of the potential allocation for 2024/25 and members discussed the various challenges that this will present to the organisation.

10. People

NICS HR Summary Report October 2023

Members noted the October 2023 NICS HR Report, including the latest staffing position, vacancies and recruitment, employee relations, and performance management.

Members noted progress has been made to commence competitions 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 Risks 3 Funding Pressures, and Risk 4 Information Management and Security will be reviewed following further discussions and if required, will be revised accordingly.

ARC Update

Mr Houston advised a meeting is scheduled for the beginning of December and noted that the Annual Report and Accounts have been laid. He thanked all involved in the completion of the Annual Report and welcomed the C&AGs unqualified audit opinion. He noted that the final version contained the management responses to the actions and recommendations and that progress will be mapped separately to internal audit findings and recommendations.

12. Communication Update.

Ms Harrison provided a verbal update on internal communication and several stakeholder events scheduled for the coming weeks.

Communication Planner.

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

13. Next Meeting.

The next Management Board will take place on the 24 January at 10.00 am in Belfast Chambers.

Summary of Action Points arising from Management Board.

Meeting of 30 November 2023

<i>AP 09-23/24</i>	<i>Mr Luney to make enquiries regarding forecasts for costs awarded.</i>
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Action Points carried over from previous meetings.

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