

**FINAL MINUTES OF THE NATIONAL COUNCIL MEETING HELD ON TUESDAY 7th
WEDNESDAY 8th FEBRUARY 2006**

Present:

Sir Peter Lloyd	- President, National Council
Mr John Weightman	- North East, Yorkshire & Humberside
Mrs Sheila Royle	- North West
Mr Simon Nieboer	- South West
Mr David Graham	- Eastern
Mrs Sue Nicholas	- East Midlands
Mrs Jane King	- Kent, Sussex and Surrey
Mr Richard Gully	-Thames Valley, Hampshire & Isle of Wight, London
Mrs Jo Jenkins	- Wales & West Midlands
Mr Peter Booth	- Immigration Removal Centres

In attendance:

Mr Norman McLean	- Head of the IMB Secretariat
Mr Steve Kilbey	- Deputy Head of the IMB Secretariat
Miss Anne-Marie Stephens (Secretary)	- IMB Secretariat

Item 1 – Apologies for Absence

1.1. No apologies for absence were received.

Item 2 – Minutes of the Previous Meeting (6/7 December 2005)

2.1 The minutes of the previous meeting had been circulated and approved via e-mail and issued to Boards under cover of DC 01/06 and IMM 01/06.

Item 3 – Clerical Support for Boards

3.1 At the National Council's September meeting it had been agreed that the possibility of employing professional clerks for IMBs should be explored and, as a first step, a job description for the role should be prepared. Following the Council's November meeting, when it was recognised that the practicalities of the professional clerk arrangements would need to be tested, Norman Mclean was asked to prepare a business plan for a pilot exercise.

3.2 Norman McLean reported that there were significant practical obstacles to the centralised employment of locally based clerks and that since this issue had been raised last year the Secretariat had received information from Boards which indicated that the current clerking situation is not as bad as previously suggested.

3.3 In view of this the National Council agreed that initial efforts should be directed towards re-negotiating the Service Level Agreement (SLA) with the Prison Service in

order to give IMB clerks a wider range of enhanced duties. This would make the post more attractive to good quality staff and in turn lead to a more effective Board. Chairs would probably be expected to contribute to the clerks' annual performance review and ongoing development but guidance on how to assess and evaluate clerks' performance would be provided. In addition to clerks it is proposed that the SLA should cover all other aspects of IMB support within the establishment e.g accommodation and IT. Once an SLA has been agreed with the Prison Service, it will be used as the basis of negotiations with the contracted prisons. In the meantime the Office for Contracted Prisons (OCP) is prepared to make a contribution to the costs of clerking for the next financial year but the size of this contribution has yet to be confirmed.

3.4 In the longer term there may be scope for ROMs to fund and provide clerical support for IMBs, thereby strengthening Boards' required independence from their establishments.

ACTION: National Council members to provide Norman Mclean with suggestions for strengthening the draft SLA.

ACTION: Sir Peter Lloyd and Norman McLean to discuss SLA with the Director General.

ACTION: Jo Jenkins to confirm OCP's contribution to clerking costs in 2006/07.

ACTION: National Council to register ROMs' clerical support as a possible future option.

Item 4 – NOMS Update

4.1 Jo Jenkins, the National Council lead on NOMS, has had a couple of impromptu meetings with Christine Knott at recent conferences but is currently trying to arrange a formal meeting via her office. A meeting with Mike Manisty to discuss IT is also planned. The NOMS 5 year strategy plan will be announced by the Home Secretary on 9th February.

4.2 The National Council agreed that its concerns about NOMs' development, in particularly those aspects which it believes will affect the care and treatment of prisoners or will affect IMBs' ability to monitor effectively, should be raised formally with the appropriate authorities by Sir Peter Lloyd with the relevant NC specialist.

ACTION: National Council members to send issues of concern in writing to Anne-Marie Stephens.

Item 5 – Overview of Education and Training

5. 1 John Weightman presented a preliminary report on what is currently on offer in the way of Education and Training. One of his objectives will be a concordat with the Learning and Skills Council with a view to identifying the standards against which Boards should be monitoring. It was agreed that National Council colleagues should

circulate the paper to local Chairs although, as the paper makes clear, it does not apply to Wales where education is a devolved issue.

Item 6 – Special Interest Groups

6.1 The Council noted Paper NC 16/3 which proposed the establishment of two special interest groups, one to cover Health and one to cover Education. These Groups would involve Board members with relevant talent and interests and bridge the inevitable gap between the National Council and the Boards it represents in much the same way as the Communications and Diversity working groups currently do. The main role of Special Interest groups will be to gather evidence, to disseminate information, and provide a source of advice and guidance on monitoring against identified standards. Peter Booth requested an IRC representative on the Health group and Jo Jenkins suggested that, as both Health and Education are devolved issues, both groups should include a Welsh representative.

ACTION: Sheila Royle and John Weightman to circulate proposals for setting up the groups. Anne-Marie Stephens to provide any assistance required.

Item 7 – Extending the Remit of IMBs

7.1 Norman McLean reported that the Project Group had taken the view that Heathrow's size warranted its own Board in addition to 3 new IMBs originally proposed for the 30 holding centres currently in operation. The new boards will probably be based in Manchester, to cover the North and Midlands; Gatwick or Croydon, to cover the South East; London and Heathrow. The Secretariat is about to send proposed costs to IND (Immigration & Nationality Department) and, once these have been agreed, ministerial authority to proceed (already received in principle) will be sought. In the meantime, Peter Booth and Steve Kilbey are working on the practicalities involved in setting up the Boards with a view to having them up and running by the end of the year.

Items 8 & 9 (taken together) – Cat C, B and Local Groupings/ Steps to Successful Interboard Exchange

8.1 There already exist Board groupings based on function e.g High security, Women, Young Offenders, Contracted prisons and, of course, the IRCs. Each group is co-ordinated by the NC member with special responsibility for that function. Boards within these groupings benefit from the interchange of advice and guidance relevant to their particular circumstances and those of their establishments. Paper NC 16/5 proposed extending this approach to the Boards in open prisons, category C and category B establishments and Locals, not only because of the advantages already mentioned but also to facilitate interboard exchange (Agenda Item 8). National Council members acknowledged benefits of the proposal but were concerned that it would lead to an increased workload for National Council representatives. The Secretariat noted that there would be cost implications. However, it was acknowledged that a number of requests for networks for category C and B IMBs had been received from Boards. It was agreed therefore that, as a first stage, e-mail networks should be established for the IMBs in question.

8.2 Paper 16/4 examined how the original proposals in the Lloyd report might be taken forward to provide a greater opportunity for Boards to exchange good practices on monitoring. The aim would be to devise ways of helping Boards help each other to monitor effectively. Although there were no immediate plans to drive this forward, it was important that the National Council kept the benefit to Boards of Interboard exchanges in mind and the proposals for Board groupings could in due course create an opportunity for this.

ACTION: Richard Gully and Sue Nicholas to write to the Chairs of the Boards concerned to float the idea of e-mail networks; to ascertain which category or functional group they regard as their principal group and which other groups they have an interest in; and to nominate board contacts and provide e-mail addresses. The letter should also remind Boards about the opportunities for structured visits to linked Boards; the importance of having a clearly defined purpose for the visit; and a post-visit debrief and training element. All structured visits must be approved by the Secretariat.

Item 10 – Probationary Year

10.1 Norman McLean explained that the proposals for a probationary period were being linked to the Action Plan on diversity in order to address the Minister's concerns that the proposals were not sufficiently diversity-friendly. The key issue was the training of mentors and it was agreed that, rather than wait until the diversity action plan was finalised, a strategy demonstrating how diversity concerns will be addressed as part of the probationary process will be put to the minister with a view to getting her early agreement to its implementation.

ACTION: Norman McLean with Sheila Royle and Sue Nicholas to draft a strategy for the training of mentors involved in the probationary process. Strategy to be considered by the Diversity Working Group prior to it being submitted to the Minister.

Item 11 – Annual Reports

11.1 The National Council considered the first draft of the new guidance on Annual Reports. It was agreed that a further draft was required which would address more fully the monitoring of qualitative issues.

ACTION: National Council members to consider draft guidance and checklist and send any suggestions to Anne-Marie Stephens.

ACTION: Peter Booth to review the guidance and checklist from an IRC perspective and liaise with Sir Peter Lloyd.

ACTION: Sir Peter Lloyd and Sue Nicholas, who had agreed to take on special responsibility for Annual Reports, to circulate a revised draft of the guidance and checklist.

Item 12 – Training Review

12.1 At the last Council meeting, Members received a briefing from the consultants who conducted the review of training. Two key recommendations were that local and national training should complement each other and that training should support National Council recommended policy. The report has since been discussed by representatives from the National Council, the Secretariat, National Tutors and the consultants with a view to implementing the outcomes.

12.2 It will take more time to work up a comprehensive action plan for implementation but in the meantime the National Council agreed that the second stage of the Training Review will concentrate on delivery and content, with a focus on “soft” skills training, and that the priority should be to establish a Training Strategy Group, with smaller sub-groups to focus on individual parcels of training.

Item 13 – Understrength Boards

13.1 Richard Gully has been tasked with considering how to assist understrength Boards and those affected by other circumstances that might have an impact on their effectiveness.

ACTION: National Council members to let Richard Gully know of any Boards that might benefit from central assistance.

Item 14 – Establishing New Boards

14.1 David Graham and Jo Jenkins have drafted a paper on commissioning new boards which draws on discussions with the Chairs of Boards at HMP Peterborough and IRC Colnbrook, two relatively recently established Boards, as well as Jill Berliand, Mike Paice from the Appointments section in the Secretariat and Rodney Bowles who organises Board member training. The paper is aspirational in many respects but one of the essential requirements is that the Secretariat is told by the Prison Service or IND when a new prison or IRC is planned.

ACTION: National Council members to let Sue Nicholas know what other developments they should automatically be kept informed about by the Prison Service.

Item 15 – Business Plan 2006/07

15.1 Norman McLean explained that he had tried to be more selective when drawing up this year’s Business Plan (NC 16/9), by identifying key areas where progress this year was a priority together with other, secondary, objectives. The National Council agreed the plan subject to a few minor revisions.

Item 16 – Secretariat Report

16.1 In addition to his written report (NC 16/10), Norman McLean reported on a meeting he had attended on 17 January with Jill Berliand at HMCIP to discuss their thematic review of segregation in the High Security estate. There are likely to be a few

comments from the Inspectorate on IMBs' monitoring of Segregation Units in High Security establishments. The report will be published in late spring.

16.2 Clare Batt left the IMB Secretariat on 7th February. Janet Goddard will return to the Communications Team until Clare's replacement arrives at the end of March.

Item 17 – Issues arising from Constituency Meeting

17.1 The following issues were brought to the full meeting:-

- There have been one or two recent examples of Annual Reports omitting publication dates or including information that should not be put into the public domain.

ACTION: National Council members to remind Chairs to include the publication date in their report and to ensure that any item that is not for publication is reported in a separate letter to the Secretariat.

- The Secretariat was asked whether it is subject to any turnaround targets for correspondence, including Board correspondence.

ACTION: Anne-Marie Stephens to provide details.

- The National Council asked about the status of the draft guidance on conflicts of interest and when it might be issued. Norman McLean explained that he had originally planned to seek Ministerial agreement to the guidance but as he now believed it was unnecessary to do so he hoped to issue the guidance in a matter of weeks. The National Council asked to see a copy of the draft guidance.

ACTION: Anne-Marie Stephens to e-mail the draft guidance on conflicts of interest to the National Council.

- The National Council was concerned that one IMB had been denied access to any security information since September 2005. Norman McLean explained that he had written to Peter Atherton about the matter in early January and again before the end of last month. If no response is received he will ask Sir Peter to take up the matter with the Director General.

ACTION: Norman McLean

- Sir Peter Lloyd has been asked to see the Minister on the National Council's behalf to discuss responses to correspondence and Annual reports, TR and Chairs' letters.

ACTION: Sir Peter Lloyd

Item 18 - IRC Forum

18.1 Peter Booth will report on the IRC Forum at the next meeting.

Item 19 – Matters Arising

19.1 The National Council noted the report on actions arising from its last meeting (paper NC 16/11) Steve Kilbey reported that he would respond on Item 13.2 (PSOs/PSIs) before the next meeting.

ACTION: Steve Kilbey to provide a response on Item 13.2 (PSOs/PSIs) before April's meeting.

Item 20 – Any Other Business

20.1 Norman McLean reported that he will be attending a meeting about the Optional Protocol on the Convention Against Torture (OP CAT), adopted by the general assembly of the UN in December 2002. France signed the protocol in September 2005, but has not yet ratified it. As it does not have any national independent body for visiting places of detention, it is interested in studying the mechanisms adopted by the UK i.e the Ombudsman, HMCIP and IMBs.

20.2 David Graham updated the meeting on the Communications Working Group. The working group is working closely with the designers of the new posters of which there will be one internal and one external design. Both the National Council and the Diversity Working Group will have an opportunity to comment on the designs and once a preliminary decision has been made the internal poster will be trialled in each of their prisons by the members of the Communications Working Group, Diversity Working Group and National Council. Following concerns raised by Secretariat staff about the absence of the word “monitoring” from the proposed strap-line (which currently reads “Fairness and respect for people in custody”), the issue is being taken back to the Communications Working Group for further consideration. Finally, preparations for the Annual Conference are well underway but suggestions for speakers are required.

ACTION: National Council members to use Area Meetings to find out from Boards what or who they would like to see at Conference.

20.3 Jo Jenkins reported on the work of the Diversity Working group. The 5 year diversity action plan is now being fleshed out and will be presented to the National Council at its April meeting. Three Boards have requested assistance with diversity issues and the Diversity Working Group has agreed to offer to work with them. The Mubarek Inquiry is now likely to report in June/July.

Item 21 – Date of next meeting

21.1 The next meeting will be held in the Pavilion Hotel, York, on 4th and 5th April 2006.

February 2006