

the  
Parole  
Board

working with others  
to protect the public

# Business Plan

## 2010-2011

the Parole Board for England and Wales



INVESTOR IN PEOPLE



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## Chairman's Foreword

**Sir David Latham**

When I wrote my foreword to the Business Plan at this time last year, shortly after my appointment to the Parole Board, I highlighted two major challenges that faced us over the course of the following 12 months. I am pleased to say that we have made very significant progress in each of these areas, but both remain unfinished business and further challenges lie ahead in the next 12 months.

### Judicial resource

The significant lack of judicial resource was the single most important factor holding back the work of the Board 12 months ago. The severe shortage of judge time was crippling the ability of the Board to deal with the explosion in the number of oral hearings needed to consider lifer and IPP prisoners.

This was leading to an ever-increasing backlog of indeterminate cases and unacceptable delays for prisoners who were entitled to a considered review of whether they could safely be released back into the community.

Working closely with our colleagues in the Access to Justice Group of the Ministry of Justice, and the Senior Presiding Judge, we took a number of important steps towards easing the impediments to our judicial recruitment process. The result was that the Secretary of State was able to appoint 19 further judges to the Board in January and 36 in March in addition to the 11 appointed in the normal recruitment round.

The challenge for us over the next 12 months will be to train up an unprecedented number of new judges, integrate them into our hard-working existing membership body, and put them all to work to clear the backlog as soon as possible.

### Future of the Parole Board

A public consultation over the future arrangements for the Parole Board took centre stage last year with a Ministry of Justice consultation paper published in July. This followed the Court of Appeal judgment in the Brooke case that brought into question the independence of the Parole Board and took the form of a long-overdue review of the Board's functions, powers and status.

The formal consultation period closed in November with a total of 75 responses having been received by the Ministry. Amongst these was the corporate response from the Parole Board, in which we called for the Board to remain an independent body with sponsorship being transferred from the Access to Justice Group of the Ministry of Justice to HM Courts Service.

The Ministry of Justice plan to publish a set of detailed impact assessments for each of the options set out in the consultation paper, together with a set of guiding principles that Ministers can use to make their final decisions on the future arrangements for the Board. Whatever the outcome, the next 12 months will inevitably be a period of significant change for the Board. My job will be to safeguard the judicial independence of the Board whilst we continue to achieve our main aim of protecting the public and delivering on the targets we have set for ourselves in terms of managing our caseload and reducing the backlog of prisoners awaiting a hearing.

A handwritten signature in black ink, appearing to read 'David Latham', written in a cursive style.

**The Rt Hon Sir David Latham**  
**Chairman**

March 2010



## Chief Executive's Introduction

Linda Lennon CBE

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### Workload

The resources required to keep up with the workload of the Board continue to increase, with the switch away from less labour intensive paper hearings towards much more resource intensive oral hearings gathering pace.

The number of DCR cases is now dropping rapidly, with an increasingly complex hardcore of more serious and problematic offenders left in the system. Recall cases are also starting to reduce significantly from their peak in 2008/09.

However, we are continuing to see an ever increasing number of oral hearings, driven by the expanding population of indeterminate sentence prisoners. This year has seen a record number of such hearings. This, combined with the difficulties we have until recently experienced in obtaining sufficient judicial resource, has led to the backlog of indeterminate cases that we now face and the consequent delay in hearing some of those cases.

Reducing this backlog will be my top operational priority over the coming year. We hope to significantly increase the number of panels we are able to list, reduce deferrals and decide some indeterminate cases on the papers only.

### Budget

The Board has received a budget settlement of £11.3 million for 2010/11 from our sponsor department that funds us to match the projected increase in our workload. This represents a £1.5 million, or 15% increase over our 2009/10 budget of £9.8 million. The Board's sponsor has also allocated £0.3m to fund a new casework management system.

This budget settlement should allow us to meet our projected incoming workload given that we now have enough judicial members to chair oral hearing panels. What will continue to challenge us, however, will be to cut deeply into the backlog that is currently estimated at around 2,000 cases. Much will depend on how quickly we are able to train our new judges and to get them sitting on oral hearing panels.

### Public Accounts Committee and National Audit Office

The Board has worked closely with the sponsor department and NOMS to implement the recommendations from the PAC report published on 17 March 2009. Much progress has been made in developing and monitoring the Generic Parole Process but further work is necessary before the full benefits are realised. The National Audit Office carried out follow up work at the Board in February 2010 to measure the progress that had been made.

### Transforming Justice

The Board is committed to the Ministry of Justice transforming justice agenda of providing better services with less money. We have already had two members of staff accredited by the Lean Academy and they have reviewed, with colleagues, two of our key business areas. This has resulted in significant time and cost savings in both areas with a faster and improved service to our stakeholders. We are committed to extending this programme to other areas of our business during the coming 12 months.

## Balanced scorecard

Alongside our sponsor department, the Access to Justice Group of the Ministry of Justice, we now use a method of business planning based on a balanced scorecard (See Annex A).

The targets contained in this scorecard are set at a strategic level and include a whole system target for timeliness in dealing with oral hearing cases. The benefit of this whole system target is that it incentivises us and all of our partner agencies to work together towards our mission of protecting the public.

We have identified six overall priorities on which we intend to focus during the next year. These are:

- Reduce delays and the backlog of oral hearing cases
- Ensure good quality decisions by panels
- Embed practices which are understood and inspire confidence
- Demonstrate effective use of resources
- Improve skills, knowledge and leadership
- Manage the change to a future status

This is a demanding set of objectives given the challenging nature of our current caseload. I know that I will be reliant upon the continued support of our staff and members to help the Board achieve those objectives over the next 12 months.



**Linda Lennon CBE**

**Chief Executive**

March 2010

# Business Plan 2010/11

## Mission Statement

1. The Parole Board is an independent body that works with its criminal justice partners to protect the public by risk assessing prisoners to decide whether they can be safely released into the community.

## The Board's Role and Responsibilities

2. The Board was established in 1967 under the Criminal Justice Act 1967. It became an independent Executive Non-Departmental Public Body on 1 July 1996 under the Criminal Justice and Public Order Act 1994.

3. Under the Criminal Justice Act 1991 and the Parole Board (Transfer of Functions) Order 1998 the Board has delegated authority to decide on applications for parole from prisoners serving from four to less than fifteen years. For those serving fifteen years or more the Board makes a recommendation to the Secretary of State. The Crime (Sentences) Act 1997, and the Criminal Justice Act 2003, also gives authority to the Board to decide on the release of life sentence prisoners, those detained at Her Majesty's Pleasure and those serving sentences for public protection. Under the Criminal Justice Act 2003 and the Criminal Justice and Immigration Act 2008, the Board considers the re-release of certain prisoners recalled to prison by the Secretary of State.

## Aims and Objectives

### Overarching Aim

4. The Board's overarching aim is:
- Working with others to protect the public and contributing to the rehabilitation of prisoners.

## Supporting aims

5. The Board's Corporate Plan for 2007-2010 identifies three supporting aims as follows:

- To make risk assessments which are rigorous, fair and timely with the primary aim of protecting the public and which contribute to the rehabilitation of prisoners where appropriate.
- To demonstrate effective and accountable corporate governance by maintaining strong internal control, setting clear objectives and managing corporate risk and to deliver best value by optimum use of resources.
- To promote the independence of and confidence in the work of the Board, while effectively managing change.

## Link to Ministry of Justice and Government strategic objectives

6. The Board's aims and objectives are closely linked to the departmental strategic objectives of the Ministry of Justice, the Board's sponsor department. In particular DSO3 "Protecting the public and reducing reoffending" and DSO 4 "A more effective, transparent and responsive criminal justice system for victims and the public" are central to the Board's responsibilities.

## Annual Report and Accounts

7. Each year the Parole Board is required to report on its performance against key objectives and to publish its accounts. The report, including the accounts, is submitted to the Secretary of State and presented to Parliament.

## Workload

8. The number of cases where the Board is required to hold an oral hearing has continued to increase. Despite a record number of oral hearings taking place in 2009/10, the Board's capacity to hear all the necessary cases has been restricted by the lack of sufficient judges. The appointment of more judges will enable the Board to begin to tackle the backlog of oral hearing cases that has built up since the IPP sentence was introduced. The number of DCR paper panel cases has declined during last year and that trend is set to continue in 2010/11. The number of determinate recall cases considered on the papers has remained in line with projections. Current projections are as follows:

## Performance Management

9. The Board has had to use three different databases and several spreadsheets in order to track and monitor the progress of cases. This has made the production of management information reports extremely difficult and was criticized by the NAO and the PAC. A new end to end computer system (PPUD) was introduced by NOMS in April 2009 and the Board has access to that database. In addition the Board has its own Case Management System due to go live in May 2010. This means that staff will have just one database to update and this will increase efficiency and improve the way statistics are produced.

## Caseload

		2009/10 Projections	2010/11 Projections
1	DCR/EPP*	2,050	1,014
2	Deportees#	220	220
3	Lifer/IPP first reviews and advice cases on papers only*	1,052	958
4	ESP annual reviews on papers only#	180	240
5	Lifer reviews*	2,002	2,192
6	IPP reviews*	2,162	2,559
7	Juvenile hearings (oral)#	130	40
8	Lifer/IPP recall oral hearings*	150	108
9	ESP recall oral hearings#	338	350
10	Determinate recalls (paper)*	13,088	12,620
11	Determinate recalls (oral)#	563	380

### Source

\* MOJ Analytical Services

# Parole Board budget

## Human resources

**10.** The Board relies heavily on the dedication and skills of its members and staff in the consideration of parole applications by prisoners. For most of 2009/10, there were around 175 members comprising judges, psychiatrists, psychologists, probation officers and independents. However, there were insufficient judges to keep pace with the number of oral hearings required. The additional judges appointed in January and March mean that at the beginning of 2010/11 membership will increase to around 230. The number of staff employed has remained steady at 100. To support both members and staff the Board is committed to acting on the results of the annual member and staff engagement survey and work will be undertaken in the coming year to ensure that this is achieved.

## Training and Development

**11.** The Board is committed to providing members and staff with the skills, resources and facilities necessary for them to do their job. We are working closely with the Justice Academy to ensure that staff are well equipped with the skills needed to undertake their duties. All new Parole Board members receive intense training on their role and responsibilities. Further training is provided at the Board's Annual Conference and at Development Days.

## Working with stakeholders

**12.** The Board recognises the importance of working closely with all those involved in the parole process including its criminal justice partners as well as prisoners, victims and their representatives and families. In 2009 a stakeholder survey was conducted for the first time. Feedback from the survey will be acted upon and progress will be measured against the results of the next survey planned for November 2010.

## Equality and Diversity

**13.** The Parole Board is committed to a policy of equal opportunity for all members and staff regardless of ethnic origin, religious belief, gender, sexual orientation, disability, age or any other irrelevant factor. The Board has an equality action

plan which is aimed at ensuring that our policy is fully implemented. This is monitored by an Equality and Diversity Steering Group which has member, staff, union and external representation and is chaired by our Diversity Champion. The Board continues to work with our sponsor unit and recruitment consultants with the aim of increasing the diversity of the membership.

## Health and Safety

**14.** The Board is committed to providing a safe and healthy working environment for all its members, staff and others affected by its operations. It has a health and safety policy which is fully endorsed by the Chairman and Chief Executive. In June 2009 the Ministry of Justice Health & Safety Branch carried out an audit of the Board's health and safety arrangements. The audit report showed that overall arrangements were generally good but some areas needed to be improved. In the light of the audit a health and safety risk register was produced together with an action plan aimed at taking forward the recommendations in the report. Progress on the plan will be overseen by the Board's Health and Safety Committee which has member, staff and union representation.

## Information Assurance

**15.** Over the past year the Board has provided members and staff with the advice and guidance necessary to develop a culture that values and protects the information we hold. Steps have been taken to improve the way in which we handle sensitive information and an Information Security Policy has been published. During the coming 12 months further measures will be introduced which are aimed at improving efficiency and protecting the information assets we have.

## Progress Against the Business Plan

**16.** The Board will continuously monitor its progress against the Business Plan objectives and report to its sponsor body on a monthly basis and hold meetings on a quarterly basis.

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# Annex A

## Balanced Scorecard proposed targets 2010-11

### Parole Board Aims

#### Aim 1

To make risk assessments which are rigorous, fair and timely with the primary aim of protecting the public and which contribute to the rehabilitation of prisoners where appropriate.

#### Aim 2

To demonstrate effective and accountable corporate governance by maintaining strong internal control, setting clear objectives and managing corporate risk and to deliver best value by optimum use of resources.

#### Aim 3

To promote the independence of and confidence in the work of the Board, while effectively managing change.

### Relevant Ministry of Justice Departmental Strategic Objectives

#### DSO3

Protect the Public and Reduce  
Re-offending

- a) Protecting the public
- b) Increased efficiency and effectiveness  
of service delivery

#### DSO4

A more effective, transparent and responsive  
criminal justice system for victims and the public

## Results

Key Activities	Measures	Link	Owner
1. Reduce delays and the backlog of oral hearings	<p>Meet Parole Board's GPP targets to contribute to the overall performance measure of considering, in the target month, the required number of Lifer and IPP cases as follows:</p> <ul style="list-style-type: none"> <li>a. 80% of ICM directions/no decisions served on PPCS and prisoner by week 12</li> <li>b. 90% of cases where directions are complete a hearing date is set and notifications issued by week 8</li> <li>c. 80% of all cases are determined within the scheduled calendar month of the GPP</li> <li>d. 95% of determinations issued within 14 days of the oral hearing.</li> </ul>	<b>DSO 3</b> PB Aims 1 & 2	Head of Operations
2. Ensure that Post-Panel action is taken in a timely manner	<ul style="list-style-type: none"> <li>a. 95% of pre-action correspondence to be replied to within 20 working days.</li> <li>b. 95% of requests for the variation/amendment of licence conditions to be concluded within 15 working days from receipt of request.</li> <li>c. 95% of determinate paper panel decisions issued within 2 working days of panel concluding.</li> </ul>	<b>DSO 3, 4</b> PB Aims 1 & 2	Head of Casework
3. Ensure good quality decisions by panels	<p>The Quality Unit will deliver the quality assurance programme</p> <ul style="list-style-type: none"> <li>a. Develop with the Director Q&amp;S, standards, quality criteria and assessment frameworks for members' practice in relation to determinate recall and pre-release Lifer and IPP casework by 30.11.10.</li> <li>b. Develop and manage the assessment of the quality of decisions and reasons to monitor a sample of reasons for a minimum of 60% of members undertaking paper recall cases and a sample of negative decisions produced by each ICM Assessor by 31.3.11.</li> <li>c. Ensure that the quality and performance information is used in the ongoing assessment of individual member performance and in policy and practice guidance by producing bi-annual reports to the Director P&amp;D to inform member training and development and the Director Q&amp;S to inform policy and practice guidance.</li> <li>d. Implement relevant recommendations from the MoJ/NOMS internal audit of the preparation of representations for Re-release recall dossiers by 31.10.10.</li> </ul>	<b>DSO 3</b> PB Aim 1	Director of Performance and Development, Director of Quality & Standards and Head of Quality Unit

## Results

Key Activities	Measures	Link	Owner
4. We will demonstrate effective use of resources	<p><b>a.</b> We will stay within our agreed budget as demonstrated in quarterly financial reports to the sponsor unit.</p> <p><b>b.</b> We will work with partners to increase from 25% the number of Smith &amp; West hearings which are held via video-link where we have permission to use existing facilities at the holding prison</p>	<b>DSO 4</b> PB Aims 1, 2, 3	Chairman, CEO

## Stakeholders

Key Activities	Measures	Link	Owner
5. Manage the change to a future status	<p><b>a.</b> We will work with members and staff to keep them informed about changes that affect them and manage implementation of any change well. This will be done by using our existing staff communications channels, face-to-face meetings, GEMs, the extranet and the Board Sheet.</p> <p><b>b.</b> Progress will be measured by maintaining or improving upon the scores achieved under these headings in the annual engagement survey.</p>	<b>DSO 3</b> PB Aims 2 & 3	Chairman, CEO, Head of Communications
6. Improve communication with PPCS, prisons and probation	<p><b>a.</b> Hold monthly meetings with PPCS and encourage visits from prisons and probation to the Parole Board to improve communication.</p> <p><b>b.</b> We will meet quarterly with PPCS and UKBA regularly to ensure that parole and deportation procedures are effectively coordinated and that parole panels receive clear information about the status and risk presented by Foreign National Prisoners subject to deportation.</p>	<b>DSO 3</b> PB Aims 1 & 3	Head of Operations, Director of Quality and Standards
7. Demonstrate effective use of resources	<p><b>a.</b> We will work with external stakeholders to keep them informed about issues that affect them and take account of what they have to say through a quarterly newsletter.</p> <p><b>b.</b> Progress will be measured by maintaining or improving upon the scores achieved under these headings in the annual stakeholder engagement survey.</p>	<b>DSO 3</b> PB Aims 1	Director of Quality & Standards, Head of Communications

## Processes

Key Activities	Measures	Link	Owner
8. Practices which are understood and inspire confidence	<p><b>a.</b> We will build on the training given to staff and members on Information Assurance so that the importance of maintaining the security of the information we hold is embedded in our culture and lessons are learned from incidents. Refresher training will be provided to members and staff by 30.6.10.</p> <p><b>b.</b> We will train all staff in health and safety by 31.12.10.</p>	<b>DSO 3</b> PB Aim 2	CEO, Head of Operations, Head of Corporate Services
9. Make maximum use of judicial resources	<p><b>a.</b> We will deploy all additional judicial resources made available by HMCS to reducing the backlog of oral hearings.</p> <p><b>b.</b> We will increase the number of oral hearings heard and concluded to equal the additional judge days allocated.</p>	<b>DSO 3</b> PB Aims 1, 2 & 3	Chairman and CEO
10. Reduce deferrals at hearings	<p><b>a.</b> Investigate cases which are deferred on the day to ascertain the reasons;</p> <p><b>b.</b> Put in place any procedures, training and guidance for staff and members to enhance practice;</p> <p><b>c.</b> Liaise with stakeholders to inform them of the findings; work with them to identify and improve practice to reduce the number of inappropriate deferrals on the day of the hearing.</p> <p><b>d.</b> Reduce deferrals to no more than 10% of all 3 member oral hearings.</p>	<b>DSO 3</b> PB Aims 1 & 2	Head of Operations

## Capacity

Key Activities	Measures	Link	Owner
11. Improve skills, knowledge and leadership	<p><b>a.</b> Use the LEAN programme to the maximum advantage in improving the knowledge and skills of staff by use of daily information boards/ experience charts which will inform training requirements.</p> <p><b>b.</b> 85% of PDRs to be completed by 30.4.10 and mid-year reviews by 31.10.10.</p> <p><b>c.</b> Staff sickness levels not to exceed Ministry of Justice target of 7.5 days p.a.</p>	<b>DSO 3</b> PB Aim 2	Chief Executive & Executive Team
12. Work with sponsor unit to improve the diversity of the membership	<p><b>a.</b> Survey all members to confirm current diversity data by 31.7.10 as a minimum for race/ethnicity, gender, age, and disability.</p> <p><b>b.</b> Analyse diversity trends in relation to independent member recruitment of Spring 2010 by 1.11.10 in order to consider how to address under representation.</p>	<b>DSO 4</b> PB Aim 3	Director of Performance & Development
13. Ensure members are developed to fulfil the requirements of all relevant types of casework and organisational roles	<p><b>a.</b> Develop an integrated system for member appraisal, practice assessment, accreditation and learning and development, to be approved by the Management Board by 30.9.10.</p> <p><b>b.</b> Using information from the quality assurance programme and other relevant information, provide feedback, training and support to members, as a minimum all those in the third year of their appointment seeking an extension. Feedback to be provided by 31.3.11.</p> <p><b>c.</b> Expand the dedicated members section of the website to provide members with easily accessible information on quality assurance initiatives, research and policy and practice developments. To create an index of all sources and locations by 31.1.11.</p>	<b>DSO 3</b> PB Aim 1	Director of Performance & Development





