



Members	Max Hill QC (C)	Mark Hammond	Guests	Astrid Goodwin
	Paul Staff	Monica Burch		Baljit Ubhey
	Greg McGill	Caroline Wayman		Mark Summerfield
	Jean Ashton	Susan Hemming		Kate Anderson
Apologies	Simon Jeffreys		Dave Cass	
Secretariat	Hilary Tabita		Chris Sharp	

Item 1: Minutes of the Last Meeting and Matters Arising

1. The Board reviewed and agreed the minutes of the last meeting and noted progress against outstanding actions.
2. The Chair noted apologies from Simon Jeffreys.

Item 2: Strategic Update

3. Max Hill QC, Director of Public Prosecutions (Director), provided an overview of his recent work. This included:
 - Appearing before the Justice Select Committee on 4 December for a Commencement Hearing;
 - Two attendances at both the Criminal Procedure Rules Committee and the Sentencing Council;
 - The National Disclosure Delivery Board – Progress on NDIP2 was well underway with a clear focus on the Magistrates’ Courts and Youth work.
 - Key note address at the Domestic Abuse Best Practice Framework launch event in Birmingham.
 - Weekly Wednesday Morning Colleagues meetings;
 - National Criminal Justice Board;
 - Ministerial Economic Crime Strategic Board
 - Serious Violence Inter-Ministerial Group
 - National Police Chiefs’ Council (NPCC) meeting to present NDIP 2 with Chief Constable Nicholas Ephgrave.

4. The Director also met key stakeholders, including the MPS Commissioner, NCA Director General, the Lord Chief Justice, the Senior Presiding Judge, the President of the Queen's Bench Division, the Chief Magistrate, representatives from the Law Society and the Criminal Bar Association and the Mayor of London.
5. The Board also heard about the Director's engagement with members of staff, this included visits to teams in Birmingham, Newcastle, the Appeals and Review Unit and Nottingham and daily calls to staff.
6. The Director gave a positive overview of early engagement with the Law Officers and their Department. He provided an update on the development the Crown Prosecution Service/Attorney General's Office framework agreement. The inaugural meeting of the Ministerial Strategic Board was due to take place in March. The Framework agreement would be formally ratified at that meeting.
7. Paul Staff, Chief Executive, updated the group on his recent work which included updates on:
 - Brexit contingency planning with the Senior Officials Group of the Criminal Justice Board and internally with IJOCD colleagues leading for the Service;
 - Ongoing preparation for spending review negotiations;
 - Groundwork for the internal review of the Graduated Fee Scheme, including establishing a CPS project group and engagement with the Ministry of Justice, the Legal Aid Agency and the Bar Council;
 - Court Reform and the Common Platform Programme; and
 - Engagement with Government Internal Audit Agency on the finalisation of all outstanding reports.

Item 3: Governance Review

8. Astrid Goodwin, Senior HQ Business Manager, presented the papers which outlined the results, methodology and recommendations following a review of the CPS Corporate Governance structure.
 - The Director noted that the recruitment exercise for the role of the Lead Non-Executive Board Member was underway.
 - The Board noted that the overarching recommendations from the review had already been agreed and the new structure would be in place for 1 April.
 - The Board also noted that some recommendations including the Board Operating Framework and Board Evaluation Structure, were still in development. Further work was also needed to assess the level of resource required to support to the new governance structure, including a review of current and future governance roles within Private Office.

- The NEBMs queried the merit of reducing the number of Board meetings. It was agreed that Executive Group agendas would be reviewed to see if there were any items which should have been considered by Board.
9. The Board agreed both the recommendations outlined in the paper and the timetable put forward to implement the new structure.

Item 4: Equality and Diversity Objectives

10. Baljit Ubhey, Director of Prosecution Policy and Inclusion, presented the papers which asked the Board to provide feedback on the draft statutory Equality and Diversity Objectives for 2019-22.
11. The Board were supportive of the objectives that had been further developed following an earlier discussion. The Board made one recommendation that serious violence be explicitly referred to as part of the community engagement objective.
12. Baljit raised the feedback from the Equality and Human Rights Commission (EHRC) on one of the public confidence objectives which they felt was too foundational. There was discussion and the objective was retained. Generally speaking the EHRC had indicated they would prefer measures in relation to successful prosecutions i.e. for VAWG and Hate Crime which would be in line with previous objectives. This approach has previously been discounted by the Director on the basis that success cannot be measured by conviction rates alone.
13. The Board were informed that Inclusion Managers, Staff Networks, Trade Unions and the Community and Accountability Forum had been consulted over the draft objectives and had provided invaluable feedback. The feedback had mainly centred on ensuring the language was more accessible and the need for an easy read version. This feedback has been incorporated.
14. The Board asked that Baljit's team liaise with the Strategic Policy Team to see how the objectives fitted into the CPS 2025 plan. Similarly, the Board asked that the objectives be reflected in the 2019-20 Business Plan.
15. The Board noted that the next steps would be for the objectives to be put out for public consultation at the end of March.

Item 5: Committee Updates

16. Monica Burch, Chair of the Nominations and Governance Committee gave an overview of the last Committee meeting in January. This had included discussions on succession planning, the recruitment for a new Chief Executive and the Governance review.
17. Mark Hammond, member of the Audit and Risk Committee (ARC), provided an overview of the discussion at the Committee meeting in January. The ARC had received presentations on workforce planning and recruitment, both internal external audit planning for year end and the dilapidations methodology.

Item 6: People Survey

18. Mark Summerfield, HR Director, presented a paper which outlined the key outcomes of the Civil Service People Survey 2018. The Board was pleased to see the Employee Engagement Index (EEI) had remained at 61%, an all-time high for the Service..
19. The Board also considered the following aspects and issues:
 - The CPS had improved by 3% in the theme of Learning and Development, and there had been reductions in positive scores across other themes, with the CPS now 1% behind the overall CS EEI score;
 - Moreover, the Board noted that slight reductions in score should be considered in the context of organisational change and also wider programmes of improvement over time. For example, the 2% increase in bullying and harassment could, in part, be an indication Respect training was working.
 - The Board noted with keen interest the findings of the analysis and thanked the HR Director for his very informative and clear presentation. The Board asked that specific reference over trends in respect to bullying and harassment should be presented to the Board following the 2019 People Survey.

Item 7: Disclosure

20. Kate Anderson, Head of Legal Services, presented a paper on the National Disclosure Improvement Plan (NDIP). NDIP Phase Two was published in November 2018. Each of the recommendations of the Attorney General's Disclosure Review, and those of the Justice Select Committee, are reflected within it. The recommendations of the GIAA inspection of NDIP Phase 1 are included in the action plan that sits beneath the published NDIP Phase 2 document.
21. The Board asked how NDIP success was to be measured. The Individual Quality Assurance undertaken in each Area has since July 2018 included a disclosure themed set of questions. Kate informed the Board a dashboard of data measuring performance on disclosure was being created. It would include data on finalised cases, the IQA and statistics on file quality which can be broken down by force and discussed with the police and CPS Area at regular performance meetings.
22. The Board will be updated regularly on progress against the NDIP actions in accordance with the timetable set out at the end of the paper.

Item 8: Q3 Area Performance

23. Dave Cass, Head of the Performance Management Unit, presented the paper which outlined Area performance for Q3. Overall, national performance had changed little over the past quarter. The Board reviewed the information provided and noted the following:
 - Q3 had been extremely strong for performance in Mersey Cheshire, with a trend score increase of 10 points. Improvements had been delivered in both the Magistrates' and Crown courts (CC);

- Evidence of promising progress in Wessex, with a trend score increase of 6 points. The Operations Directorate mechanisms which had been put in place to support the Area, remained in place;
 - The only Area to decline by more than six points was Cymru Wales with a fall of 16 points. Despite this drop in performance the Area continued to perform well, especially in the Magistrates' Court (MC); and
 - The overall reduction in caseload had been smaller in Q3 than in recent quarters.
24. Overall, good progress had been made against the MC dropped at third or subsequent hearing measure and improvements had also been made against the CC cracked and ineffective trials measure and the Non-Convictions due to victim and witness issues. In relation to cases dropped at third or subsequent hearings in the MC, this is currently the lowest it has ever been and is on a downward trend This was an encouraging improvement.
25. There was a decline in the CC average number of hearings per case, however, the average number had edged up over the past three quarters. The increase was in part attributed to judiciary in some Areas holding additional case management hearings.
26. The Board heard that the primary reason attributed to the reduced caseload in the Crown Court was the drop in referrals from police. Referrals from police for pre-charge decisions were down by 9% on 2017/18. Moreover, with prosecutors seeking to address disclosure issues proactively pre-charge more cases were being sent back to police for further work.
27. The Director of Business Services (DBS) apprised the Board as to the CPS' revised ambition to complete charging decisions within 21 days of receipt of material from police. This is the standard for the new charging pilot Areas. The original standard, which is still in place, was to provide charging decisions within 28 days. At the end of Q3 the average consultation time was 21.7 days but this increased in January and February and the average is presently around 25 days, which is still 3 days lower than the original 28 day target.

Item 9: Q3 Corporate Performance

28. Chris Sharp, Director of Finance, presented the Q3 Corporate Performance Report. The discussion focussed on reduced caseload volumes and staffing levels. Despite continued decrease in caseload the Service was seeing a growth, albeit slower than forecast, of staff in full time employment. FTE growth is in legal staff, where the increase is required to ensure delivery of disclosure obligations.
29. Key report highlights included –
- The Board noted and considered the potential reasons for the continued fall in finalisation volumes. For example, the increase in cases being sent back to Police pre-charge for further work, which were then not resubmitted, could have an impact on this trend. Caution should be taken when considering the data on finalisation volumes. It was not believed changes in Pre-Charge Bail had fully surfaced and there remained backlogs in both police investigations and charges however, projections prepared with MoJ did not anticipate any significant resulting 'bounce' in Crown Court volumes over the next year;

- In contrast to falling caseloads, the average number of consultations per case continued to rise. . Cases were more complex, with more data and an increased prosecutorial onus on disclosure;
- The Board were pleased to note that 13 of the 18 Business Plan measures showed positive progress year on year;
- Overall CPS FTE remained flat and below the budgeted headcount, however, recent recruitment drives were delivering results and there had been an increase in frontline legal resource and reduction in administrative function enabled by efficiencies;
- Due to the landlord's decision to redevelop Rose Court, the dilapidation liability was significantly lower than allowed for. HMT had agreed to a transfer of £9M RDEL from resulting savings to be transferred into 2019-20 to offset some of the other emerging pressures next year;
- The Board agreed it was of the utmost importance that the full impact of EU exit was made clear and recognised in the upcoming Spending Review negotiations;
- The Board noted CPS pay proposals for 2018-19 had been approved by the Cabinet Office, HM Treasury and by the Solicitor General and a formal offer had been made to the Departmental Trade Unions on a two-year pay arrangement;
- The Board noted MoJ had published the outcome of their consultation on the revision of the Advocates' Graduated Fee Scheme with the independent Bar. Pressure was already being exerted on the CPS to similarly amend the current CPS Graduated Fee Scheme. The Director had already committed to reviewing the GFS in 2019 and work was underway in terms of data analysis and drawing comparisons between the two schemes;
- The Board was updated on the move to the Oracle Cloud ERP software, with Finance and core HR modules scheduled to go live in April 2019. Some cost would fall into 2019-20 when further HR modules would go live. The timeframe for the project was purposefully aggressive to enable the timely exit from the current Finance system, which was both costly and no longer fully supported. Positively, the new system would align the CPS with other government departments such as the Treasury, Home Office and the Foreign and Commonwealth Office who have already migrated to the Oracle system; and
- The Board was informed the CPS was on track to make full use of available funding for the year.

Item 10: Any Other Business

30. Monica Burch raised the matter of whether staff had been given a reminder as to the policy on information security since the move from a single occupancy building to a multi-departmental occupancy building. Monica suggested it would be a good idea to remind staff about the need for discretion in public areas, particularly the lifts and Atrium shared spaces.