

## **NORTHERN IRELAND POLICING BOARD**

### **MINUTES OF MEETING OF RESOURCES COMMITTEE HELD ON THURSDAY 23 MARCH 2023 AT 9.30AM AT WATERSIDE TOWER AND VIA ZOOM**

#### **PRESENT:**

- Mr Trevor Clarke MLA (Chair)
- Mr Gerry Kelly MLA
- Mr Frank McManus\*
- (1) Mrs Linda Dillon MLA\*
- Mr Maurice Bradley MLA\*
- Mr Michael Atkinson
- Ms Nuala McAllister MLA
- (2) Mr John Blair MLA

#### **EX OFFICIO MEMBERS IN ATTENDANCE:**

Mr Edgar Jardine

#### **POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:**

- (3) Ms Pamela McCreedy, Chief Operating Officer
- (3) Mr Mark McNaughten, Assistant Chief Officer, Corporate Services
- (4) Mr Mark McKenna, Head of Procurement and Logistics Services
- (5) Mr Richard Ross, Director of Legal Services
- (3) Two PSNI Officials

#### **NORTHERN IRELAND POLICING BOARD OFFICIALS IN ATTENDANCE:**

- Mrs Sinead Simpson, Chief Executive
- (6) Mrs Aislinn McGuckin, Director of Police Pensions and Injury Benefits
- Eight Board Officials

- (1) From 11am on
- (2) From item 3 on
- (3) Items 6.1 to 6.4 only
- (4) Item 6.1 only
- (5) Item 6.4 only
- (6) Items 4, 5 and 6.5 only

\*Attended meeting by video conference facility

## 1. APOLOGIES

Apologies were received from Ms Carmel McKinney, Mr Mike Nesbitt MLA and Dr Kate Lavery.

The Committee agreed the agenda for the meeting and no one raised any business that they wished to discuss under 'Any Other Business'.

## 2. CONFLICTS OF INTEREST

No conflicts of interest were declared.

## 3. MINUTES OF THE MEETING HELD ON 23 FEBRUARY 2023

The Committee considered the draft minutes of the Committee meeting held on 23 February 2023.

It was **RESOLVED** that:

- The minutes of the Committee meeting held on 23 February 2023 be approved.

## 4. UPDATE ON ACTION LOG

The Committee **NOTED** the updates and correspondence detailed within the Action Log and the related verbal overview provided by the Chief Executive.

In respect of Action Points from the meeting in February 2023, the following updates were provided:

- Correspondence has been issued to PSNI and responses are awaited in respect of Action Point 1, training costs breakdown year-on-year;

Action Point 3, the number of rest days owed to Officers; and Action Point 5, managing attendance.

- In respect of Action Point 2, correspondence has been received from the Department of Justice regarding pressures on PSNI budget. Further discussions have since taken place and Members will be provided with an update at the Board meeting in April.
- In respect of Action Point 4, Members were provided with the list of membership for the South Armagh Policing Review Independent Advisory Group, and advised that this will also be shared with the Partnership Committee.

In respect of Action Point 2 from the meeting in January 2023, correspondence has been received following a request for additional information regarding PSNI temporary promotions.

In respect of Action Point 2 from the meeting in December 2022, this action will remain open until confirmation has been received regarding the timeline for publication of the refreshed PSNI Equality Scheme 2023-28.

In respect of Action Point 2 from the meeting in September 2022, plans have now been progressed to invite staff associations to Committee and Board meetings in 2023.

## **5. CHAIRPERSON'S BUSINESS**

### **5.1 Criminal Justice Inspection Northern Ireland (CJINI) Report – Leadership Development & Wellbeing Support in the NI Criminal Justice System**

The Chief Executive advised Members that CJINI has recently published the findings of its first inspection looking at what criminal justice organisations are

doing to develop current and future leaders and support the wellbeing of staff. In conclusion the Chief Inspector stressed the importance and impact of effective leadership and how that contributes to the criminal justice system operating as a system.

Members **NOTED** the report and recommendations will be considered further when PSNI provide the Committee with the next scheduled update on Learning and Development.

## **6. ITEMS FOR COMMITTEE BUSINESS**

Before PSNI joined the meeting Officials provided Members with an overview of items 6.1 to 6.4 including suggested discussion points.

### **6.1 PSNI presentation on Procurement & Contract Management Strategy**

The Committee welcomed the Chief Operating Officer (COO), Assistant Chief Officer (ACO) Corporate Services and Head of Procurement and Logistics Services to the meeting to provide Members with an overview of PSNI Procurement & Contract Management Strategy.

The Head of Procurement and Logistics Services covered the following key areas during his presentation:

- Procurement – legislation and policy, relationship with Construction & Procurement Delivery (CPD), strategy and training highlights,
- Contract management – contract review process, post project evaluations, an organisation wide review, and audit process,
- Key activity highlights – 323 live contracts with over 90% of non-pay spend via contract arrangements, 14 Direct Award Contracts (DAC's) issued in 2022/23 in line with strict process and scrutiny requirements.
- Additional benefits – the importance of social value, real living wage,

tackling modern slavery, and fair work practices.

- Looking forward – price volatility, supply chain constraints, budgetary pressures, and changes to procurement legislation.

Members raised the following points with the COO, ACO Corporate Services and Head of Procurement and Logistics Services:

- Impact of market conditions on contract management and processes in place to ensure due diligence and quality assurance for new contracts,
- Work taking place to reduce the number of DAC's and associated costs, duration of contracts, ensuring social responsibility and issues on the CPD construction side.
- Year-on-year breakdown of actual expenditure under the DAC contract for helicopter/fixed wing plane maintenance and it was agreed to write to PSNI on the matter. **(AP1)**
- Regulations applicable to PSNI in the use of drones compared to general public use, and PSNI agreed to provide further information on the matter. **(AP1)**

Members **NOTED** the update provided and thanked the Head of Procurement and Logistics Services for his contribution and he left the meeting.

## **6.2 PSNI Finance Report**

The Committee **NOTED** the PSNI Management Accounts and Financial information as at the end of February 2023.

The ACO Corporate Services presented Members with a year to date and full year projection update for 2022-23, covering the following key areas:

- There is a projected full year pressure of £0.6m as at end of February 2023, due to ongoing cost pressures as a result of the recent terrorist

attack, increased legal fees, high volume of ill health retirement approvals, Injury on Duty claims and depreciation offset by some easements in non-pay and impairment charges.

- A year-to-date Capital pressure of £2.3m is reported due to projects working ahead of schedule, however, a breakeven position is projected with capital receipts from station disposals and vehicle sales.
- There is an overtime year-to-date pressure of £0.4m due to the investigation following the recent terrorist attack, and this is expected to continue into the new financial year.

Following the update Members asked the ACO Corporate Services about overtime allocation for Neighbourhood policing; the spending allocation for Telecommunications & Technology in the capital budget; details of the business case in respect of 'various demolitions' to ensure safer sites; clarity around the variations in the District Policing budget profile against actual spend; reasons for variances at year end as part of the easements now being reported; and oversight in place given the costs associated with ongoing external investigations.

### **6.3 PSNI Resource Plan 2023-24**

In the absence of a budget the ACO Corporate Services presented Members with an estimated resource requirement for 2023-24 and highlighted the potential funding shortfall.

For the purposes of the resource requirement, a flat budget is assumed which is consistent with the opening budget allocation for 2022-23. To illustrate further, Members were provided with a breakdown of the component parts of the budget for this year and the next two years. This included in-year allocations for the current year, and it cannot be assumed that these will be

allocated in future years.

The total resource requirement for 2023-24 is based on an assumed flat budget allocation and strategic assumptions have been made in respect of funding for a number of matters including legacy inquests, the ongoing holiday pay case, and Mutual Aid for events and policing operations.

Overall, there is an initial funding gap of £107m, of which £50m in savings have been identified, and this leaves a net gap of £57m in 2023-24, which could increase further if some of the key assumptions relating to other funding streams are not realised. This is based on reduced recruitment and Officer numbers falling by over 240 by March 2024, as well as a range of reductions to non-pay costs. Critically these figures do not include bids for anticipated increases in legacy compensation, legal costs, holiday pay settlements or pension costs as it is assumed separate and additional funding will be provided in full. The potential costs associated with policing the Good Friday Agreement anniversary and Coronation are also not reflected.

Members were also provided with an overview of the following matters in respect of the resource requirement:

- Breakdown of Full Time Equivalent Police Officer and Staff numbers based on anticipated funding streams leading to a reduction in Officer and Staff numbers over a three-year period,
- The overtime strategy and need to deliver a service while also ensure value for money in line with the assumption of a flat budget,
- Overview of managed services and uplift in costs due to inflation and increase in national living wage,
- Increase in resource requirement for the PSNI estate in 2023-24 due to rising rates and utility costs,
- Increase in resource requirement for 'Supplies' in part due to inflationary and real living wage increases for catering and cleaning

contracts,

- Financial resources necessary for transformational change to deliver more efficient, effective and value for money solutions,
- Ongoing financial pressures from the payment of Injury on Duty awards,
- Projected joiners and leavers by month for Officers and Staff (2023-25) and plans to bring the number of joiners forward to relieve some of the pressure on headcount.
- Increase in 'other staff costs' including managed service contracts and 'non-staff costs' in accommodation services and Supplies, Catering & Publications.
- Total value of fixed, contractually committed and operationally essential costs makes up around 90% of total non-pay costs.

Members raised the following matters with the COO and ACO Corporate Services:

- The importance of transformation programmes in PSNI to drive efficiencies,
- The break-even position that has been achieved in previous years [and likely balanced budget position at end of current year] but the impact this has had on service delivery and expenditure being pushed into future years, and
- Ongoing consideration that continues to be given to a number of budget lines in order to deliver additional savings including Close Protection Unit expenditure .

Members **NOTED** the update provided.

#### **6.4 Compensation case – Request for Approval above delegated limits**

The Chair welcomed the Director of Legal Services to the meeting and he



presented details of a compensation case above delegated authority limits for Members to consider and approve the payment of court awarded damages, special damages, and estimated legal costs.

Discussions took place in respect of the total value of the compensation payment, the interest element, and requested more information on legal costs because an estimated figure was provided.

Members **NOTED** the breakdown of court awarded damages, special damages and estimated legal costs, and following consideration of the request from PSNI to make a payment of the sums outlined:

- **AGREED** that a recommendation should be made to the Board to approve the above delegated authority payment request.

The Committee thanked the Chief Operating Officer, ACO Corporate Services and Director of Legal Services for their contribution and they left the meeting.

## **6.5 Police Pensions and Injury Benefits**

### **6.5.1 Update on Judicial Review**

The Director of Police Pensions and Injury Benefits (PPIB) provided Members with an update on the outcome of the Judicial review judgment including an overview of the options available as outlined by Counsel together with a draft 'Agreed Order' for consideration.

Following discussions in respect of reassessment dates and the importance of moving the process forward Members **AGREED**:

- To **ACCEPT** the judgment in its totality as outlined in the paper as option 1, with focus brought in due course to amending the

Regulations.

- To **APPROVE** the Draft 'Agreed Order' for signature.
- That future communication with the Department of Justice is essential in light of the judgment.

Members also **NOTED** the amendments to the monthly Committee papers in relation to both Selected Medical Practitioners (SMP) and Independent Medical Referee (IMR) cases to ensure these are up to date and in keeping with the judgment.

#### **6.5.2 Cases for Committee Consideration /Decision**

The Director of PPIB presented a paper requesting Members consider the medical decisions referred to in the paper and provide a decision in relation to all relevant items as requested under Injury on Duty and Police Pensions Regulations, further to assessments undertaken by Selected Medical Practitioners (SMPs) and Independent Medical Referees (IMRs).

The Director of PPIB advised Members that between 16 January 2023 and 24 February 2023, SMPs had considered and provided decisions on 29 cases referred to them under the relevant regulations.

The Director of PPIB advised Members that between 16 January 2023 and 27 February 2023, IMRs had considered 6 cases referred to them under the relevant regulations.

Members also considered 8 anonymised submissions where the applicant has requested their case be reconsidered by the SMP or IMR.

For all cases referenced above Members were asked to confirm the

implementation date and/or reassessment date of awards.

Members **NOTED** the outcome of the SMP/IMR decisions and update provided in relation to the two miscellaneous cases, and following discussion it was **RESOLVED** that:

- The implementation and/or reassessment dates for the 29 cases assessed by Selected Medical Practitioners between 16 January 2023 and 24 February 2023 is confirmed.
- The implementation and/or reassessment dates for the 6 cases assessed by Independent Medical Referees between 16 January 2023 and 27 February 2023 is confirmed.
- The 8 anonymised cases (**RECON SMP 1 - 23/24, RECON SMP 2 - 23/24, RECON SMP 3 - 23/24, RECON IMR 3 - 23/24, RECON IMR 4 - 23/24, RECON IMR 5 - 23/24, RECON IMR 6 - 23/24, and RECON IMR 7 - 23/24**) progress to reconsideration by Selected Medical Practitioners and Independent Medical Referees.

#### **6.6 Proposed settlement of civil claim costs above delegated authority limit**

The Chief Executive presented a paper for Members to provide a decision in relation to the proposed settlement of the costs portion of a previously settled civil claim above delegated authority limit.

Members noted that this related to the approval of additional legal costs, further to the approval of the damage's element of the claim which was already granted by the Committee in February 2022, and further to the approval of some costs granted by the Committee in November 2022. Costs have been apportioned as 95% PSNI and 5% Northern Ireland Policing Board (NIPB).

Following discussion Members **AGREED**:

- To make a recommendation to the Board to approve the above delegated authority payment request to make a payment of further legal costs as part of the proposed settlement, on the basis that the Board is liable for 5% of these costs.

#### **6.7 Charitable Donation to Care of Police Survivors (CoPS) - PSNI Above Delegated Authority Request**

The Corporate Services Manager presented a paper for Members to consider and approve an above delegated authority request to make a donation to CoPS over a three-year period.

CoPS is a registered charity that supports the families of police officers who have lost their lives in the line of duty. The charity receives no state aid but relies on donations from Police Services.

PSNI have previously provided support to the charity for the last three years and this was last agreed by the Board in October 2019.

Members discussed at what point payments of this type may become a funding stream rather than a charitable donation, and it was agreed to write to PSNI on the matter. **(AP2)**

Following discussion it was **AGREED**:

- To make a recommendation to the Board to approve the PSNI request to make an above delegated authority donation to Care of Police Survivors over a three year period.

## **6.8 Police Remuneration Review Body (PRRB) submission 2023-24**

The People and Organisational Development manager presented a paper providing Members with an update on the PRRB final written submission 2023-24.

At the Committee meeting in January 2023 a Sub-Group was established to develop the Board's formal written submission, and evidence was taken from Staff associations including the Police Federation and Superintendents Association of Northern Ireland. The Sub-Group also sought comments from Board Members and due to the deadline for final submission to PRRB, Members provided comments by written procedure and the final written response was then issued to PRRB.

Members **NOTED** the final Board PRRB submission 2023-24.

## **6.9 Assisted Removals Case - extension beyond delegated limits**

The Corporate Services Manager presented a paper asking Members to consider a request in relation to an Assisted Removals case for a further extension to a PSNI Officer's time in Police Leased Accommodation beyond delegated limits.

This case is ongoing and was last considered by Committee in September 2022. The current position was outlined in relation to the status of the property involving the Northern Ireland Housing Executive (NIHE) as purchaser, and following notification from NIHE solicitors of a delay in completing the purchase, PSNI have requested a further extension of the case. Ahead of the meeting Board officials sought clarity on a number of points including steps being taken to progress the property sale, the agreed timeframes for completion of the property sale, and a breakdown of costs

incurred to date as well as additional costs that would be incurred should a further extension be agreed.

Members highlighted concerns in respect of ongoing delays with the case and following a query regarding mortgage payments on the property concerned it was agreed to contact PSNI on the matter. **(AP3)**

Following discussion it was **AGREED:**

- To approve the request for a three-month extension until 30 June 2023 for Police Leased Accommodation.

#### **6.10 Review of PSNI Chief Officer Allowances**

The Chief Executive presented a paper asking Members to consider legal advice received in relation to correspondence from the Minister of Justice on proposals made by the Board in 2020 regarding the current suite of PSNI Chief Officer allowances.

The Chief Executive provided Members with a brief verbal overview of the steps taken to date in relation to this issue including:

- a previously commissioned review of the allowances over which the Board has discretion (as opposed to those that sit with the Police Remuneration Review Body for consideration),
- the results of a benchmarking exercise with other organisations,
- correspondence with the Minister of Justice in 2020 and then again in October 2022 regarding this issue, the most recent indicating that the Minister is now content for the Board to progress proposals to revise allowances payable to chief officers subject to an assurance from the Board that it has sought and received legal advice and is satisfied that its proposals are permissible, and also confirmation from the

Department of Finance on its approvals process for these proposals and, if necessary, confirmation of its subsequent approval.

The Chief Executive advised that the legal advice referenced has now been received and Members were provided with a summary including options regarding next steps in respect of revising the allowances to achieve harmonisation across the SET.

Members raised a number of points with the Chief Executive including the source of legal advice, the length of time taken to progress the matter, options available in respect of harmonising the package of allowances over a reasonable period, that the allowances for advertised positions have not, at the Minister's request, been categorised as 'under review', and equality issues across the SET including the potential need to carry out an Equality Impact Assessment.

Members **NOTED** the background to this issue, the recent decision by the Minister of Justice, the legal advice that has been secured to date, and

- **AGREED** to recommend that the Chair of the Board write to the Chief Constable to progress the matter. **(AP4)**

#### **6.11 Northern Ireland Policing Board (NIPB) Management Accounts**

The Committee **NOTED** a paper providing an update on the NIPB budget position and Management Accounts to the end of February 2023.

The Finance Manager provided an overview of the Board's expenditure against the 2022-23 budget and outlined the current underspend position of £179k. Further details were provided in key areas contributing to the underspend including Policing and Community Safety Partnerships, Emerging Priorities [which includes Accommodation costs], and Police Performance

monitoring.

## **6.12 NIPB Resource Plan**

The Head of Finance provided a verbal update on the NIPB Resource Plan 2023-24 including that while no budget had been advised as yet, work was ongoing to map out anticipated resource requirements mindful that we could be asked to absorb a cut from the current flat budget assumed from the opening budget allocation for 2022-23.

Members **NOTED** the update provided.

## **6.13 Guidance for the Appointment of Chief Officers and Senior Police Staff Equivalents**

The People and Organisational Development manager presented a paper seeking Members consideration and approval of advice received regarding suggested amendments to the 'Guidance for the Appointment of Chief Officers and Senior Police Staff Equivalents'.

This matter was previously brought to the Committee in December 2022, at which time Members considered changes relating to terminology within the guidance. Further advice was requested from the specialist human resources consulting firm HeadsTogether in respect of the role and appropriateness of using specialist advisors including such advisors from external Police Services, the need to develop robust guidelines on questions the panel could ask specialist advisors, and Chairing responsibilities in the absence of Board Chair.

Members discussed changes to the guidance in respect of Chairing 'the panel' and for guidance to indicate that another Member can act as Chair if the Board Chair or Vice-Chair is unavailable; the role of the Board Chair and



Vice Chair on the panel; the appropriate role and level of involvement for senior PSNI Officers and senior Staff as subject matter experts; the importance of using specialist advisors as independent experts; the role of HeadsTogether consultancy at the panel, and the need to ensure the process is fair and transparent with no undue influence from key stakeholders.

Following discussion it was **AGREED**:

- That independent specialist advisors should continue to have a role in advising the panel on the appointment of Chief Officers and Senior Police Staff Equivalents but that the identification of a specialist did not need to be limited to the cadre of Senior Officers and Staff in PSNI and, could be, for example, drawn from HMIC. **(AP5)**

#### **6.14 Mutual Aid payments – Draft Determination W**

The People and Organisational Development (OD) manager presented a paper to seek Members comments regarding the Mutual Aid Payments Draft Determination W consultation process.

The People and OD manager outlined the Department of Justices' intention to implement revised arrangements for mutual aid payments and allowances in line with other UK forces, and that Members have previously agreed the principle of parity for pay and allowances.

Following discussion it was **AGREED**:

- To issue a response agreeing with the proposals set out in The Mutual Aid Payments – Draft Determination W

#### **6.15 Coronation of HM King Charles III - consultation letter**

The Committee **NOTED** a paper outlining the proposals as part of a consultation document on the matter of Police Officer public holidays to allow for an additional bank holiday on Monday 8 May 2023 to mark the Coronation of His Majesty King Charles III which has been announced by the UK Government.

Following discussion Members **AGREED:**

- To issue a response advising that the Board is content with the proposals in the consultation document.

## **7. QUESTIONS FOR THE CHIEF CONSTABLE**

No questions were raised.

### **7.1 Response to Written Question**

The committee **NOTED** the response provided by PSNI to a written question submitted.

## **8. COMMUNICATIONS ISSUES / OPPORTUNITIES**

No other communication issues were raised.

## **9. ANY OTHER BUSINESS**

No other business was conducted.

## **10. DATE OF NEXT MEETING**

The next meeting is scheduled for **Thursday 25 May 2023** at Antrim Civic Centre. This will be followed by a visit to the PSNI training centre at Steeple and all Board Members will be invited to attend.

The meeting ended at 12.45pm

**CHAIR**

**RESOURCES DIRECTORATE  
MARCH 2023**