

NORTHERN IRELAND POLICING BOARD

**MINUTES OF MEETING OF RESOURCES COMMITTEE HELD ON TUESDAY 19
DECEMBER 2023 AT 9.30AM IN JAMES HOUSE**

PRESENT:

- Mr Trevor Clarke MLA (Chair)
Mr Frank McManus (Vice-Chair)*
(1) Mr John Blair MLA
Mr Brendan Mullan
(2) Mr Mike Nesbitt MLA
(3) Mr Gerry Kelly MLA
Mrs Linda Dillon MLA
(1) Dr Kate Lavery
(4) Mr Maurice Bradley MLA*
Mr Mukesh Sharma

**EX OFFICIO MEMBERS IN
ATTENDANCE:**

Ms Deirdre Toner
Mr Edgar Jardine

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

- (5) Ms Pamela McCreedy, Chief Operating Officer
(6) Ms Clare Duffield, Assistant Chief Officer,
People and Organisational Development
(7) Mr Mark McNaughten, Assistant Chief Officer,
Corporate Services
(8) Legal Representative
(9) Superintendent
(9) Chief Inspector
(6) Head of External Recruitment
(5) Two PSNI Staff

**EXTERNAL ADVISORS IN
ATTENDANCE:**

- (8) Mr Tony McGleenan KC
(8) Ms Anne Dillon, Crown Solicitors Office

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

- Mrs Sinead Simpson, Chief Executive
Mr Sam Hagen, Senior Director of Resources
(10) Ms Aislinn McGuckin, Director of Police Pensions
and Injury Benefits*
Nine Board Officials

- (1) Left at 1.35pm
(2) From 10.25am on
(3) Left at 1pm

- (4) **From 10.45am**
- (5) **Items 6.2 to 6.5 only**
- (6) **Items 6.4 & 6.5 only**
- (7) **Items 6.2 and 6.3 only**
- (8) **Item 6.2 only**
- (9) **Item 6.4 only**
- (10) **Item 6.1 only**

* Attended meeting by video conference facility

1. APOLOGIES

Apologies were received from Ms Nuala McAllister MLA.

The Committee agreed the agenda for the meeting, and no one raised any business that they wished to discuss at agenda item 9 under 'Any Other Business'.

The Chair advised Members that due to the confidential nature of the PSNI Above Delegated Authority request at agenda item 6.2.1, the paper and related annex had not been made available prior to the meeting. Board officials distributed hard copies of the paper at this time and Members were given a short time to read and consider the material.

Members were advised that PSNI legal representatives will join the meeting later to brief the committee and respond to Members' questions.

2. CONFLICTS OF INTEREST

No conflicts of interest were declared.

3. MINUTES OF THE MEETING HELD ON 23 NOVEMBER 2023

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

It was **RESOLVED** that:

- The minutes of the Committee meeting held on 23 November 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 Director of Police Pensions and Injury Benefits (PPIB) and Director of Resources.

In respect of the action points from the meeting in November 2023, the following updates were provided by the Director of Resources and Director of PPIB:

- Action point 1 - revised paper on NIPB staff turnover will be presented at today's meeting at agenda item 6.6.
- Action point 2 - PSNI will be attending the meeting at agenda item 6.4 to discuss the security incident at the Steeple complex in June 2023.
- Action points 3 and 4 – further updates will be provided later in the meeting relating to Injury on Duty processes and revision of joint medical guidance project.
- Action point 5 - following discussions with PSNI it has been agreed to amend the format of the People Action Plan update when it is provided to committee in future.
- Action point 8 - Member concerns regarding PRRB processes have been raised with Department of Justice (DOJ) and these matters are receiving further consideration.
- Action point 10 – a written response has been received from PSNI in respect of the number of contact management centres across the estate and consolidation potential.

In respect of action points from the meeting in October 2023, the following updates were provided by the Director of PPIB:

- Action point 3 - officials have collated information on the process for decision making relating to implementation and reassessment award dates for cases considered by Selected Medical Practitioners.
A further update including final papers (with FAQ document for claimants) will be brought to committee upon completion.
- Action point 4 – a full update on revision of Joint Medical Guidance Project will be provided later in the meeting at agenda item 6.1.3 including consideration of draft DOJ correspondence to progress the matter.

In respect of action points from the meeting in September 2023, the following updates were provided by the Director of Resources:

- Action points 4 and 9 – in respect of Members ongoing concerns regarding PSNI Above Delegated Authority (ADA) requests, several items of correspondence have been provided at agenda item 6.0, and Members were advised this month's PSNI presentation has been postponed and is now scheduled to take place in January 2024.

In respect of action points from the meeting in July 2023, the following updates were provided by the Director of PPIB:

- Action point 7 - correspondence has been issued to the ACO People and Organisational Development in respect of actions being taken to address the upward trend in Ill Health Retirement and Injury on Duty applications and a response is awaited.
Following discussion, it was agreed to write to the Chief Operating Officer to progress the matter. **(AP1)**

In respect of action point 5 from the meeting in March 2023, the Director of Resources advised Members that a paper on NIPB policy for senior officer recruitment will be presented later in the meeting at agenda item 6.7.

Updates were provided on correspondence issued and received for agenda items 4.1 to 4.3.

4.1 Correspondence received from PSNI regarding Close Protection Unit, Additional Security Funding and Fleet queries

In respect of action point 7 from the meeting in November 2023, a response has been received providing a recent history of Close Protection Unit (CPU) costs/ principal numbers and Additional Security Funding (ASF) costs, and an overview of fleet related matters including vehicles to be commissioned, details of ongoing fleet projects and vehicle disposals.

In respect of CPU/ ASF costs provided. Members discussed the status of new and used vehicles stored at the PSNI Seapark complex, and following discussion it was agreed to request a briefing from PSNI on 'Vehicles/ Transport' at the committee meeting in February 2024 to include specific issues relating to vehicles/ transport including timeframes for commissioning new vehicles, disposals schedule and processes, and an update on vacancies and future recruitment plans in respect of transport services.

(AP2)

Members **NOTED** the correspondence.

4.2 Correspondence issued to PSNI regarding Maternity and Adoption Provisions

In relation to action point 9 from the meeting in November 2023, correspondence has been issued to ACO People and OD approving the

preferred option for Maternity & Adoption Leave provisions, and outlining Members suggestions to adjust the wording from 'maternity leave' to 'parental leave/shared parental leave', and to include police staff in these provisions.

Members **NOTED** the correspondence.

4.3 PSNI response to written question regarding Contact Management Centres

In respect of action point 10 from the meeting in November 2023, a response has been received from PSNI following Member queries on potential plans to reduce the number of contact management centres across the PSNI Estate.

Members **NOTED** the correspondence and following discussion it was agreed to request a further committee update from PSNI in 2024 on this matter. **(AP3)**

5. CHAIRPERSON'S BUSINESS

There were no items under Chairperson's business for the committee this month.

6. ITEMS FOR COMMITTEE BUSINESS

6.1 Police Pensions and Injury Benefits

6.1.1 Cases for Committee - December 2023

The Director of PPIB presented a paper asking Members to consider the

outcome of decisions made by Selected Medical Practitioners (SMPs) in respect of the 26 cases considered and provided opinion on between 13 November 2023 and 5 December 2023, and for 1 case, issued via CJSM, in respect of a reconsideration request.

Members were provided with an update on a miscellaneous case and that submissions were being gathered from all interested parties and will be shared with a sub-group of committee Members before full referral to the committee at a future date.

Members **NOTED**:

- the outcome of the decisions made by Selected Medical Practitioners and **CONFIRMED** the implementation and reassessment dates for the 26 cases outlined; and
- that the 1 case, issued to Members via CJSM, in respect of a reconsideration application should proceed to reconsideration; and
- the update provided on the miscellaneous case.

6.1.2 **Police Pension Scheme Manager Monthly Report**

The Director of PPIB presented a paper to provide Members with a summary of police pension related work completed since the last update provided to committee and included the McCloud Health Retirement Remedy project, the quarterly Scheme Advisory Board meeting on 4 December 2023, the Police Pension Board Quarterly meeting on 5 December 2023, and work taking place on an initial scoping exercise for an electronic case management system.

Members considered a draft response to DOJ consultation documents on the draft Police Pensions (Amendment) Regulations (NI) 2024 which outlines proposed changes to the existing police pension scheme regulations, including legacy schemes.

Following discussion Members:

- **NOTED** the various updates in relation to work undertaken in the reporting period relating to police pensions; and
- **APPROVED** the response to the consultation launched by the Department of Justice in relation to the Draft Police Pension (Amendment) Regulations (Northern Ireland) 2024.

6.1.3 Joint Guidance Revision Project

The Director of PPIB presented a paper on the continuing work in relation to short and long term actions to revise the 'Northern Ireland Policing Board and Department of Justice Joint Medical Guidance for Medical Practitioners on Injury on Duty awards', known as the 'Existing Joint Guidance', and provided an update on actions progressed in recent weeks.

Members were asked to consider the redrafted correspondence to the DOJ Permanent Secretary as well as the draft consultation response following DOJ's launch of its targeted consultation on 6 November 2023, with the objective of placing the Existing Joint Guidance on a statutory footing.

Work progressed includes officials undertaking a page turn review of the Existing Joint Guidance and examining the administrative and Board related procedures only to establish where these could be improved, streamlined, and amended. Following multiple virtual and in person meetings in recent weeks DOJ and Board officials have completed this manual review and a copy of the latest draft document was provided to Members.

Members were asked to provide comments on the draft joint guidance for medical practitioners and Injury on Duty awards by return to officials for onward communication to the Board's legal advisors.

Members suggested a change to the wording of the draft consultation

response to ensure consistency of approach of the draft correspondence to the DOJ Permanent Secretary. **(AP4)**

Following discussion Members:

- **APPROVED** the draft consultation response and the draft correspondence to the DOJ Permanent Secretary; and
- **NOTED** residual work streams being progressed in relation to the short and long term plans to revise the Existing Joint Guidance (Northern Ireland Policing Board and Department of Justice Joint Medical Guidance for Medical Practitioners on Injury on Duty awards).

Before PSNI joined the meeting Board officials provided Members with an overview of agenda item 6.5, Representativeness of PSNI, and a further opportunity to review the paper and related annex for the PSNI Above Delegated Authority request at agenda item 6.2.1.

Members discussed agenda item 6.4, PSNI security incident at Steeple in June 2023, and raised concerns regarding the protracted nature of the review into this incident given that Members have previously discussed the matter at Board meetings and received both written responses to questions and a written briefing, although some Members regarded the detail provided by PSNI to date and overall communication to the committee as insufficient. Discussions also took place in respect of the role of PSNI communications team and escalation processes to senior officers, the status of a full security review following an earlier incident at Newtownards PSNI station, and that further detail was required from PSNI at the meeting to address specific matters.

The committee welcomed the Chief Operating Officer (COO), Assistant Chief Officer (ACO) Corporate Services, Mr Tony McGleenan KC, Ms Anne

Dillon, Crown Solicitors Office, and a PSNI Legal Representative to the meeting.

6.2 PSNI Above Delegated Authority requests

6.2.1 PSNI Above Delegated Authority request – Approval for compensation sum and estimated Legal costs.

Following Members' consideration of the hard copy paper provided at the start of the meeting, the Chair welcomed representatives from PSNI and their legal advisors to brief Members on this Above Delegated Authority (ADA) request.

PSNI legal representatives provided an overview of the case to date including key facts of the ADA request, figures involved, timelines, current status, and suggested next steps.

Members were advised of the broader factual background to this high profile legacy case and noted that proceedings have been progressing in parallel against initially, the Ministry of Defence (MoD) and subsequently also the PSNI Chief Constable. PSNI legal representatives advised that a point had now been reached where a negotiated settlement was possible and they are therefore seeking the Board's agreement in order that this can be progressed.

Key points raised by Members during discussions included:

- The length of time it has taken between acceptance of liability by the MoD and Chief Constable and reaching a negotiated settlement and the consequent impact on legal fees.
- Whether the sums noted in the paper today are likely to cover the legal costs in this case or whether a further above delegated authority

request is likely to be received by the Board relating to this case.

- Are there other similar cases currently in the system and is the proposed settlement in this case likely to set a precedent for future cases.
- How the Committee can receive regular and comprehensive updates pertaining to other legacy cases to ensure Members are aware of current status, including reasons for delays in reaching court or a negotiated settlement.

The Chair thanked the PSNI and they left the meeting.

Following discussion it was **AGREED** a recommendation be made to the Board to approve this above delegated authority request. The Committee Chair asked that his view be recorded that he does not support making this recommendation to the Board due to previously stated position that he considers such cases should be tested in court.

It was also agreed that Board officials would revert to PSNI on the scope of the upcoming presentation to the Committee on Litigation/compensation in light of Member discussions today and request this presentation also include a schedule of high value cases currently progressing through the system.

(AP5)

6.2.2 PSNI Above Delegated Authority request - Charitable Donation to the Police Arboretum Memorial Trust

The ACO Corporate Services presented Members with a PSNI Above Delegated Authority request to make a gift of £7,250 to the Police Arboretum Memorial Trust. The purpose of the charitable donation is to support ongoing works the Trust is embarking upon, and PSNI have previously supported the Trust with a donation in 2020/21.

Following discussion Members **AGREED**:

- To make a recommendation to the Board to **APPROVE** the PSNI Above Delegated Authority request to make a gift in the form of a charitable donation of £7,250 to the Police Arboretum Memorial Trust.

Members also discussed the broader scope of the litigation/ compensation presentation and the provision of a schedule of high value cases, and to explore the possibility that ACC responsible for Justice attends a future committee meeting to discuss processes for consideration of these cases.

(AP5)

6.3 PSNI Finance Report

The ACO Corporate Services presented Members with the monthly PSNI Finance Report and financial position as at the end of November 2023.

The ACO Corporate Services reported a year to date non ring-fenced pressure of £15.9m at the end of November 2023, and a total estimated full year pressure of £49.9m, which includes a reduced pressure of £4.4m on depreciation following the receipt of £2.6m in additional budget. This is due to anticipated pressures for the 2023-24 pay awards for officers and staff, insufficient budget for NI protocol staff, unfunded Op Rondoletto costs, and overtime/ non-pay costs in relation to Op Sanukite.

The ACO Corporate Services noted a Capital expenditure easement of £1.0m in the November monitoring round which reduces total projected spend for the year to £63.1m.

In respect of financial planning for 2024-25, DOJ have requested a range of budget profiling exercises and these will be completed alongside internal financial planning processes, with further updates to be provided to committee at the beginning of 2024.

The ACO Corporate Services provided an update on Additional Security Funding (ASF) and Close Protection Unit (CPU) following Members concerns at the November committee. This included a breakdown of Resource and Capital allocation for ASF funding since 2009-10, recognising significant cost pressures owing to a flat budget settlement in recent years, and a summary of CPU costs and principal numbers year on year from 2019-20.

Members were also provided with a fleet overview in respect of vehicles to be commissioned, details of ongoing projects and disposals.

Further updates were provided on overtime with costs exceeding the original profiled budget in November, and key business cases were highlighted including a compensation legal case and the Revised Environmental Allowance business case for police staff.

Members raised the following points with the ACO Corporate Services:

- Purchase status of vehicles and disposals process including time periods for vehicles taken off the road, disposals schedule, and scrap values.
- Given ongoing and significant capital spend on IT and Telecoms, whether this type of investment will lead to an overall reduction in future spending.
- Extent to which vehicles are scrapped at best market value and at public auctions.
- Anticipated total cost of the recently published report into the PSNI data breach.
- Breakdown of CPU budgeting/ costs and principals' management, and it was agreed to provide comparison figures for last year versus this year. **(AP6)**

Members **NOTED** the update provided and thanked the ACO Corporate

Services for his contribution and he left the meeting.

6.4 PSNI Briefing on security incident at PSNI Steeple - June 2023

The Chair welcomed the ACO People and Organisational Development (OD), Head of External Recruitment, and two PSNI senior officers (Superintendent and Chief Inspector) to the meeting.

The ACO People and OD provided Members with an overview of the security breach at the PSNI Steeple complex in June 2023 involving two separate incidents at Steeple and a vulnerable person attending Antrim PSNI station.

To date, following a question at the Board meeting in July 2023 a written response was provided outlining the timeline of events from 11 June to 29 June 2023 followed by the submission a written briefing to the committee in November 2023 with a detailed timeline of events, conclusions, and learning.

The ACO People and OD assured Members that following an extensive and thorough investigation remedial actions have been carried out, lessons have been learned, and the Steeple complex is secured to a high standard. Members were also provided with photographs of the Steeple site to facilitate understanding of security infrastructure and provide additional context.

Members raised the following points with the team from PSNI:

- Status of estate wide security review due to be completed following a previous security incident at Newtownards PSNI station (before the Steeple incident), and confirmation of date when full security review was completed.
- Role of contract security provider G4S and details of any defective security equipment reported before the incident which had not been

repaired.

- Checks and balances in place to monitor status of security equipment and reasons for equipment not being operational.
- Conduct and performance issues identified with G4S security officers at the time of the incident and actions taken.
- Further clarity regarding site infrastructure including internal and external fencing and contributory factors including gaps in razor wire covered fencing.
- Escalation and communication processes to PSNI Senior Executive Team (SET) and role of internal communications team prior to reporting of incident in media.
- Status of site security camera and number of G4S security guards on duty at time of incident, and effectiveness of working relationships between G4S and PSNI.
- Assurances that security systems and processes across the PSNI Estate are to a high standard and fit for purpose.
- Confirmation that a robust escalation process is in place to respond to future internal security incidents.

Members **NOTED** the update provided and thanked the PSNI senior officers for their contribution and they left the meeting.

6.5 PSNI briefing on Police Performance Plan Measure 2.3.1 – Representativeness

The committee received a briefing from the ACO People and OD and the Head of External Recruitment on the Police Performance Plan measure specific to the Representativeness of the Police Service, noting that progress has been limited due to the recruitment freeze in place due to budget pressures.

The Head of External Recruitment provided an overview of the Report Card

and an overview of the 3 sections, covering the period April 2023 to September 2023:

- **External Recruitment** – 83 student officers appointed, and 1 external police staff campaign completed, with continuing outreach events focusing on schools and further education colleges. Challenges include managing impact of data breach and under-represented groups withdrawing from recruitment process.
- **Internal Representation** – limited selection and promotion activities due to budget pressures, and key work streams include publication of the cultural audit and related 'Great Place to Work' action plan, launch of a new Workforce Dispute Resolution procedure, and shift pattern review. Challenges include female under representation at senior officer level and limited internal selection and movement across departments within the reporting period.
- **Retention** – high stability index (percentage of personnel who were employed over the reporting period) at over 95% for officers and 92% for police staff despite impact of data breach and challenges include long term impact of data breach, working hours and shift patterns.

Members raised the following points with the ACO People and OD and Head of External Recruitment:

- Positive feedback on format and content of 'Report Card'.
- Impact of individuals stating community background as 'other', as observed in recent NI census data, and PSNI to provide information on those who declare as 'other' both organisation wide and at recruitment stage. **(AP7)**
- Improving representativeness for police staff and perceived negative impact of adopting 'internal' selection and recruitment practices.

- Decrease in both percentage females and LGBT community applicants appointed as student officers compared to percentages reported in these categories from 2020 merit pool.
- Plans to improve representativeness from the Catholic community at senior levels in PSNI.

Members **NOTED** the update provided and thanked the Chief Operating Officer, ACO People and Organisational Development and Head of External Recruitment for their contribution and they left the meeting.

6.6 Northern Ireland Policing Board (NIPB) Staff Turnover

The People and Organisational Development (OD) manager presented an updated paper following Member feedback at the committee meeting in October 2023 where matters relating to NIPB staff turnover were considered and discussed.

Members were provided with a further update on staff vacancies, recruitment competitions, online test resources, and availability of staff from mainstream Civil Service to fill NIPB vacancies.

Members were advised there is currently no scope to fill vacancies with PSNI secondments due to capacity and resourcing issues at PSNI and the option to utilise staff from the NI Assembly is unavailable given the current political situation and the potential of the Assembly returning.

In respect of recruiting new agency staff at NIPB, security clearance procedures have improved following a working arrangement with PSNI to reduce the timeframe from 3/ 4 months to 3 weeks.

Members sought assurances there is a commitment to recruit permanent staff at NIPB rather than continue to use agency to fill vacancies.

The Director of Resources outlined several factors officials need to consider

when filling vacancies, which include the ability to progress the correct level of security clearance, the wider temperature on recruitment across the public sector due to budget challenges, and the availability of organisational resources to manage a large number of applicants as part of a recruitment competition.

Additionally, the NIPB budget for 2024-25 has not been allocated from the Department of Justice and given the current financial issues across the Central Government public sector, with flatline and reducing budget allocations it would demonstrate a lack of prudence to commit to recruitment activities at this time without a full understanding of the budget position and financial resources available in the next financial year.

Members **NOTED** the update provided and following discussion it was **AGREED** that officials will provide an action plan to the committee when there is an understanding of the financial and other implications of progressing permanent recruitment. **(AP8)**

6.7 NIPB Policy on Senior Officer Recruitment

The People and OD manager presented a paper to update Members on legal advice received and to agree the role of the specialist advisor and Chief Constable in the appointment of senior officers.

Correspondence has recently been received from the Chief Constable expressing the view that he would welcome a more proactive role in the selection and appointment of his senior team and not just an 'observer' role under the current guidance and referred to a consultation paper circulated in 2021 by the Justice Minister at the time which recommended a change to this position.

This matter was first brought to the committee in December 2022 when Members were asked to consider and provide comment on the suggested changes to the NIPB 'Guidance for the Appointment of Chief Officers and

Senior Police Staff Equivalents’.

Members requested further advice be sought on several matters and a subsequent paper was brought to the committee in March 2023 outlining advice received from Heads Together HR Consultancy. The role of the Chief Constable was considered at the committee in March 2023 and following discussions Board officials sought legal advice from the Crown Solicitors Office (CSO) for guidance.

Members discussed the need to define the extent of the role of the Chief Constable in the guidance including position as a policing advisor versus participation in the appointment process as a panel member, recognition that the Chief Constable should maintain a level of involvement in the appointment of the PSNI senior team, and the need to balance the Chief Constable’s involvement and influence on the process with the independence and weight of other panel Members.

Members **NOTED** the update provided and it was **AGREED** that Board officials will bring an updated paper back to a future committee meeting outlining options for consideration and to agree the revised policy on senior officer appointments. **(AP9)**

6.8 Police Remuneration Review Body PRRB - Input into Minister’s letter to initiate the 2023/24 pay review

The People and OD manager presented a paper asking Members to consider and agree the response to the Department of Justice for the annual letter to initiate the 2024/25 pay review process.

The matters within the draft letter relate to consideration of a salary increase to be in broad alignment with officers in England & Wales, and providing allowances that are currently only accessible to officers in England and Wales to be made available to PSNI officers.

Following discussion Members **AGREED**:

- To include the matters referenced above in the Minister's remit letter to PRRB.

7. QUESTIONS FOR THE CHIEF CONSTABLE

No questions were submitted.

8. COMMUNICATIONS ISSUES / OPPORTUNITIES

Following discussions with the communications manager, the Chair agreed to submit written questions to PSNI in respect of items discussed earlier in the meeting. Specifically, the status of an estate wide security review discussed at agenda item 6.4 and the extent to which PSNI has used officers to cover G4S security roles in the recent past. **(AP10)**

9. ANY OTHER BUSINESS

- 9.1** Members **NOTED** correspondence from the Chief Constable to the DOJ Permanent Secretary in respect of police officer recruitment.

10. DATE OF NEXT MEETING

The next meeting is scheduled for **Thursday 25 January 2024** at James House.

The meeting ended at 2pm

CHAIR

**RESOURCES DIRECTORATE
DECEMBER 2023**