

NORTHERN IRELAND POLICING BOARD

MINUTES OF MEETING OF RESOURCES COMMITTEE HELD ON THURSDAY 24 FEBRUARY 2022 AT 2PM AT WATERSIDE TOWER AND VIA ZOOM

PRESENT:

- Mr Gerry Kelly MLA (Chair)
- Dr Janet Gray (Vice-Chair)
- (1)** Mr Trevor Clarke MLA
- (2)** Ms Deirdre Toner
- Mrs Linda Dillon MLA*
- Mr Colm McKenna
- (3)** Mr Jonathan Buckley MLA*

EX OFFICIO MEMBERS IN ATTENDANCE

Dr Tom Frawley*

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE

- (4)** Mr Mark McNaughten, Assistant Chief Officer
Corporate Services
- (5)** D/C/Supt Rowan Moore
- (5)** Gary Steenson, Senior Legal Assistant
- (5)** Joseph McEvoy BL
- (6)** Mr Will Young, T/Assistant Chief Officer People and
Organisational Development

OFFICIALS IN ATTENDANCE:

Mrs Sinead Simpson, Chief Executive
Mr Adrian McNamee, Director of Performance
Mrs Charis Hilditch, T/Director of Resources
Six Board Officials

- (1)** In person from 2.35pm on
- (2)** Left at 5pm
- (3)** On video conference from 3.05pm on
- (4)** Items 6.1, 6.2, 6.3 and 6.4 only
- (5)** Item 6.3 only
- (6)** Item 6.5 only

The Chair opened the meeting by expressing the Committee's sincere condolences and heartfelt sympathies to the family, friends and colleagues of Mr Christopher Stalford MLA.

1. APOLOGIES

Apologies were received from Mr Frank McManus, Mr Mike Nesbitt MLA and Mr John Blair MLA.

The Committee agreed the Agenda for the meeting and no one raised any further business for consideration under 'Any Other Business'.

2. CONFLICTS OF INTEREST

No conflicts of interest were declared.

3. MINUTES OF THE MEETING HELD ON 27 JANUARY 2022

The Committee considered the draft minutes of the Committee meeting held on 27 January 2022. It was **RESOLVED** that:

The minutes of the Committee meeting held on 27 January 2022 be approved.

4. UPDATE ON ACTION LOG

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

In respect of Action Point 1 from the meeting on 27 January 2022 the Chief Executive noted that at a recent meeting with the T/Assistant Chief Officer (T/ACO) People and Organisational Development she raised the issue of the current sick absence target of 11.2 days. She advised Members that he explained this figure is based on a 2017 Policing Plan target and has remained unchanged since then. The T/ACO People and Organisational Development explained the PSNI's intention to review the use of this figure and anticipated discussing this further with the Committee in the latter half of the next financial year.

4.1 OHW Update

The Committee considered an update in respect of current vacancies within the PSNI Occupational Health and Wellbeing (OHW) Branch. Members noted the number of positions which have recently been filled and the figures in relation to current vacancies. During discussion Members commented on the value of the

exit interview process and how that learning could be incorporated into future recruitment competitions. The Chief Executive noted that Board officials will continue to maintain a watching brief on this area and bring updates to the Committee as they become available.

Members **NOTED** the update provided.

4.2 Updated Draft Estate Protocol

The Committee noted the updated Estate Protocol document which had been amended to reflect Members' comments and feedback at last month's Committee meeting. Members confirmed that the document could now be **AGREED** as the final version.

4.3 Updated Senior Officer Removal and Relocation Policy

The Committee noted the updated Policy which had been amended to reflect Member's comments and feedback at last month's Committee meeting. Members were content to note this as the final version of the policy and it was **AGREED** the revised document would be published on the Board's website.

(AP1)

4.4 Disposal of Ballyclare PSNI station

The Committee considered further information provided by PSNI Estate Services in relation to the proposed disposal of the former Ballyclare PSNI Station. At last month's Committee, Members had requested additional information due to the disparity between the initial LPS valuation and the proposed agreed sale price. The Committee considered the additional information provided and **AGREED** to recommend that the Board approve the disposal of the former Ballyclare PSNI Station. Members also noted that there was further work to do to fully understand the disposal process and particularly, to ensure that the public sector bodies are not disadvantaged during this process. It was agreed that the Chair would write to the PSNI with a view to seeking further clarity on the disposal process. **(AP2)**

4.5 People Strategy Action Plan Update

The Chief Executive noted the updates provided on the People Strategy Action Plan in correspondence of 18 February 2022 from the T/Assistant Chief Officer

(T/ACO) People and Organisational Development in response to queries raised by the Committee Chair in his correspondence of 3 February 2022.

Members **NOTED** the correspondence.

5. CHAIRPERSON'S BUSINESS

5.1 Resources Committee Forward Programme of Work

The Chair asked Members to note the Committee's programme of work for the period March 2022 – June 2022. This has been revised following agreement at this month's Board meeting that there will be no Committee meeting in April.

Members **NOTED** the programme of work.

5.2 Update on Meeting with Chief Constable and Chief Operating Officer

The Chair reported that he met with the Chief Constable and the Chief Operating Office (COO) last week regarding the proposed draft budget settlement. The Chair advised that the Chief Constable re-iterated his concerns regarding the proposed draft budgetary settlement for policing and the likely implications on the Service this will have. The Chief Constable also welcomed the Chair and Committee's support to try to achieve a positive budget settlement for PSNI in their negotiations with DoJ and The Executive Office (TEO). The Chair advised Members that while he appreciated the invitation to meet with the Chief Constable and COO to discuss these issues, he had requested that the presentation be made to the Committee as a whole.

5.3 Update on meeting between Board Chair and PSNI NIPSA representatives

The Chief Executive updated the Committee on a meeting between the Board Chair and PSNI NIPSA representatives on 17 February 2022 during which they raised a number of issues. These included the pay remit approval process for police staff, the McCloud remedy judgment in respect of public sector pensions, the impact of the draft budget on service delivery and the results of the NIPSA Sexual Misconduct Survey. After discussion it was agreed that the Committee would write to the Chief Constable in respect of the issues raised and also that

the PSNI NIPSA representatives would be invited to brief the Committee on an annual basis and that the initial meeting would take place this autumn. **(AP3)**

Members discussed that some of the issues raised would be relevant to the Cultural Audit which is due to take place and following discussion, it was also agreed that the presentation from Headstogether on Barriers to ACC Recruitment Research which was scheduled for the March 2022 Committee meeting should be replaced with a presentation from PSNI on the Terms of Reference for the Cultural Audit. Programme of Work to be updated. **(AP4)**

6. ITEMS FOR COMMITTEE BUSINESS

6.1 PSNI Finance Report – January 2022

The Committee noted the PSNI's monthly Finance Report and, prior to the PSNI joining the meeting Board officials provided a brief overview of the PSNI's financial position as at 31 January 2022 and highlighted key issues from the report.

The Chair welcomed PSNI Assistant Chief Officer (ACO) Corporate Services Mr Mark McNaughten to the meeting and invited him to present this month's report.

The ACO Corporate Services presented an overview of the monthly Finance Report including a summary of the PSNI's financial position to 31 January 2022. During his update the ACO referenced:

- The position at this stage of the financial year which is that the PSNI are reporting a current under-spend of £7.3m and a projected full year under-spend of £1.4m.
- That there is a year to date Capital underspend of £3.9m which is mainly due to delays in Estate & Fleet projects. A full year under-spend of £0.8m is currently estimated, and;
- That PSNI were allocated the £14m requested as part of the January monitoring exercise.

Following the briefing Members raised a number of questions with the ACO Corporate Services including:

PSNI Overtime - The ACO Corporate Services reported there has been a £1.5m saving on overtime costs this month, therefore bringing the year to date position to just under £1m over budget.

PSNI Business Cases - The ACO Corporate Services reported that the business case for soft skin or standard vehicles has now been approved which will help ensure that the majority of the capital budget will be spent in year. The business case for the armoured vehicles is currently waiting on approval from the Department of Finance (DoF) and Department of Justice (DoJ). It is anticipated that the business case for the Police College Redevelopment will be approved by the end of this month.

PSNI Direct Award Contracts - The ACO Corporate Services highlighted various Direct Award Contracts (DACs) and during discussion Members raised a query regarding the contract for Provision of Custody Healthcare Forensic Medical Officer (FMO) Services with an associated cost of £7.2m. In relation to a Members' question the ACO Corporate Services confirmed that this value of £7.2m was made up of multiple smaller individual contracts, rather than one large overarching contract. The ACO Corporate Services explained the PSNI's aspiration to move to a shared funding model for the provision of these services and highlighted the difficulties in recruiting doctors willing to undertake the commitments associated with this role, ie 24 hour availability and willing to travel to and deliver the service within Custody Suites. Members also noted that the lack of involvement of the healthcare sector in the provision of these services and welcomed that consideration was being given to a new delivery model.

Members requested PSNI provide more information on this area by way of a briefing paper. **(AP5)**

Members also sought further information on why some DACs have been granted extensions and the ACO Corporate Services explained that these have been due to either COVID related delays which necessitated an extension to allow for the tender process to be completed or disputes throughout the tender process and advised the PSNI are endeavouring to reduce both the number of DACs awarded and the cost attributed to same.

6.2 PSNI Resource Plan 2022-2023

The ACO Corporate Services presented the PSNI proposals to achieve a balanced Resource Plan for 2022-25 however acknowledged the somewhat unusual circumstance in that the budget settlement is still in draft format and will not be finalised until after the budget consultation period closes on 7 March 2022.

The ACO Corporate Services highlighted that the current proposed budgetary settlement, with its operating shortfall of £226m across this 3 year period, will have a significant impact on service delivery, resilience and modernisation, as well as longer term impacts on recruitment and representation with difficult choices to be made as to how to prioritise demand and manage risk over the next 3 years.

The ACO Corporate Services detailed the PSNI's various funding streams and key assumptions that they made in order to develop a balanced budget. He provided a detailed breakdown of contractual commitments/fixed costs as well as proposals on how PSNI intend to address the funding gap. Members discussed the frequency and format of the intake of student officers into the Police College and also any costs the PSNI are regularly incurring on Police Stations across the Estate that are disused and no longer operational. Members requested that going forward these costs are included in the reports provided to the Committee. The ACO Corporate Services noted this request and advised that these figures would be included in the report on Station Closures and Disposal programme that the Committee receive on a quarterly basis. **(AP6)**

Members gave due consideration to the detailed breakdown proposed by PSNI in their 3 year plan. The Committee noted the decisions that PSNI considered necessary in order to live within the budget. Members considered that, in the absence of an Executive, it is unlikely the proposed 3 year budget under consideration will come to fruition and instead there is potential for a rolled budget from last year. Nevertheless the Committee **AGREED** a recommendation to the Board that the PSNI Draft Resource Plan be approved for the first year only (ie the 2022/23 financial year). The PSNI Resource Plan 2022/2025 will remain as a standing agenda item for Resources Committee and further consideration will be given and updates brought to the Board as the situation develops.

6.3 PSNI Above Delegated Limits Compensation Payment

The Committee received a confidential briefing from the PSNI and their legal representatives regarding proposed Above Delegated Limit Compensation payments following the conclusion of a mediation process between the Chief Constable and the plaintiffs in a civil case. A confidential annex detailing this briefing can be made available to Members for review but will not be published at this time.

6.4 PSNI Estates Strategy Update

The ACO Corporate Services presented a paper to the Committee which provided Members with a quarterly summary of the PSNI's key developments in implementing the Estate Strategy and the current Station/Site disposal schedule. The ACO Corporate Services highlighted the stations marked for disposal and their current status in the disposal process. As noted under agenda item 6.2 above, the ACO Corporate Services confirmed that the costs the PSNI are regularly incurring on former disused police stations across the Estate would be included in future Committee reports.

With regard to the Estates Strategy, the ACO Corporate Services reported that an updated paper is due to go through the PSNI's internal governance procedures and advised Members that a more detailed update will be provided when the internal processes are complete, and this will allow the Committee to be informed of changes to the Estate in advance of delivery.

Members **NOTED** the update provided.

6.5 PSNI Measure 2.3.1 of Police Performance Plan - Representativeness

The Committee received a briefing from the PSNI T/Assistant Chief Officer People and Organisational Development on the Report Card in respect of the Policing Plan measure on Representativeness. Members noted the PSNI Outcomes Based Accountability report card and also a breadth of statistics relating to applications to the recent Student Officer Recruitment Campaign. These included figures in relation to community background, gender, LGBT community and Ethnic Minority. Members discussed the drop in applications from the previous recruitment campaign, particularly in light of the engagement activity which had

been carried out by PSNI representatives in support of the campaign. PSNI advised that, in the context of consecutive recruitment campaigns, a fall in applications is not untypical. PSNI noted the work completed during the most recent Recruitment campaign (which launched 2 November 2021), which specifically included outreach to under-represented communities and that engagement events regarding recruitment had taken place with events have taken place with organisations such as the Ethnic Minority Police Association, Black and Minority Ethnic community representatives, the Grand Orange Lodge of Ireland and the Ulster Council of the Gaelic Athletic Association.

PSNI agreed that further focus should be brought to the areas of attraction/retention/progression with a view to fully understanding the barriers to progressing within the service and Members were keen to understand how activity being undertaken is benefitting certain groups, for example in relation to gender, community background, ethnicity or disability. PSNI also noted that there will shortly be a faculty of Leadership and Organisational Development in place at the Police College.

Members noted the many commendable activities which are ongoing but stressed that more people data is necessary to measure the impact/success of the actions being taken. Members discussed a change in the format of the report card which would give a broader range of information on representativeness across the area of People and Organisational Development rather than just focus on Student Officer Recruitment. Members advised that they would like this to include areas such as diversity training, reverse mentoring etc and PSNI acknowledged that further data capturing behavioural change was necessary, rather than just reporting on numbers taking training in certain areas. Another area raised by Members which was taken on board by PSNI was in the area of exit interviews, who these are carried out by, consistency of approach and the value of any information received as result of this process.

6.6 PSNI Update on South Armagh Recommendations

The T/Director of Resources presented a paper with a progress update on the implementation of nine recommendations included in the South Armagh Review Report. A table detailing the full text of each recommendation to be overseen by the Committee was provided. The PSNI also provided a written update on the

progress of the recommendations, two of which are complete, six are in progress and one is on track. The Committee was advised that going forward updates will be provided on a six monthly basis.

Members raised a number of specific questions, these included:

- I. **Rec 6:** Information on the up to date position regarding the proposed redevelopment of Newtownhamilton PSNI Station and a timetable for the implementation of any updates or completion of this redevelopment.
- II. **Rec 4:** A breakdown (by rank and length of service) of the number of officers who have requested a transfer out of the South Armagh area since the publication of the Review Report?
- III. **Rec 14:** How have the number of calls for service in the area been impacted by the rise in use of liveried vehicles?
- IV. Clarity on the use of the terms “**In progress**” and “**On track**” and their differing meanings in the context of recommendation implementation updates.

Members also provided positive feedback from the local community in respect of some of the changes that have been implemented to date.

Members **NOTED** the update and it was **AGREED** that correspondence will be issued to the PSNI to respond to the specific questions raised by Members. **(AP8)**

6.7 NIPB Resource Plan 2022-23

The NIPB Finance Manager presented a paper highlighting draft proposals to achieve a balanced Resource Plan for 2022-23.

The Finance Manager highlighted the current proposed budgetary settlement, which presents a 2% cut from this financial year. He outlined the proposals for how the Board could accommodate this cut noting that it would result in a slight pressure of just under £25k. Members also noted that, while PCSPs had been asked to consider how they could absorb a 2% cut, the proposals provided were based on a “worst case scenario” of a cut to the NIPB budget having to be absorbed by the centre rather than PCSPs.

The Committee considered the Board's Draft Resource Plan for the 2022-2023 period and noted the uncertainty around the overall budget position as well as the assumptions that had been made. Following discussion with the Chief Executive and Finance Manager it was acknowledged that NIPB could operate within the revised budgetary envelope and therefore, the Committee **AGREED** to recommend to the Board that the NIPB Draft Resource Plan for 2022/23.

6.8 HeadsTogether Sickness Review

The Chief Executive provided Members with an update on the "Review of Police Officer Sickness Absence in the PSNI". A timeline for the review was outlined and the CEO highlighted that initial findings had come to Committee in May 2021 following which the scope of the review had been amended. The final Review report was subsequently considered in September 2021 and it was agreed that it should be shared with PSNI for factual accuracy checking. Members noted that work is ongoing with PSNI but that currently, out of the thirty three recommendations put forward, nineteen have been accepted by the PSNI following the factual accuracy process. Members noted that a further update will be provided to the Committee at the March meeting.

A Member also noted the benchmarking process underpinning the review and advised that benchmarking against other UK and Ireland police services would have been preferable.

Members **NOTED** the final report and table of recommendations.

6.9 Draft Submission to Police Remuneration and Review Body (PRRB)

The Chief Executive updated Members on the process for developing and agreeing a submission to PRRB 2022/23. The PRRB, at the request of the Minister of Justice, conduct an annual review of pay and conditions for PSNI police officers, and provide independent recommendations to the Minister of Justice. Members noted that PRRB have requested written evidence for their report to be submitted by 14 March 2022. The CEO advised that a sub group of 3 Resources Committee Members was agreed at the November 2021 Committee meeting and met on 16 February 2022 to agree the scope of the submission. Members noted that officials are now developing a response, within the agreed scope, for approval by the subgroup.

Members **NOTED** the update and **AGREED** to recommend to the March Board that, in view of the tight timeframe for delivery, the PRRB submission can, following consideration by the subgroup, be agreed by Members by written procedure.

6.10 Police Administration Cases for Committee Decision

The Committee considered a paper requesting Members review and make decisions on the eligibility of awards under the Injury on Duty and Police Pensions Regulations, further to the opinions provided by Selected Medical Practitioners (SMPs) and Independent Medical Referees (IMRs).

Board officials advised Members that between 20 January 2022 and 16 February 2022 SMPs had assessed 7 cases and IMRs had considered 4 cases on behalf of the Department of Justice, all referred under the relevant regulations.

Members also considered three submissions where the applicants had requested their case be reconsidered by the SMP/IMR.

Following discussion it was **RESOLVED** that:

- The medical recommendations of the Selected Medical Practitioners in the 7 cases between 20 January 2022 and 16 February 2022 be approved.
- The medical recommendations of the Independent Medical Referees in the 4 cases between 20 January 2022 and 16 February 2022 be approved.
- The two anonymised cases (**RECON SMP 14 21.22, RECON IMR 17 21.22**) be progressed to the SMP/IMR for reconsideration.
- The third anonymised case (**RECON IMR 16 21.22**) should not be progressed for reconsideration.

6.11 Above Delegated Limits Compensation Payment – (PAB case)

The Chief Executive presented a paper that was originally brought to Members attention at the Committee meeting on 27 January 2022 requesting that Members

consider and approve an above delegated authority request in relation to the proposed settlement of a civil claim for damages lodged by a former officer against the PSNI and the Board. Members noted the overall value of the proposed settlement, the apportionment of the settlement sums between the Board and the PSNI and that these sums had been reached following a mediation process. In reaching a conclusion in this case the Committee also noted Counsel's recommendation in respect of proceeding to settlement in this case.

More broadly Members noted that the genesis of the action related to the plaintiffs work in the area of public protection and agreed that a focus should be brought to ensuring the right levels of support are in place for those officers engaged in this work. It was agreed that the Chair would write to the PSNI on this issue. **(AP9)**

After discussion a Member proposed the Committee recommend to the Board that it approve the compensation payments being made in line with the proposals detailed in the paper. This proposal was seconded following which the Committee **AGREED** to make a recommendation to the Board to approve the payment of this proposed compensation settlement.

This was not a unanimous decision by the Committee as Mr Trevor Clarke MLA and Mr Jonathan Buckley MLA were not in favour of approving this settlement on the basis that they believe cases of this nature should be tested in court.

7. QUESTIONS FOR THE CHIEF CONSTABLE

No questions were raised.

8. COMMUNICATIONS ISSUES / OPPORTUNITIES

No communication issues were raised.

9. ANY OTHER BUSINESS

No other business was conducted.

10. DATE OF NEXT MEETING

The next meeting will take place on Thursday 24 March at 1pm in Waterside Tower.

The meeting ended at 5.50pm

CHAIR

RESOURCES DIRECTORATE

February 2022