

NORTHERN IRELAND POLICING BOARD

**MINUTES OF THE MEETING OF THE NORTHERN IRELAND POLICING BOARD
HELD ON THURSDAY 7 SEPTEMBER 2023 AT 9.45AM IN NIPB HQ, JAMES
HOUSE BELFAST.**

PRESENT:

Ms Deirdre Toner (Chair)
Mr Edgar Jardine (Vice-Chair)
Mr Mark Durkan MLA
Dr Janet Gray
Mrs Joanne Bunting MLA*
(1) Mr Maurice Bradley MLA
Mr Trevor Clarke MLA
(2) Mr Les Allamby
Mr Brendan Mullan
Mr Gerry Kelly MLA
Mrs Linda Dillon MLA
Mr John Blair MLA
Ms Nuala McAllister MLA
Mr Mukesh Sharma
Mr Peter Osborne
(3) Mr Frank McManus
(4) Mr Mike Nesbitt MLA
(5) Ms Liz Kimmins MLA*

POLICE SERVICE OF NORTHERN IRELAND IN ATTENDANCE:

(6) Ms Pamela McCreedy, Chief Operating Officer
(6) Mr Chris Todd, Assistant Chief Constable

BAR LIBRARY

(7) Mr Ian Skelt KC*

NORTHERN IRELAND POLICING BOARD OFFICIALS IN ATTENDANCE:

Mrs Sinead Simpson, Chief Executive
Mr Sam Hagen, Senior Director of Resources
Mr Adrian McNamee, Director of Performance
Ms Aislinn McGuckin, Director of Police
Pensions & Injury Benefits

Four Board Officials

OTHER OFFICIALS IN ATTENDANCE:

Mr John Wadham, Human Rights Advisor*
Ms Joanne Kane, Heads Together HR Advisor

- (1) Left at 15.55
- (2) Left at 14.55
- (3) Left at 1510
- (4) Left at 14.05
- (5) On zoom from Item 6
- (6) Item 8.4 only
- (7) Item 8.5 only

1. APOLOGIES

No apologies were received for the meeting.

2. CONFLICTS OF INTEREST

No conflicts of interest were declared.

3. DRAFT MINUTES OF THE BOARD MEETINGS HELD ON:

3.1 Thursday 6 July 2023

It was **RESOLVED**:-

- That the minutes of the Board meeting held on 6 July 2023 be approved.

3.2 Thursday 10 August 2023

A Member asked for additional wording to be added to the last paragraph on page 10 of the minutes to recognise the fact that whilst the data breach is a HR issue it also has implications for operational policing.

The revised wording reads “**recognition that the data breach is a HR issue alongside the potential ramifications for police operations**”.

Subject to this amendment being made Members **APPROVED** the draft

minutes for publication.

4. **BOARD ACTION LOG**

Updates as detailed within the Action Log from the Board meetings held on 6 July, 1 June and 6 April 2023 were noted in addition to the following verbal update provided by the Chief Executive:

The Chief Executive advised that given events over the summer period, there are a number of items that are not progressed and those are detailed in the log and include Action Points 1 and 2 from the meeting on 6 July 2023 which relate to progressing plans for a member development day with PSNI and engagement with the Department of Justice (DoJ) on issues within a recent CJINI report. Members noted they are still keen for the development day to take place in the coming months.

In relation to Action Point 3 from the meeting on 6 July 2023 the Chief Executive advised that a date of 17 October 2023 had been identified for a visit to National Crime Agency (NCA) HQ in London and seven members have expressed an interest in attending the visit. The Chief Executive advised that given the budget constraints it is likely that Members will need to fly over and back for this visit in one day. The Chief Executive added regrettably it will not be possible for all seven members to attend on this occasion however, the Director of Performance is exploring the potential for another visit in April 2024. Following discussion, Ms Nuala McAllister MLA, Mr Trevor Clarke MLA and Mr Mike Nesbitt MLA all agreed to withdraw their interest in attending the visit at this time. The Director of Performance to liaise with the Strategic Planning & Governance team to make the necessary travel arrangements for the remaining Members taking part in the visit. **(AP1)**

In relation to Action Point 7 from the meeting on 6 July 2023 relating to the Chief Constable's Individual Performance Review (IPR) objectives, the Chief Executive noted this has been overtaken by recent events, however, will

provide a useful reference point for the new Chief Constable recruitment competition.

In relation to Action Point 2 from the meeting on 1 June 2023 regarding correspondence relating to the BBC Spotlight programme, the Chief Executive advised this action remains open and a response is awaited which Board officials will continue to pursue.

In relation to the April Board meeting there are three actions that remain open - Action Point 4 related to the invitation for the Chief Constable to extend an invite to Jon Boutcher to attend a future Board meeting. A response from PSNI is still awaited. The Chief Executive noted there is no reluctance to make this happen, however consideration will have to be given to the timing of the meeting.

Action Point 9 refers to the legal advice on the Chief Constable's accounting officer duties versus his duties under the Police Act – this advice remains to be shared by PSNI.

The Chief Executive advised that action point 4 above and 9 will be raised with PSNI at an appropriate time over the coming weeks.

Action Point 10 relates to the Board's revised Equality Scheme documents and remains outstanding due to resource pressures in the Strategic Planning and Governance team, and Board officials will endeavour to progress this when there is capacity amongst the team. A Member raised a query regarding the PSNI's Equality and Disability Action Plan and details missing from their website; Strategic Planning and Governance officials will follow this up with PSNI. **(AP2)**

Members **NOTED** the action log.

5. CHAIRPERSON'S BUSINESS

5.1 Chair's Report

The Board noted a Report from the Chair which advised Members of:

- The Chair's engagements carried out during the period 26 July 2023 to 31 August 2023.
- A full list of correspondence issued and received by the Chair during the period 5 July 2023 to 31 August 2023.

The Chair also highlighted the following engagements:

- The Chair along with the Vice-Chair and the Chief Executive had planned to attend the Northern Ireland Affairs Committee (NIAC) earlier this week, however, regrettably had to postpone the meeting due to the significant amount of work to be progressed following recent events. The Chair noted it is likely that this meeting will be rescheduled for later this month. The Chair also advised that the Northern Ireland Affairs Committee would like to explore whether it might be possible for them to meet with the wider Policing Board around that time and asked Members if they were content with that approach – Members **AGREED** they would be content to meet with the NIAC as a full Board.
- The Chair acknowledged the listening events that took place over the summer months with the Catholic Nationalist Republican (CNR) community and Youth groups, and noted how this engagement and outreach is vital. The Chair thanked the Board's Engagement team for their role in organising the events and the Members who attended and spoke at them;

- A telephone call with the Police Ombudsman to understand the recent case reported in press relating to the Chief Constable of Devon and Cornwall who was previously an Assistant Chief Constable in PSNI;
- A useful meeting with the Information Commissioners Office in relation to the scope of their work on the recent data breach.

In relation to correspondence, the Chair advised there was no items of correspondence to highlight and invited questions .

A Member raised a query in relation to the PSNI's letter of 14 July 2023 confirming the PSNI decision taken that police officers and staff would not participate in police uniform in the Belfast Pride event. The Member noted that PSNI previously advised in a response to a Member's written question their decision would take into consideration a framework which was being revised to ensure consistency of approach, however the Member noted that this framework is still in draft form and as such questioned how it could be used to inform the decision that police officers and staff would not participate in the Pride event in uniform. Following discussion, it was noted that ACC Singleton had previously provided a presentation on this issue and it was agreed to take this forward via Partnership Committee and invite ACC Singleton to attend and provide a briefing on the matter. **(AP3)**

A Member also raised a query with regard to the submission to the NI Affairs Committee and asked for some alternative wording to be included in the submission. The Chief Executive noted the documentation had already been submitted, however when the Chair and Chief Executive attend the rescheduled meeting they will update the Committee verbally in this regard.

6. CHIEF EXECUTIVE'S REPORT

The Board **NOTED** a report from the Chief Executive which provided an

update on various items of business. The Chief Executive highlighted the following items:

- Little movement on any legal cases given the summer recess;
- The Board's management accounts for the period up to 31 July 2023, noting a small underspend which is largely explained by agency staff taking leave over summer, where previously full pay had been profiled;
- The Q1 report on delivery against the 2023\24 Annual Business Plan;
- A request from the NCA Director General to change the frequency of their reports from quarterly to biannually, to align with his in-person attendances at the Board. Members **AGREED** to this request. The Director of Performance to write to the NCA advising of the Board's decision and to arrange for the Memorandum of Understanding between the Board and NCA to be updated to reflect the new reporting cycle. **(AP4)**
- The update on FOIs and DPAs. The Chief Executive advised this remains an area that SMT keep under review and will consider elevation to the Board's Corporate Risk Register should the figures and timelines start to grow again;
- An invitation to the Board's Human Rights Advisor to speak at a seminar in Dublin in October 2023 jointly hosted by the Irish Council for Civil Liberties (ICCL) and the Committee on the Administration of Justice (CAJ). A Member expressed some concern regarding the Human Rights Advisor's attendance at this event.
- An update on the Police Property Fund, including preparatory work on a third call likely to open early in the New Year and details on the Board's continued engagement activity;

- Letters of Offer have been issued to all PCSPs and their expenditure in the last financial year has come in 99% on budget;
- An update on the McCloud III Health Retirement Reassessment Project, noting that all those who consented to be assessed as part of the project have been reassessed and work is underway to resume business as usual;
- The update on the development of joint guidance for medical practitioners which DoJ intend to place on a statutory footing in order to avoid some of the issues giving rise to recent legal challenges. The Chief Executive advised that following a scoping exercise, the Board received a quote of approximately £450k to carry out this work, however due to budgetary restrictions it will not be possible to progress. The Chief Executive advised Board officials will continue to liaise with DoJ discuss potential next steps.
- The recommendation contained in the report that the Board should not renew its membership of the Association of Police and Crime Commissioners (APCC) – Members **AGREED** to accept this recommendation and Partnership officials will write to APCC advising of the Board’s decision. **(AP5)**

In relation to correspondence, the Chief Executive advised she had no items of correspondence to highlight in relation to correspondence issued from or received by her office, however she drew Members attention to a piece of correspondence the Board was copied into which was addressed to the PSNI. The Chief Executive advised she is not sharing the letter as it contains a significant number of references to alleged drug gangs, paramilitary organisations and names of individuals however she wanted to make Members aware the Board has received a copy of the correspondence.

The Chief Executive advised she has also received two complaints which have been referred to the Ombudsman's office, which again she is not sharing in order not to compromise any future role for the Discipline Committee.

Members raised the following items with the Chief Executive:

- A Member requested that Board Members are given an early warning on any upcoming Judicial Review cases to include a summary of the issue, any financial implications and any public interest implications – the Chief Executive **AGREED** to do this, and SMT will discuss the methodology for taking this forward. **(AP6)**
- With regard to the Sub/steering Groups tasked with reviewing and amending the current Injury on Duty regulations in response a recommendation in the NIAO Report of March 2020, a Member asked if Board Members will get sight of the consultation document before its publication. Following discussion, the Director of Police Pensions & Injury Benefits agreed to send the key areas in the DoJ consultation document to Members for their information. **(AP7)**
- A Member asked for further detail on a DPA complaint received in relation to the sharing of an individual's information with the DoJ as part of the Injury on Duty Award Scheme. The Director of Police Pensions & Injury Benefits advised this was in relation to the alleged actions of a PSNI pension administrator and it has been confirmed there was a misunderstanding of what the person was alleged to have done. The Director of Police Pensions & Injury Benefits advised a meeting was held yesterday to discuss the issue and she received confirmation this morning that the issue has been resolved and the complaint has been closed.

Members **NOTED** the report.

7. COMMITTEE REPORTS

7.1 Resources Committee – 26 July 2023

The Board noted the Resources Committee Chair's Report and draft minutes of the meeting held on 26 July 2023. The Chair also provided a verbal update on matters considered at the meeting which was a single item only agenda to discuss the work of the Police Pension & Injury Benefits Branch. Members received a comprehensive briefing and presentation from the Director of Police Pensions & Injury Benefits in this regard.

Members **NOTED** the report.

7.2 Partnership Committee – 27 July 2023

The Board noted the Partnership Committee Chair's Report of the meeting held on 27 July 2023. The Chair also provided a verbal update on matters considered at the meeting which was primarily to discuss, consider and agree the process for the final stage of the PCSP Independent Member appointment process. The Chair noted Members also received an update on the PSNI Problem Solving Awards.

Members **NOTED** the report.

8. BOARD BUSINESS

8.1 Policing Plan Review Working Group

The Director of Performance presented a paper which asked Members to establish a Policing Plan Review Working Group (PPRWG) 2023/24 to take forward the statutory requirement to review the Policing Plan 2020-2025 and the Annual Performance Plan and propose an updated Annual Performance Plan for the final year of the plan for 2024/25. Members are also asked to Approve the draft Terms of Reference for the Policing Plan Review Working Group 2024/25.

The Director of Performance noted the Policing Plan which provides three

outcomes that the Board want policing to deliver on, which allow the Board to strategically assess and monitor the impact of the Plan over five years. The Performance Plan 2023/24 supports the delivery and evaluation of the Policing Plan and is used to measure progress towards achieving the specified outcomes. The Performance Plan 2023/24 sets out the information the Board will use to determine if the PSNI has made progress towards achieving the Outcomes, by way of the nine Indicators and sixteen Measures which are currently being used to quantify the progress towards achieving the Outcomes. They inform the basis of information reported to the Board and provide an insight into how well both Plans are progressing.

The Director of Performance noted that given the positive feedback from previous reviews and to facilitate continuity, Board officials are proposing to use a similar structure and membership to progress the review of the Northern Ireland Policing Plan 2020-25 and Performance Plan 2023/24 over the next few months. The Director of Performance recommended that for consistency purposes, membership of the group should be similar to previous years and the Vice Chair of the Board should Chair this working group.

The Director of Performance also asked Members to note that this will be the final Annual Performance Plan (2024/25) of the current Policing Plan which will come to an end on 31 March 2025. Following the publication of the Annual Performance Plan 2024/25 on 1 April 2024, the Board will need to commence work on the production of a new five-year Policing Plan for the period 2025 to 2030. It is envisaged that the Board will form a new Policing Plan Development Group in April 2024 to oversee this work. With regard to the draft programme for the Development of the New Policing Plan 2025-2030, Members commented that Board officials should ensure that any public consultation period does not run in parallel with the 2024 Christmas holiday period.

Following discussion, it was **AGREED** to:

- **APPROVE** the draft Terms of Reference for the Policing Plan Review Working Group 2023/24.
- **ADVISE** of Member nominations to the Policing Plan Review Working Group 2023/24.

The Chair asked Members for nominations to the PPRWG 2023/24.

It was subsequently **RESOLVED**:

- That Mr Edgar Jardine, Mrs Linda Dillon MLA, Mr Frank McManus, Mr Mukesh Sharma, Mr Trevor Clarke MLA and Mr Les Allamby are nominated to the PPRWG 2023/24.

8.2 NIAO Report on Continuous Improvement Arrangements In Policing 2023

The Director of Performance presented a paper providing Members with a copy of the final Northern Ireland Audit Office (NIAO) Report on Continuous Improvements in Policing, August 2023.

The Director of Performance advised the report includes an unqualified audit opinion and the paper provides Members with a summary of the main findings and there is one recommendation contained within the Report. It also outlines the next steps in the statutory process in relation to consulting with the Chief Constable on a response Statement and submitting this to the Department of Justice and the Controller and Auditor General for Northern Ireland. The Director of Performance advised that in order to implement this process, Board officials have drafted a statement in relation to the recommendation and Member views are sought. When Members are content with the draft statement, officials will initiate a consultation with the Chief Constable on the

statement in preparation for submission to the DoJ and the Comptroller and Auditor General for Northern Ireland.

Following discussion Members:

- **NOTED** the NIAO Report on Continuous Improvement Arrangements in Policing, August 2023.
- **APPROVED** the Board's draft statement and **AGREED** to proceed to consultation on the statement with the Chief Constable. **(AP8)**

8.3 Update Paper on the Investigatory Powers Tribunal Case

The Human Rights Advisor presented a paper which provided Members with an update on the latest developments in relation to the ongoing Investigatory Powers Tribunal (IPT) case concerning the covert surveillance of journalists by PSNI. The Human Rights Advisor noted the paper also identifies potential next steps the Board could take in this matter and makes a recommendation on how to proceed.

The Human Rights Advisor explained that The Investigatory Powers Tribunal (IPT) deals with complaints from individuals who believe that they were subject to unlawful surveillance by a public authority, or where there was a breach of the Human Rights Act as a result of the use of surveillance powers. The Human Rights Advisor reminded Members of the background to the case noting that a journalist made a complaint to the IPT about surveillance by PSNI. The case has not been dealt with yet but as part of the litigation the PSNI has conceded that in 2013, following an inquiry by him to the press office of PSNI about an investigation into corruption, the PSNI sought and obtained his communication data.

The Human Rights Advisor highlighted to Members that in 2013, the rules governing the process of PSNI seeking communications data from telecoms

providers were set out in the original version of Regulation of Investigatory Powers Act (RIPA) 2000, which were simple and contained very few safe guards. Litigation, including judgments of the IPT in 2015 drove changes to the RIPA legislation and resulted in a new code of practice in 2015. Subsequently there were also changes to the RIPA regime which were set out in the Investigatory Powers Act 2016. This Act provided much greater protection for journalists.

The Human Rights Advisor advised that in July 2023 the Board received a request to undertake a formal inquiry to try to ascertain whether there was any similar surveillance of other journalists at that time or since (under the powers vested in the Board pertaining to sections 59 and 60 of the Police (Northern Ireland) Act 2000).

The Human Rights Advisor outlined the potential avenues open to the Board with regard to progressing such an inquiry for example, the Investigatory Powers Commissioner's Office, the Investigatory Powers Tribunal, The Police Ombudsman, the Human Rights Advisor, or procuring a suitably qualified expert to lead an inquiry. After consideration of the options noted above, the current budgetary situation of the Board and given the importance of the other current priorities, particularly in relation to the recent data breaches by PSNI and Justice Scoffield's Judicial Review judgement, he would recommend that as a first step, a formal request is made to the office of the Chief Constable for a detailed report on the past surveillance of journalists. Once that report has been received, the Board could then consider the matter further. The Human Rights Advisor acknowledged that a report produced by PSNI itself would not be regarded as independent, however, even if the production of such a report cannot resolve the issue, it might help to scope out the nature of the problem, and help inform what other action might be needed and the parameters of any further inquiry or action by the Board.

In the paper that Members received another recommendation was to write to

the Investigatory Powers Commission seeking information that is available regarding the surveillance of journalists by PSNI from 2013 onwards and requesting an enhanced focus on the surveillance of journalists in the next inspections of the PSNI in 2024 and beyond.

Following discussion Members **AGREED** to:

- I. Write to the PSNI to request a report from office of Chief Constable for a report that includes:
 - Any information held by PSNI concerning any applications or authorisations for communications data [or any other surveillance power under Regulation of Investigatory Powers Act or the Investigatory Powers Act 2016] of any person known or suspected to be a journalist or, any person who has sought to obtain journalistic material from the PSNI, during the years 2011 to 2015;
 - The names, or any other details that could lead to the identification of any person, should be redacted but an unredacted report and/or the material that formed the basis of the report shall be available to be reviewed by the Human Rights Advisor. The Human Rights Advisor has the requisite clearance and experience operating with sensitive material and then can convey assurance to Members without compromising the material;
 - Any gaps or omissions in the data or information; and
 - An account of the different procedures and safeguards that were in place in PSNI during this period;

- II. and broaden the scope of the request to include ‘lawyers’ as well as journalists.
- III. Write to the Investigatory Powers Commission seeking:
 - Any information that is available about the surveillance of journalists by PSNI from 2013 onwards;
 - Any information on this subject that is available since his office was established (first annual report covered the year 2017);¹³ and
 - Request an enhanced focus on the surveillance of journalists in the next inspections of the PSNI in 2024 and beyond. **(AP9)**

8.4 Update on Operation Sanukite

Members received a confidential briefing from the PSNI Senior Team regarding Operation Sanukite (Data Breach). A confidential annex detailing this briefing can be made available to Members for review but will not be published at this time.

8.5 Next Steps from Board meeting 4 September 2023

This item of business was discussed later in the day and after other Board business had already been considered to facilitate the attendance by zoom of the Board's legal advisor.

The Chief Executive presented a paper to Members highlighting suggested next steps following the Board's acceptance of the Chief Constable's resignation with immediate effect on 4th September 2023.

The Chief Executive advised that following the Board's acceptance of the Chief Constable's resignation on 4 September 2023, a statement was issued by the Chair of the Board in which the Board committed to the following four actions:

- To prioritise the recruitment of a new Chief Constable for the PSNI
- In the interim the Deputy Chief Constable will exercise all of the

functions of the Chief Constable

- To initiate a review of the Senior Executive structure in PSNI
- To request the Department of Justice to commission a review of the Policing Board.

Members considered each strand of the statement in turn.

On prioritising the recruitment of a new Chief Constable for the PSNI, as noted in further detail at agenda item 8.6, Members agreed to proceed with the appointment of a new Chief Constable using the timeframes outlined in the paper, and noted that it is anticipated that a preferred candidate will be identified within the next three months.

With regard to the second action regarding “the Deputy Chief Constable exercising all of the functions of the Chief Constable”, during discussion Members raised a number of issues and sought further legal advice from the Board’s legal advisor on:

- Potential issues in relation to authority gaps that might emerge;
- Resilience issues amongst the senior leadership team and the risk of vesting so much in one person and asking them to undertake both roles, including the Board’s role as an employer with a duty of care;
- Clarification around the provisions of Section 34 of the (Police NI) Act 2000.

Following discussion, it was agreed that a composite list of all Member queries would be compiled and provided to the Board’s legal advisor which would allow him to provide a comprehensive response outlining the legal position on all options. It was also agreed that Members would convene another meeting next week, once the legal advice had been received in order to consider it and discuss and agree the way forward. **(AP10)**

In relation to initiating a review of the Senior Executive Team of the PSNI,

Members discussed the format any such review would take and who would be best placed to undertake the review. The Chief Executive suggested that as a first step a post-project evaluation of the Senior Executive Team should be conducted in line with established methodology. Based on the initial business case, this will allow an assessment to be made of the realisation of benefits projected when the new SET structure was established, and examine the monetary and non-monetary benefits. It was noted that the findings of the recently conducted Cultural Audit will also be considered in any review that is carried out. The Chief Executive proposed, and Members subsequently agreed, that through further engagement with the DoJ it might be possible to identify economists with the requisite skills to undertake this work and noted the out-workings of this would enable any future next steps to be planned out, and would afford a new Chief Constable the opportunity to help shape the way forward. The Chief Executive also noted it is an affordable approach within the current financial climate, and agreed to write to DoJ to formally request their assistance sourcing individuals to undertake the review. **(AP10)**

In relation to the final action to request the DoJ to commission a review of the Policing Board, the Chief Executive explained that discussions had taken place in this regard with the DoJ Permanent Secretary who attended a meeting of the Chair's Advisory Group prior to this meeting commencing earlier this morning. The Chief Executive noted the DoJ Permanent Secretary has asked that the Board advise of the specific problems which any review they would commission should address, while emphasising that the final terms of reference would be a matter for DoJ. The Chief Executive presented a proposed Terms of Reference (ToR) to Members for their consideration and approval. During discussion several Members suggested amendments and additions for inclusion in the draft ToR and it was subsequently agreed that the draft ToR would be circulated to all Members for further consideration and reflection. Members should forward their proposals/feedback to the Chief Executive by close of business Monday 11 September 2023. The Chief

Executive will then revise the draft ToR's, endeavouring to consider all Members views and will present the amended ToR to Members for their consideration at the meeting which will be convened next week. The meeting will also discuss the legal advice on the issues Members raised in relation to the second action listed in the statement. The Chief Executive noted she will formally write to DoJ to formally commission the review. **(AP10)**

At the end of the discussion Members:

- **AGREED** to launch a recruitment competition for a Chief Constable within the next few weeks and potentially have a preferred candidate within the next three months;
- **AGREED** to provide a composite list of all Member queries in relation to the "Deputy Chief Constable will exercise all of the functions of the Chief Constable" action, to allow the Board's legal advisor to provide a comprehensive response outlining the legal position on all options.
- **AGREED** that the review of the Senior Executive structure of the PSNI would be carried out by economists and based on the business case/benefits realisation exercise.
- **AGREED** that on the review of the Board the amended Terms of Reference would to be circulated to Members to review and provide their feedback by close of play 11 September 2023.
- **AGREED** that the Chief Executive would subsequently write to the Department of Justice to request them to commission the review of the Board, taking account of Member suggestions for the TOR.

8.6 Chief Constable Recruitment Competition

The Director of Resources presented a paper which provided Members with an overview of the proposed approach for the appointment of a new Chief Constable. The Director of Resources advised that following the Chief Constable's resignation on 4 September 2023 it is the Board's responsibility to appoint a Panel, which will act on behalf of the Board throughout the appointment process and in accordance with the Guidance for the Appointment of Chief Officers and he outlined the proposed timeline for the recruitment and selection process.

The Director of Resources noted in accordance with the Guidance for the Appointment of Chief Officers, the appointment panel should consist of five Board Members. It is recommended that in order to reflect the balance of Board membership, the five panel members should comprise three political members and 2 independent members, one of whom should be the Board Chair, and the Board Chair should also chair the appointments panel.

The Chair asked for expressions of interest from members who wished to be on the appointment panel and received expressions of interest from representatives of each of the five political parties and several independent Members. After discussion, it was agreed that the Chair and Chief Executive would confirm the number of individuals who would make up the panel and liaise with those Members to confirm the next steps. **(AP11)**

A Member raised a query regarding the use of the word "psychological" with regard to candidates undertaking a psychological assessment as part of the sift process and following discussion it was agreed to amend the wording to 'psychometric' assessment.

Following discussion, the Board:

AGREED TO:

- Proceed with the appointment of a new Chief Constable.
- Delegate to the panel final authority to sign off on the competition paperwork.
- The proposed timeline for delivery of the Chief Constable competition as outlined in the paper.
- Candidates who were successful in the sift process undertaking a psychometric assessment to inform the panel.

9. KEY ISSUES OF PUBLIC INTEREST

The Board noted a paper which detailed recent issues of public interest relevant to the Board's areas of work.

10. CHIEF CONSTABLE'S ACCOUNTABILITY REPORT

Members **NOTED** the Chief Constable's Accountability report for the period 29 June 2023 – 31 August 2023.

11. QUESTIONS FOR THE CHIEF CONSTABLE

11.1 Issues Arising from Committees

There were no issues arising from recent Committee meetings for the Board's attention.

11.2 Committee Written Questions and Responses

There were no written responses to Committee questions to note within this period.

11.3 Individual Members' Written Questions and Responses

Members noted the responses received from the Chief Constable in relation to Members written questions and follow up responses to verbal questions from the previous Board meeting on 6 July 2023.

12. COMMUNICATION ISSUES

None raised.

13. ANY OTHER BUSINESS

None raised.

14. DATE OF NEXT MEETING

The next Board Meeting is scheduled for Thursday 5 October 2023 at 9.30am in the conference room, James House.

The private meeting closed at 6.20pm.

Strategic Planning & Governance

Date: September 2023

Chair