

NORTHERN IRELAND POLICING BOARD

MINUTES OF MEETING OF RESOURCES COMMITTEE HELD ON THURSDAY 28 SEPTEMBER 2023 AT 9.35AM IN JAMES HOUSE

PRESENT:

Mr Trevor Clarke MLA (Chair)
Mr John Blair MLA
Ms Nuala McAllister MLA
(1) Mr Mike Nesbitt MLA
Mr Brendan Mullan
Mr Gerry Kelly MLA
Mrs Linda Dillon MLA

**EX OFFICIO MEMBER IN
ATTENDANCE:**

(2) Mr Edgar Jardine

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

(3) Ms Pamela McCreedy, Chief Operating Officer
(3) Ms Aldrina Magwood, Assistant Chief Officer,
Strategic Planning & Transformation
(3) Mr Mark McNaughten, Assistant Chief Officer,
Corporate Services
(4) Director of Information and Communication
Services
(5) Director of Finance
(3) One PSNI Staff

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

Mrs Sinead Simpson, Chief Executive
Mr Sam Hagen, Senior Director of Resources
Eight Board Officials

- (1) From 9.45am
- (2) Left at 1.40pm
- (3) Items 6.1- 6.3
- (4) Item 6.1
- (5) Items 6.2 & 6.3

1. APOLOGIES

Apologies were received from Dr Kate Laverty, Mr Frank McManus, Mr

Maurice Bradley MLA, and Mr Mukesh Sharma.

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 22 JUNE 2023**

The Committee considered the draft minutes of the Committee meeting held on 22 June 2023.

It was **RESOLVED** that:

- The minutes of the Committee meeting held on 22 June 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 Police Pensions and Injury Benefits (PPIB) Manager and Director of Resources.

In respect of Action Points from the PPIB presentation to Members on operational casework and staffing in July 2023, the PPIB Manager provided an update on the following action points:

- PPIB agency staff turnover,
- Exploring option to utilise staff from general civil service to support casework,

- PPIB and PSNI process maps for Ill Health Retirement applications,
- Linking with PSNI as part of a case management system,
- Examples of Injury On Duty (IOD) and Ill Health Retirement (IHR) correspondence provided to scheme applicants,
- Selected Medical Practitioners (SMP) availability over the next 9 months,
- Correspondence to PSNI in respect of addressing the upward trend in IHR and IOD applications,
- Sharing of outstanding legislative issues with Members and work being undertaken by the IOD subgroup,
- Utilising the Board's website to provide process information to key stakeholders.

Members discussed staff agency costs and security clearance required to work in PPIB, and it was agreed to update the action log to indicate that limiting factor on case work is doctor availability and not staffing issues. **AP1**

In respect of the availability of doctors to progress casework it was agreed to provide an update at a future meeting on work undertaken in recent years to recruit SMP's and relevant feedback from the SMP quarterly forum. **AP2**

In respect of Action Point 2 from the meeting in June 2023, the Director of Resources advised that a paper on NIPB Staff turnover will be brought to the Committee in October.

In respect of Action Points from the meeting in March 2023, work is ongoing regarding PSNI senior officer allowances and NIPB policy on Senior Officer recruitment.

Updates were provided on correspondence issued and received for agenda items 4.1 to 4.5.

4.1 PSNI response to queries on Sickness Absence, Representation and Equality, Diversity & Inclusion

In respect of Action Point 3 from the meeting in June 2023, Members were provided with a comprehensive written briefing from PSNI on these matters. Members discussed the high number of absence triggers for officers and comparisons with other public sector organisations, restricted duties versus reasonable adjustments, and previous Sickness Absence reviews conducted by external providers which clearly identified the issues to be addressed and actions taken to date. Following discussion it was agreed to write to PSNI to raise a number of specific matters in relation to community representation, duty adjustment processes, and the role of external organisations including the disability support network. **AP3**

Members **NOTED** the update provided.

4.2 Correspondence regarding Above Delegated Authority (ADA) requests – legal fees, severance payment

In respect of Action Point 6 from the meeting in June 2023, a response to Members ongoing concerns has been received regarding the late notice of ADA requests, ambiguous nature of estimated legal fees, and the repercussive scope of the severance payment approved by Committee.

Members highlighted a perceived systemic issue with the ADA request process, reiterated concerns regarding the late notice of requests, and outlined both the frustration and implications of retrospective approval requests.

Members **NOTED** the correspondence.

4.3 Correspondence regarding damaged vehicle costs

In respect of Action Point 1 from the meeting in May 2023, a response has been received following a request for the number of vehicles out of service as of 31 March 2023 and the total cost to repair these vehicles.

Members **NOTED** the correspondence.

4.4 Correspondence regarding Above Delegated Authority (ADA) requests - process, costs, timelines

In respect of Action Point 2 from the meeting in May 2023, a response has been received following concerns raised regarding the late notice of requests for approval of legal fees, the provision of full and comprehensive details, and the rationale underpinning the choice of legal counsel given the significant costs involved.

Members discussed ongoing concerns in respect of the ADA request process, the role of Professional Standards Department (PSD), and in parallel with the issues highlighted earlier in the meeting it was agreed to invite PSNI to attend Committee to discuss ongoing and wide-ranging concerns in respect of PSNI ADA requests. **AP4**

Members **NOTED** the correspondence.

4.5 PSNI & NIPB process maps for Ill Health Retirement (IHR) application

In respect of Action Point 3 from the PPIB presentation on 26 July 2023, Members were provided with a step-by-step breakdown of the process followed by an applicant for each stage of an IHR application.

Members **NOTED** the information provided.

5. CHAIRPERSON'S BUSINESS

The Committee **NOTED** the updates and related verbal overview provided by the Director of Resources in respect of the following agenda items.

5.1 PSNI Senior Management Appointments

Correspondence from PSNI to the Board Chair confirming PSNI Senior Management appointments in July 2023.

5.2 Police Remuneration Review Body (PRRB) 2023/24 Report

Correspondence from PSNI to Department of Justice accepting the recommendations of the Public Sector Pay Bodies in full, noting that the anticipated pay award would increase the PSNI funding gap by an additional £5m in-year.

5.3 Correspondence regarding PSNI budget shortfall

Two items of correspondence from Northern Ireland Office (NIO) and Department of Justice (DOJ) in response to matters raised by the Board Vice-Chair highlighting the severe funding challenges facing PSNI.

Members discussed the ongoing financial challenges and need to continue to lobby for an improved financial situation, including an increase in Additional Security Funding.

It was agreed to engage further with the Board Vice Chair in response to comments in NIO correspondence that restoration of local government institutions is the basis for ensuring PSNI is appropriately funded. **AP5**

5.4 Correspondence regarding challenges within Public Protection Branch (PPB)

Correspondence from PSNI in respect of the challenges faced by PPB due to the nature of and psychological impact of the work undertaken in this area.

A member requested additional statistics in respect of the percentage of officers in PPB requesting counselling services in recent years. **AP6**

5.5 Correspondence regarding approval of retrospective interim payment

Correspondence from DOJ to PSNI following a request from PSNI for DOJ approval of a compensation payment and legal fees, including retrospective approval for an interim payment.

This was brought to Members attention as DOJ have advised PSNI they were unable to provide retrospective approval for the interim payment, and that approval should have been sought before the payment was made.

6. ITEMS FOR COMMITTEE BUSINESS

Before PSNI joined the meeting the Director of Resources provided Members with an overview of agenda item 6.1 including suggested discussion points.

6.1 PSNI Estates and Equipment

6.1.1 / Update on Transformation Programme including Digital and Estates 6.1.2 strategy

The Committee welcomed the Chief Operating Officer (COO), Assistant Chief Officer (ACO) Strategic Planning & Transformation (SP&T), ACO Corporate Services, and Director of Information and Communication Services (ICS) to the meeting and the ACO SP&T provided Members with a progress update on Transformation, covering the following key areas:

- Strategic context – overall ambition to implement the Horizon 2025 Service Modernisation Plan, notwithstanding current challenges including the financial deficit, security threat, reducing workforce, increasing demand, and recent critical incidents.
- Transformation principles – overview of the 10 key principles including engagement with communities and reducing bureaucracy.
- Building the foundations – accessing and understanding data with the

in-house IT Pulse Performance Portal; provision of clear operational service insights from HMIC feedback and peer collaboration; and managing change with skills and expertise, recognising that capacity and resourcing challenges are barriers to success.

- Overview of Strategic Planning process - defining goals and key strategies, action plans, with monitoring and review processes in place to ensure key milestones are reached with expected results in line with performance metrics.
- Strategic planning framework – short and medium term assessment processes are fulfilled, followed by planning and delivery of 2023-24 Transformation priority projects:

1. Service Operating Models
2. Digital Policing
3. Estate Optimisation & Rationalisation
4. Leadership & Skills development
5. Multi agency partnerships
6. Reducing Bureaucracy

- 90-day review and action timeline – to develop “quick time actions” and assure delivery of budget reductions and review plans, with medium/ long term priority areas in governance and ensuring effective communication to staff and stakeholders.
- Next steps – 3 phased approach to include reflection & assessment, re-set and confirm change priorities, and communication/ consultation & engagement.

The Director of Information and Communications Services (ICS) provided a Digital strategy update, covering the following key areas:

- ICS key challenges – pay structure, staff morale and loss of critical skillsets with aging workforce and staff turnover.

- Cost savings through the implementation of digital investigation and evidence initiatives including Evidence Gathering Trucks (EGTs), Body Worn Video, Remote Evidence Centres and Automatic Number Plate Recognition (ANPR).
- Niche Desktop App offers a new user interface providing guidance documents and more functionality with easy access and instant visibility of tasks.
- New modules provide a logical layout and better visibility of risks to allow better reporting in the areas of voluntary attenders, custody, missing persons and digital witness statements.
- Digital engagement including Citizen Online Incident Reporting captures relevant details based on triage responses and integrated with PSNI Command & Control system. A pilot Bail Kiosk to facilitate self-check-in and automate reporting of non-compliance.
- Digital collaboration – Geographic Info Portal links with An Garda Siochana.
- Digital evidence – electronic sharing of digital evidence with partners in Public Prosecution Service (PPS) and Courts via Cloud technology.
- IT improvements including 'PING' Secure Messaging, new Mental Health App, and improved efficiency & performance through use of the Pulse Performance Portal.
- Plan on a Page for 2023-24 summarises key themes and milestones broken down by financial quarter.

The ACO SP&T provided an Estate strategy update which included an overview of the development of a Police Museum as part of the “Modern” pillar of the 7 Pillars of the Estate Strategy, and the completion of an estate wide Strategic Asset Management plan to optimise estate utilisation and deliver outcomes categorised in one of four areas - divest, invest, change, and maintain.

Members raised the following matters with the PSNI team following the Transformation, digital and estates updates:

- Accounting for specific bail conditions as part of the self-check in Bail kiosk system.
- Integrity and security of “digital” notebook data and court admissibility with need to have an integrated approach on information sharing.
- Utilisation of ANPR data to improve policing outcomes and extent to which captured data is used to follow up on motoring offenses.
- Impact of pay and conditions on staff retention and recruitment in PSNI Change team, and whether this was recorded on the risk register.
- Ease of which digital notebooks can be erased to ensure data security.
- Balancing new public facing technology with lack of capability and awareness, and to negate any public perception that digital tools are to replace traditional crime and emergency reporting options.
- Integrity and reliability of new technology and whether Apps are regularly updated to improve functionality and security.
- Delivering staff training alongside digital change and plans to address skills and experience gaps.
- Striving to maintain a public service ethos by ensuring that crimes are fully investigated and victims receive follow up and support that goes beyond an initial police response.
- Availability and publication status of the HMIC PEEL inspection report carried out earlier in the year. **AP7**
- Impact of resourcing and financial challenges on both the ongoing work to bring about digital change and staff health & wellbeing.
- Work taking place to manage competing priorities given budget challenges, the role of “change champions” in the workforce and the way in which success is celebrated.

- Progress update on the development of a Police Museum as part of the Estate strategy.
- Costs associated with maintaining estate currently vacant and/or planned to be disposed of in the future, and consideration given to future expenditure due to current budget challenges.
- Additional costs associated with roof repairs at PSNI Seapark, and in response to concerns raised about the security of archived material it was agreed to explore options for Members to visit Seapark in the future. **AP8**

Members **NOTED** the update provided and thanked the Director of Information & Communication Services for his contribution and he left the meeting.

6.2 PSNI Finance Report

The Chair welcomed the Director of Finance to the meeting and the ACO Corporate Services presented an overview of the year-to-date financial position and projections for the full financial year.

A year to date non-ring-fenced pressure of £7.5m was reported at the end of August and a pressure of £52.5m is projected for the full year. This represents a substantial increase from the projected budget shortfall of £38m when the Resource Plan was presented at the start of the financial year.

This is due to pressures on officer and staff pay awards, unfunded Operation Rondoletto costs, additional overtime due to the recent data breach (Operation Sanukite), depreciation costs, shortfall in the NI Protocol budget, pressures on contracts due to the increase in the living wages, accommodation pressures and Injury awards due to an increase in the Consumer Price Index (CPI).

In respect of costs incurred following the data breach and to ensure the safety of all officers and staff concerned, a bid for additional funding has been submitted to help with additional in year costs.

The COO outlined work taking place with key partners and UK government to provide additional financial support and includes all financial pressures facing PSNI since the start of the financial year and is not limited to the costs associated with the data breach.

Members expressed their full support and discussed the role of the Board in lobbying key stakeholders and supporting PSNI bids for additional funding in support of all factors contributing to the financial pressures leading to the substantial budget deficit.

Members also discussed the need for a budget review of Additional Security Funding, governance issues given the full year projection of a significant budget overspend, and an issue highlighted earlier in the meeting at item 5.5 relating to a PSNI retrospective request for the approval of an Above Delegated Authority payment.

Members **NOTED** the update provided.

6.3 PSNI Annual Accounts 2022-23

Members **NOTED** the update provided by the Director of Finance on the PSNI Annual Accounts 2022-23, which included key changes to disclosure and classification to align with the Department of Justice and that the full version of the Accounts is available to view on the PSNI website.

An overview was provided of the 3 sections in the Main Account, the format changes which have been made and an overview of the Pensions Account

including future liabilities.

The Chair thanked the Chief Operating Officer, ACO Corporate Services, ACO Strategic Planning & Transformation and the Director of Finance for their contribution and they left the meeting.

6.4 PSNI Above Delegated Authority Requests

6.4.1 Approval of payment of legal fees – misconduct case

The Director of Resources presented a paper asking Members to consider the PSNI Above Delegated Authority (ADA) request for retrospective approval of legal costs as the Appropriate Authority (the Chief Constable under the misconduct regulations) sought necessary legal advice by appropriately skilled Counsel in this case.

PSNI legal fees do not routinely require Board approval, however as PSNI have also advised that this case will set a precedent, for this reason above delegated approval from the Board is required.

This matter was previously considered by the Committee in May 2023, and the requested sum of £55,000 was not approved at that time, and the lower amount requested is the sum of £12,200 for initial legal advice on the matter.

Members raised several concerns in respect of not being provided with details of the legal advice received, that the request was for retrospective approval, whether the request should be approved and reasons for not doing so, and it was agreed that further consideration be given to carrying out a benchmarking exercise for ADA requests to establish best practice across GB forces. **AP9**

Following discussion it was **AGREED:**

- To recommend the Board does **NOT APPROVE** the PSNI above

delegated authority request to pay legal costs to the sum of £12,200 relating to a misconduct case.

6.4.2 Approval for compensation payment following legal advice

The Director of Resources presented a paper asking Members to consider the request from PSNI to settle both the payment of financial compensation and payment of the Plaintiff's legal costs associated with a personal injuries and dependency claim.

Members were provided with an overview of the case and advised that PSNI Counsel is of the view that following negotiations the requested settlement figure is an acceptable outcome in this case.

Legal costs have yet to be finalised and further negotiations may be necessary, at present they have been estimated in line with the average cost of legal fees against compensation paid which is 75%.

Members sought further clarity in respect of the learnings from this case and it was agreed to write to PSNI on the matter. **AP4**

Following discussion it was **AGREED**:

- To recommend the Board **APPROVES** the PSNI Above Delegated Authority request to make a payment to the maximum value of £570,00 (encompassing financial compensation and payment of the Plaintiff's legal costs).

6.4.3 Approval for settlement of legal claim (financial compensation and legal costs)

The Director of Resources presented a paper asking Members to consider the request from PSNI to settle both the payment of financial compensation

and legal costs associated with a claim for negligence, assault, battery, trespass to the person, conspiracy to commit trespass to the person and misfeasance in public office.

Members discussed the timeline of the case, efforts to arbitrate, high estimated legal fees and following discussion it was **AGREED**:

- To recommend the Board **APPROVES** the PSNI Above Delegated Authority request to make a maximum payment of £540,000 in settlement of a legal claim to cover both the financial compensation and legal costs.

6.4.4 Northern Ireland Policing Board (NIPB) Approval for compensation payment and legal costs

The Head of Finance presented a paper asking Members to consider a request from NIPB to settle both the payment of financial compensation and payment of legal costs associated with a personal injuries and legal costs claim.

This case relates to a breach of anonymity order following the publication of a Board report, following which immediate remedial action was taken. A claim for damages was subsequently received and following negotiations a proposed settlement plus costs has been made, the outcome of which is awaited.

Following discussion it was **AGREED**:

- To recommend the Board **APPROVES** the NIPB request to make an Above Delegated Authority payment of £17,000 to settle both the payment of financial compensation associated with the personal injuries claim and legal costs.

6.5 Update on South Armagh review report recommendations

The Head of Finance presented a paper to provide Members with a progress update on the implementation of the nine recommendations which sit with the Committee from the South Armagh review report.

The committee received its last update on the implementation of the recommendations at the February 2023 meeting, and the previous update at the February 2022 meeting.

Seven of the nine recommendations have now been completed and the two open recommendations are the redevelopment at Newtownhamilton PSNI station and consideration of a bespoke Continuous Professional Development (CPD) package for officers, and it was agreed to write to PSNI regarding a timeline and target date for completion of the CPD recommendation. **AP10**

Members **NOTED** the update provided.

6.6 PSNI Recruitment Vetting Annual report

The People and Organisational Development (OD) manager provided an overview of the annual report submitted to the Department of Justice from the Independent Assessor of PSNI Recruitment Vetting.

Sixteen applications were reviewed by the Independent Assessor and in all cases the decisions taken by the Vetting Panel were upheld. The report outlined progress on issues raised in the 2021-22 Independent Assessors report on the matter of "The Gist of non-disclosure assertions", acknowledging that the position has improved in respect of the composition of rejection letters to include the gist of the reasoning for rejection.

Members **NOTED** the update provided.

6.7 Revised Mileage Allowance Policy

The Committee **NOTED** a paper outlining changes to PSNI Mileage Allowance Policy and considered the decision made by the PSNI Strategic Management Board (SMB) to endorse changes to the claiming of Police Mileage.

Following discussion it was **AGREED**:

- To **APPROVE** the SMB decision to endorse option 2 – implement the changes to Police Mileage in the Memorandum of Understanding at a point in time going forward.

6.8 Police Pensions and Injury Benefits

6.8.1 Cases for consideration September 2023

The Police Pensions and Injury Benefits (PPIB) manager presented a paper asking Members to consider the outcome of the decisions made by Selected Medical Practitioners (SMPs) in respect of the eleven cases considered and provided opinion on between 23 August 2023 and 15 September 2023.

Members were updated on a miscellaneous case following a previous briefing at the Committee meeting in June 2023 and submissions will be shared with a subgroup of Committee members imminently before full referral to the committee.

Additionally, details were provided of the anonymised Officer G 23/24 case including Counsel's updated comments regarding the earlier approval of the IHR which has not been challenged and remains in place for payment of Ill Health Retirement (IHR) and Injury On Duty (IOD).

Members discussed the role of SMPs in determining the implementation date and/or reassessment date for IHR/ IOD cases and ongoing concerns in

respect of the Committees role in this process and call for legislative change in this area.

Members **NOTED:**

- the outcome of the decisions made by Selected Medical Practitioners and **CONFIRMED** the implementation date and/or reassessment date for the eleven cases outlined,
- the update provided in respect of the miscellaneous case, and
- the update provided for the Officer G case further to the judgment delivered against PSNI including Counsel's updated comments and the conditions for payment of the IHR and IOD.

6.8.2 Police Pension Scheme Manager Quarterly Update

The PPIB manager presented a paper providing Members with an update on the McCloud Remedy project and Scheme manager report.

Members discussed the status of the McCloud Remedy Project in respect of work taking place to identify and contact impacted former officers, and next steps where it has not been possible to make contact.

Members **NOTED:**

- the decisions made to date by the Selected Medical Practitioner in the McCloud III Health Retirement Remedy Project in advance of their referral to PSNI Pensions Branch,
- the next steps being considered in relation to outstanding McCloud IHR Remedy Project cases, and
- the key activity updates for period ending 21 September 2023.

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 in respect of temporary promotions and Members asked for additional information on this matter. **AP11**

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 26 October 2023** at James House.

The meeting ended at 1.55pm

CHAIR

**RESOURCES DIRECTORATE
SEPTEMBER 2023**