

NORTHERN IRELAND POLICING BOARD

**MINUTES OF MEETING OF RESOURCES COMMITTEE HELD ON THURSDAY 25
JANUARY 2024 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
Mr Gerry Kelly MLA
Mrs Linda Dillon MLA
Dr Kate Lavery
Mr Maurice Bradley MLA*
Mr Mukesh Sharma
Ms Nuala McAllister MLA

**EX OFFICIO MEMBERS IN
ATTENDANCE:**

Mr Edgar Jardine

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

- (3) Ms Pamela McCreedy, Chief Operating Officer
(4) Ms Clare Duffield, Assistant Chief Officer,
People and Organisational Development
(4) Mr Noel Rainey, Director of Human Resources
(5) Mr Mark McNaughten, Assistant Chief Officer,
Corporate Services
(6) Mr Ryan Henderson, T/Assistant Chief Constable
(6) Andrew Jackson, Head of Litigation
(6) Colin Stafford, Legal Representative
(6) Sian Fisher, Legacy Litigation Representative
(7) Ms Melanie Jones, A/Assistant Chief Constable
(8) 3 PSNI Staff

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

Mr Sam Hagen, Senior Director of Resources
Seven Board Officials

- (1) From 9.45am on
(2) From 10.20am on
(3) Items 6.2, 6.3 and part of 6.4 (left at 12.30pm)
(4) Item 6.2 only

- (5) Items 6.3 to 6.5 only
- (6) Item 6.3 only
- (7) Items 6.4 and 6.5 only
- (8) Items 6.2 to 6.5 only

* Attended meeting by video conference facility

1. APOLOGIES

No apologies were received for the meeting.

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'.

2. CONFLICTS OF INTEREST

No conflicts of interest were declared.

3. MINUTES OF THE MEETING HELD ON 19 DECEMBER 2023

The Committee considered the draft minutes of the Committee meeting held on 23 November 2023 and a Member asked for an amendment to the NIPB Staff Turnover section in the draft minutes.

Subject to the amendment it was **RESOLVED** that:

- The minutes of the Committee meeting held on 19 December 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 Resources and an official from Police Pensions and Injury Benefits (PPIB).

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

- Action point 2 – PSNI will be invited to attend the February committee to provide a briefing on Vehicles/ Transport operations following Members queries on several matters including vehicle purchases and disposals.
- Action point 5 – PSNI will be attending today's meeting at agenda item 6.3 to provide a briefing on Litigation processes and Above Delegated Authority requests.
- Action point 6 – PSNI will be attending today's meeting at agenda item 6.5 to provide a briefing on the work of Close Protection Unit.
- Action point 8 – a further update and action plan in respect of NIPB staff turnover will be brought back to committee in the 2024/25 financial year.
- Action point 9 – following discussions with the Board Chair and Chief Constable an options paper will be brought back to committee in respect of NIPB policy on senior officer recruitment.

In respect of action point 3 from the meeting in October 2023, an official from PPIB advised Members that work continues regarding Member's decision making role in confirming implementation and reassessment awards dates, and a draft FAQ document for claimants is being progressed and will be brought back to committee.

Updates were provided by the Director of Resources on correspondence issued and received for agenda items 4.1 to 4.4 and a PPIB official for agenda item 4.5.

4.1 Correspondence from PSNI regarding Estate security review, Electric Vehicle infrastructure and G4S managed service contract

In respect of action point 10 from the meeting in December 2023, a response has been received from PSNI to address Member's queries regarding a review of Estate security, electric vehicles charging points and the G4S managed service contract. Members asked for additional information on the G4S contract and Electric Vehicle charging infrastructure and it was agreed to write to PSNI on these matters. **AP1**

Members **NOTED** the correspondence.

4.2 Correspondence from PSNI regarding Maternity and Adoption Leave Provisions

In respect of action point 9 from the meeting in November 2023, a response has been received from PSNI in respect of Maternity & Adoption leave provisions. A Member requested details on the options PSNI can explore regarding the same increase being brought forward for shared parental leave and it was agreed to write to PSNI on this matter. **AP2**

Members **NOTED** the correspondence.

4.3 Correspondence from PSNI regarding Senior Officer Allowances

In respect of action point 4 from the meeting in March 2023, a response has been received from the Chief Police Officers Staff Association (CPOSA) outlining their position in respect of PSNI Senior officer allowances, and it was agreed to close this action as PSNI engagement will now continue with CPOSA National representatives.

Members discussed the legal status of variations in the suite of allowances provided and the role of HR specialists in providing expert advice.

Members **NOTED** the correspondence.

4.4 PSNI response regarding Representativeness query

In respect of action point 7 from the meeting in December 2023, a response has been received from PSNI following a query on representativeness to provide a breakdown for those individuals declaring community background as “other” within the organisation.

Members **NOTED** the correspondence.

4.5 Correspondence regarding Ill Health Retirement & Injury Benefit Process

In respect of action point 1 from the meeting in December 2023, a response from PSNI was noted regarding actions being taken to address the upward trend in the number of Ill Health Retirement (IHR) and Injury on Duty applications. Members discussed a number of points relating to matters raised in the correspondence regarding managerial/ organisation drivers for IHR cases and work taking place to reduce waiting times for counselling. It was agreed a response to this correspondence would be issued to PSNI subject to Board officials receiving information from Members on the specific points they wished to be addressed.

Members **NOTED** the correspondence.

5. CHAIRPERSON’S BUSINESS

5.1 PSNI Health & Safety Policy

The Director of Resources asked Members to **NOTE** that the current PSNI

Health and Safety policy document has been updated with the signatures of the Chief Constable and Board Chair. The policy is reviewed annually and amended as necessary.

6. ITEMS FOR COMMITTEE BUSINESS

6.1 Police Pensions and Injury Benefits – Cases for January 2024

A board official presented a paper asking Members to consider the outcome of decisions made by Selected Medical Practitioners (SMPs) in respect of the 8 cases considered and provided opinion on between 6 December 2023 and 12 January 2024, and for 6 cases, issued via CJSM, in respect of reconsideration requests.

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.

An update on the McCloud III Health Retirement Remedy Project was also presented to Committee. Members were informed that since the last update in December 2023 no additional consent forms have been received and additional 52 cases have been progressed during the reporting period.

Members **NOTED**:

- the outcome of the decisions made by Selected Medical Practitioners and **CONFIRMED** the implementation and reassessment dates for the 8 cases outlined; and
- the update provided on the miscellaneous case.
- the update on the McCloud III Health Retirement Remedy Project

Members **AGREED**:

- That the 6 cases, issued to Members via CJSM, in respect of reconsideration applications should proceed to reconsideration.

Before PSNI joined the meeting Board officials provided Members with an overview of agenda items 6.2 to 6.5 including suggested discussion points.

The committee welcomed the Chief Operating Officer (COO), ACO People and Organisational Development (OD) and Director of Human Resources to the meeting.

6.2 PSNI Briefing on Equality, Diversity, and Inclusion

The ACO People and Organisational Development presented Members with a briefing on the ongoing work in respect of Equality, Diversity and Inclusion.

The ACO outlined some of the work PSNI has carried out in the last six months, including plans for a conference for International Women's Day, continuing progress on the Race Action Plan, work around providing more firearm training for female officers and also the development of a Disability Passport for staff/officers.

Committee were also informed of the positive feedback received from the Equality Commission around the PSNI Annual Progress Report and Disability Action Plan 2022/23.

ACO Duffield then invited the Director of Human Resources to brief the Committee in further detail regarding the areas of focus in the last 6 months.

Members were advised that work in this area centres on the following strands of activity:

On the PSNI Race Action Plan the Director of Human Resources reported that a final draft of the Action Plan was agreed in November 2023 and has

gone out to various bodies for consultation. PSNI advised that they hope to have this back for approval by Senior Management Board by the 8th February.

PSNI also reported that Module 1 of the EDI training continues to be rolled out and as of 24th January over 5800 PSNI officers & staff had completed this. PSNI also stated that Module 2 of the course has been developed and is to launch in January 2024.

On this point a member requested that PSNI provide a link to Module 2 of the E-Learning.

The Director of Human Resources then went onto report that on the PSNI Equality Scheme 2023-2028 there had been 37 equality screening exercises for 2022/23, with 21 completed so far in 2023/24.

PSNI also discussed the work of the EDI team in the development of a Reasonable Adjustment Passport to support individuals seeking a workplace adjustment under the Discrimination Disability Act 1995.

He went on to explain that initial consultation has taken place with staff associations and a number of documents have been drafted to support this initiative.

A member expressed concern that representativeness issues relating to community background had not been referenced during the briefing. The PSNI acknowledged this and noted that their briefing had centred on the areas of focus within the EDI branch over the previous 6 months.

The COO advised that the upcoming recruitment campaign would offer the opportunity to engage across all communities/s75 groups however a Member noted the need for internal focus on representativeness issues across all levels of PSNI to be addressed alongside progressing the recruitment campaign.

The presentation also went on to cover the following topics;

- A business case to progress The Audit of Inequalities
- Ongoing work with Diversity Mark NI
- The work of the Stronger Together Forum

Following the briefing members discussed a number of issues with the ACO People and Organisational Development (OD) and Director of Human Resources. These included:

- On the EDI E-Learning modules, a member asked for clarification of the percentage split between officers/staff in terms of those who had completed the training, what work was being done to promote and increase uptake of training and whether information would be captured in relation to those who hadn't completed the training.
- A member asked why the Stronger Together Forum had only met 3 times during 2023 and another member asked could the Terms of Reference for Stronger Together be provided.
- On Engagement events a member asked if the idea's put forward at these events made their way to the relevant teams for consideration.

On this point it was agreed to follow up with PSNI to establish what actions have been taken following ideas generated by event attendees. **AP3**

- On a potential recruitment campaign a member asked if this was dependant on the budget available.
- A member asked if there is ever tension between promoting equality and good relations, and could it cause resentment between one group over another.

The Chair thanked PSNI for the briefing and ACO Duffield and the PSNI Director of HR left the meeting.

After PSNI left the meeting it was **AGREED correspondence be issued to the PSNI requesting;**

- They provide the link to Module 2 of the E-Learning training and provide a percentage split between officers/staff in terms of those who had completed the training.
- PSNI would provide further details on how many of the 58 Equality screenings resulted in an EQIA and following the EQIA how many resulted in a change to the policy.
- PSNI to provide the Terms of Reference for the Stronger Together Forum.
- Board officials would confirm that the Equality Action plan is available to view online. **AP4**

6.3 PSNI Overview of Litigation Processes and Above Delegated Authority requests

The Chair welcomed the ACO Corporate Services, T/Assistant Chief Constable Henderson, and representatives from PSNI's legal department to the meeting following which the PSNI Head of Litigation provided an update on PSNI's litigation and Above Delegated Authority (ADA) processes which included the following:

- Compensation claims process and interrelated processes relating to the Plaintiff, PSNI Legal Services and the Courts,
- Court interactions and a breakdown of main Court Pleadings,
- A thematic breakdown of Litigation cases including personal injury claims, alleged unlawful acts of police and civilian property damage,

- Specific Litigation cases including noise induces hearing loss, Post Traumatic Stress Disorder, Human Tissue retention, and Stop & Search claims.

In respect of Litigation processes Members asked about historic hearing loss claims brought against the PSNI, the related legal costs and whether any learning from that experience could be applied to current processes in terms of potential savings to be made by settling cases at an earlier stage.

Other key areas of discussion with PSNI included reasons for delays in proceedings; the decision-making processes in place regarding the settlement of lower value claims; Plaintiff's rights during the claims process; specific links to Ill Health Retirement claims and the role of PSNI appointed experts in assessing Plaintiff's medical reports.

In addition, and in terms of case management processes within PSNI, Members discussed ensuring best practice in line with audit office guidelines and the tension which may sometimes exist between progressing a case based on legal advice versus the expediency of this decision from a business perspective.

The Committee considered a synopsis of high value cases provided in the PSNI's briefing material and noted that several of these cases related to work undertaken in Public Protection Branch. Members discussed the work taking place to address issues relating to the challenging work of PSNI Public Protection Branch including psychometric testing, the matter of tenure within the branch and support available to those who undertake this work. Following discussion, it was agreed PSNI would provide an amended schedule of high value cases to include the date when cases were received by PSNI legal services. **AP5**

In respect of the process for ADA requests and submissions to committee

Members discussed:

- the case management process and whether an independent review process is in place as part of a holistic approach to achieve the optimum business decision,
- substantial legal costs incurred as a result of the time taken to bring many of these cases to settlement, and
- The overall time taken to progress and bring cases to a conclusion.

Members **NOTED** the update provided and thanked the T/Assistant Chief Constable, Head of Litigation, Legacy Litigation representative and Legal representative for their contribution and they left the meeting.

6.4 PSNI Finance Report

The Chair welcomed the A/Assistant Chief Constable Jones to the meeting and The ACO Corporate Services then presented Members with an overview of the monthly PSNI Finance Report and financial position as at the end December 2023.

The ACO Corporate Services reported a year to date non-ringed pressure of £17.5 million at the end of December 2023, and a total estimated full year pressure of £49.9 million, which includes a reduced pressure of £4.4 million on depreciation following the receipt of £2.6 million 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 noted the Close Protection Unit (CPU) costs and that they would be covered in more detail during in the next agenda item. He also noted the overall deficit in Additional Security Funding (ASF).

In relation to the overall projected year end funding gap, the ACO Corporate

Services advised Members that the current position is not unexpected and had been the anticipated from the start of the year. He noted that PSNI have arrived at this deficit position in a controlled and managed way.

The ACO Corporate Services noted a Capital expenditure easement of £1 million in the November monitoring round which reduces total projected spend for the year to £63.1 million.

In respect of 2024-25 financial planning and following a budget planning exercise the ACO Corporate Services highlighted a potential funding gap next year of £307.5 million and provided a breakdown of the associated costs. He noted that some of the key elements included pay increases, pension increases, increases relating to Injury on Duty award payments and also the Revised Environmental Allowance (REA) for PSNI staff which had been included in PSNI's projections.

Responding to a question from a Member, the ACO Corporate Services explained that talks were continuing with Treasury around securing additional funding for Operation Sanukite. He explained that talks were ongoing in relation to a sum of circa £15 million however further information is required around whether the spend would be ringfenced or not.

The ACO Corporate Services also advised that overtime expenditure in December 2023 was within profile.

Members raised the following points with the ACO Corporate Services:

- A member raised concern around a section of the report that discussed the consequences of funding pressures not being met and the impact on partner agencies of PSNI officers being potentially no longer able to assist in dealing with issues such as mental health crises.

- On comments by the Chief Constable regarding the proposed pay settlement for officers and staff a member asked if he was prepared to negotiate on the percentage payable. The COO noted the importance of recognition for the workforce and also that their submissions have been made to the pay review bodies and that is where things currently stand.

Members went on to further discuss the potential pay settlement and what the likely impact of pay increase would have on the PSNI budget in the event the NI Assembly was to get up and running again. PSNI noted the provision which had been built into the year end figures. A member questioned why the potential pay award was shown as expenditure when in fact and without agreement, it may never be realised. Whilst acknowledging that accountancy rules dictate the figures need to be presented in this way, the PSNI agreed to take this point on board and reflect it in the Finance report for February's meeting.

Members **NOTED** the update provided and thanked the ACO Corporate Services for his contribution. They also thanked the Chief Operating Officer for her contribution who left the meeting before the end of this item due to a scheduled prior engagement.

6.5 PSNI Briefing on Close Protection Unit

A/Assistant Chief Constable Jones provided Members with an overview of the work of the Close Protection Unit (CPU) including a history of 'Northern Ireland Committee on Protection' (NICOP), current position of CPU, outline of external demand, current establishment, and budget/ costs overview as part of Additional Security Funding (ASF).

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

Services and A/Assistant Chief Constable for their contribution and they left the meeting.

6.6 Northern Ireland Policing Board Management Accounts

The Finance Manager presented a paper in relation to the NIPB management Accounts. He explained that whilst pay pressures continue there is currently a £6k underspend against budget at the end of December 2023.

On the pay pressures and similar to the point raised in discussions with PSNI, a Member questioned why any potential pay award was shown as expenditure when it may never be realised.

The Finance Manager also discussed a recent DoJ Future Years Exercise which detailed estimated pressures that will affect NIPB in the 2024/25 financial year.

Following the Finance's Manager's response, a Member requested that next month's NIPB Finance report also includes revised figures in relation to any pay award and liabilities versus expenditure. **AP6**

Members raised the following points;

- Regarding any additional funding or staff pay increases, a Member requested information on who makes the decisions on these issues. The Acting Chief Executive explained the processes in place around this and, if necessary these costs would be accrued into next year unless or until Board officials were instructed otherwise by the DoJ.
- A member asked if NIPB had raised with the DoJ the bleak picture around funding. On this point the Acting Chief Executive responded that like other bodies the NIPB had recently been asked to provide a

financial return to the DoJ and that these issues had been reflected as part of that process.

Members **NOTED** the update provided.

6.7 Senior Salaries Review Body - Input into Minister's letter to initiate the 2024/25 pay review process

The Director of Resources provided an update on the Senior Salaries Review Body (SSRB) including background information on SSRB and advised Members that Department of Justice (DOJ) has been asked by the Police Remuneration Review Body (PRRB) to remit the consideration of pay and allowances for senior officers to the SSRB.

Previously, DOJ have included the senior officer's element of pay and allowances as part of the PRRB remit letter on the pay and conditions for all police officers in PSNI.

DOJ have been informed by PRRB that the Chief Police Officers Staff Association (CPOSA) have lobbied for a return to SSRB, and the Board, as employer of PSNI senior officers, has been asked to put forward matters they wish to be considered for inclusion in the Minister's letter to the SSRB to initiate the 2024-25 review of pay and conditions for senior officers in PSNI.

Members **NOTED** the update provided and **AGREED** for the matter to be brought back to committee after the completion of additional work by Board officials.

7. QUESTIONS FOR THE CHIEF CONSTABLE

No questions were submitted.

8. COMMUNICATIONS ISSUES / OPPORTUNITIES

No issues or opportunities were discussed.

9. ANY OTHER BUSINESS

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

10. DATE OF NEXT MEETING

The next meeting is scheduled for **Thursday 22 February 2024** at James House.

The meeting ended at 1.20pm

CHAIR

RESOURCES DIRECTORATE

FEBRUARY 2024