



FREEDOM OF INFORMATION REQUEST

Please note the text of this request has been reproduced exactly as received.

FOI Reference number: FOI 44/2026

Date: 17 September 2026

Request:

Please refer to the Resources Committee paper considered on 30 July 2020 entitled “Implications of Mckee & Others v The Charity Commission for Northern Ireland”.

The paper asked the Committee to approve a “revised process relating to initial SMP appointments only”.

Could you please provide the recorded information that describes the revised process relating to the initial SMP appointments which Resources Committee was being asked to approve.

If no such recorded information exists, please confirm that no recorded description of the revised process was provided to the Resources Committee before it approved the proposal.

Answer:

Please see below extract from the revised process from the paper considered on 30 July 2020 entitled “*Implications of Mckee & Others v The Charity Commission for Northern Ireland*”.

1. REVISED PROCESS – INITIAL APPLICATIONS

- 5.1 The Committee must now consider how it wishes to make final decisions in any/all applications made under the Regulations, further to the aforementioned court ruling and in line with recent legal advice supplied to the Board.
- 5.2 By way of assistance, Board Officials have prepared a draft submission in relation to **initial SMP applications only**. This is attached at **ANNEX C** for the Committee’s review and approval.
- 5.3 This document contains an overview of initial SMP assessments only, which have taken place between 23 June 2020¹ and 24 July 2020². The document contains a precis of key information in respect of each of the applications during this time period to include;

¹The date on which SMP assessments recommenced following the initial Covid-19 emergency period.

² The last date on which this paper could be submitted in advance of Resources Committee on 30 July 2020.

Anonymised case code
Date of assessment
Application type
Applicable Regulations
SMP Decision
SMP Comments

- 5.4 For the avoidance of doubt, this document does not account for either medical appeals to the IMR and/or reassessments and reconsiderations. IMR assessments have not yet recommenced following the initial Covid-19 emergency period. It is proposed that the document contained at ANNEX C would be replicated for initial IMR applications once these recommence and brought to the Committee in the same manner.
- 5.5 In respect of both reconsiderations and reassessments, these are more complicated cases in which the facts of each case must be considered and individual discretion applied. Currently, these cases are considered by management Officials within PAB who process these applications in line with legal advice. However, in line with the subject judgment, it is likely that these cases will now also need to be considered by the Board. Board Officials would propose bringing a further paper to the next Resources Committee meeting to explain the intricacies of these applications and the decisions which will need to be made in these cases by the Board going forward.

For transparency, please see below extract headings from Annex C. The full annex is exempt under Section 40(2) of the FOIA.

CASE CODE	APPOINTMENT DATE	SMP	APPLICATION TYPE	REGULATIONS	SMP DECISION	SMP COMMENT	COMMITTEE DATE	COMMITTEE DECISION (Approved/Rejected)
-----------	------------------	-----	------------------	-------------	--------------	-------------	----------------	--

If you have queries about this request or the decision, please contact the Board quoting the reference number above. If you are unhappy with the service you have received and wish to make a complaint or request a review you should contact the Board's Chief Executive -

Via Email: foi@nipolicingboard.org.uk

Or in writing at the following address:

Northern Ireland Policing Board
James House
Block D
2 – 4 Cromac Avenue
The Gasworks
Belfast
BT7 2JA

You should contact the Board within 40 working days of this response.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner. Generally, the Information Commissioner's Office cannot investigate or make a decision on a case unless you have exhausted the complaints procedure provided by the Board. You should make complaints to the ICO within six weeks of receiving the outcome of an internal review.

The Information Commissioner can be contacted at the following web link –

www.ico.org.uk/foicomplaints

or in writing at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Telephone: - 0303 1231114
Email: - ni@ico.org.uk

Please be advised that Policing Board replies under Freedom of Information may be released into the public domain via our website @ www.nipolicingboard.org.uk.

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.