

NORTHERN IRELAND POLICING BOARD

**MINUTES OF MEETING OF RESOURCES COMMITTEE HELD ON THURSDAY 15
DECEMBER 2022 AT 9.30AM AT WATERSIDE TOWER AND VIA ZOOM**

PRESENT:

- Mr Trevor Clarke MLA (Chair)
- Ms Carmel McKinney (Vice Chair)*
- Mr Gerry Kelly MLA
- Mr Frank McManus*
- Mrs Linda Dillon MLA*
- (1) Mr Maurice Bradley MLA*
- Mr Michael Atkinson
- (2) Mr Mike Nesbitt MLA
- Mr John Blair MLA

**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) Head of External Recruitment
- (5) Mr Mark McNaughten, Assistant Chief Officer
Corporate Services
- (3) Two PSNI Officials

**OFFICIALS IN
ATTENDANCE:**

- Mrs Sinead Simpson, Chief Executive
- (6) Mr Adrian McNamee, Director of Performance*
- (7) Ms Jenny Passmore, Director of Partnership
- (8) Mrs Aislinn McGuckin, Director of Police Pensions
and Injury Benefits
- Ten Board Officials

- (1) From 9.45am on
- (2) From 10am on
- (3) Items 6.1 to 6.4 only
- (4) Items 6.1 to 6.3 only
- (5) Item 6.4 only
- (6) Item 6.1 only
- (7) Items 1,2,3,5 only
- (8) From item 6.8 on

*Attended meeting by video conference facility

1. APOLOGIES

Apologies were received from Dr Kate Laverty and Ms Nuala McAllister MLA.

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 24 NOVEMBER 2022

The Committee considered the draft minutes of the Committee meeting held on 24 November 2022 and a Member requested that the list of attendees is updated.

It was **RESOLVED** that:

- Subject to amending attendees the minutes of the Committee meeting held on 24 November 2022 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 Chief Executive.

In respect of Action Points from the meeting in November 2022, the following updates were provided:

- In respect of Action Point 1 correspondence has been issued to PSNI

requesting further clarification on the tattoo policy for recruitment vetting and a response is awaited.

- In respect of Action Point 2 a response has been received from PSNI following a request for further information regarding temporary promotions. The correspondence was not received in time to be made available to Members and will now be brought to the next meeting in January 2023.
- In respect of Action Point 3 correspondence has been issued to PSNI requesting that the business case currently under development to issue tasers to Close Protection Unit is discussed further with Performance Committee.
- In respect of Action Point 4 correspondence has been issued to PSNI requesting further information following a briefing on Absence Management from the Assistant Chief Officer for People and Organisational Development.
- In respect of Action Point 5 a written question was submitted to the Chief Constable and a response is awaited regarding future engagement and service delivery crossover with the Health sector following the recent announcement of additional Health funding.
- In respect of Action Point 6 correspondence was issued to Department of Justice (DOJ) highlighting ongoing PSNI financial pressures and to receive a proportion of any additional funding allocated to DOJ. Circumstances have now moved on following an announcement after the last Committee meeting regarding additional PSNI funding and a formal response is not anticipated.

In respect of Action Point 2 from the meeting in September 2022 a meeting

will be arranged with Staff Associations in the early part of 2023.

5. CHAIRPERSON'S BUSINESS

The Chair provided Members with an update on the following items:

- Potential future liabilities for the Committee to consider in respect of settlement costs associated with Operation Yurta.
- Recent meetings involving Members which have taken place to discuss the PSNI Holiday pay case.
- Future need for the committee to consider in coming months issues associated with Police Remuneration Review Body process and Senior Officer Allowances.
- PSNI Transformation and the Force Management Statement to be added to Committee's future programme of work including a half-day briefing session for all Members. A draft programme of work from March 2023 will be issued for consideration at the beginning of 2023.

The Chief Executive also provided an update on costs associated with the settlement of a civil claim which was previously approved by the Committee and ratified by the Board. New information has been received to advise that the originally approved amount of £42,500 plus Value Added Tax (VAT) is now confirmed as £51,000. The revised amount includes VAT and PSNI have advised this is because VAT cannot be recovered in this case and a paper will be made available to Members to provide further information. **(AP1)**

Members **NOTED** the updates provided.

6. ITEMS FOR COMMITTEE BUSINESS

Before PSNI joined the meeting Officials provided Members with a brief overview of items 6.1 to 6.4 including suggested discussion points.

6.1 Representativeness – Measure 2.3.1 of the Police Performance Plan

The Chair welcomed the team from PSNI including the Chief Operating Officer (COO), Assistant Chief Officer (ACO) People and Organisational Development (OD) and Head of External Recruitment to the meeting.

The Committee received a briefing from the ACO People and OD on the Representativeness Report Card and were provided with an updated draft version of the current template. To provide context an overview was provided regarding current Representativeness reporting which includes the following elements: Representativeness of the PSNI - Indicator 2.3 of the Policing Plan 2022/23, Statutory Returns, Equality Scheme, People Principles from the People Strategy, and Management Information.

The draft version of the updated Report Card incorporates Member feedback and includes changes in respect of overall structure with 3 new sections (External Recruitment, Internal Representation, Retention), statistical and trend information, current and anticipated impacts, analysis of wider strands of Equality and Diversity, reflecting long term impacts of actions taken, and inclusion of sexual orientation, race and disability data.

Members welcomed the positive actions being taken and the visual improvements to the Report Card and discussed the following points with the COO and ACO People and OD:

- Separating Representativeness from other Equality and Diversity metrics with a separate Report Card.

- Internal actions being taken by PSNI to improve Representativeness including the transfer of officers and staff between departments.
- Updated Report Card provided a balanced perspective on Representativeness and the Retention section was important in providing a leavers analysis and measuring impact on PSNI effectiveness.
- Accounting for the higher percentage of females in some departments, and whether the terminology used for department names were still appropriate.
- Attractiveness of joining PSNI and importance of local community engagement and measures to attract applicants in line with outcome 3 of the Policing Plan – engaged and supportive communities.
- Providing equal opportunities to external associations and bodies across NI throughout the recruitment process and applicant breakdown by geographical area.
- Representativeness for Police Staff compares negatively against Police Officers and assurances that work is continuing to make further progress.
- Potential for providing National Identity and Ethnicity data and importance of organisational culture in delivering Section 75 responsibilities.
- Impact of shift/working patterns on female Representativeness in certain roles and the number of Officers in part time roles.

Members **NOTED** the update provided.

6.2 PSNI Update on Development of the 2023-24 People Action Plan

The ACO People and OD provided Members with an update on the development of the 2023-24 Annual People Action Plan (PAP) which will be used to facilitate delivery of the PSNI People Strategy 2020-2025.

A progress review of the Annual PAP for 2020-21 has been undertaken to utilise learnings and inform the development of the Annual PAP for 2023-24.

The review covered three main areas – status review of the 19 actions in the 2020-21 Annual PAP, a focused Pulse workforce survey to collate feedback against the five People Principles, and feedback from the Delivery Group.

Progress has been across the 19 actions but organisation capacity, capability and readiness to achieve in some areas was limited due to delivery model methodology and personnel changes at senior management and within the Delivery Group. Areas of success include senior management buy in, results from workforce PULSE survey and where terms of reference, roles and accountability structures were clearly defined.

Post review the People & Culture Board approved the Annual PAP for 2023-24 and work is underway with 3 potential priority actions – Workforce Planning and Resourcing, Learning & Development for line managers, and Developing the PSNI culture. A draft PAP for 2023-24 will be presented to the People & Culture Board in early 2023 and a further progress update will be provided to Committee upon final draft approval.

Members **NOTED** the update provided and referred to outstanding actions from the Annual PAP for 2020-21 and possible carry over to the new Annual PAP for 2023-24.

6.3 PSNI Briefing on Equality, Diversity and Inclusion

The ACO People and OD briefed Members on the ongoing work in respect of

Equality, Disability & Inclusion and link to Culture, Representativeness and Wellbeing as part of the overall People Strategy.

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

PSNI Equality Scheme 2023-2028

The Equality Scheme sets out commitments and responsibilities to comply with legislative duties. The PSNI Equality Scheme 2017-22 has been refreshed for 2023-28 following a five-year operational review and a draft annual progress report and disability action plan will be submitted to the Equality Commission for Northern Ireland (NI) at year end.

Audit of Inequalities

The Equality Commission for NI recommends that an Audit of Inequalities is carried out to better inform the Equality and Disability Action Plans. This has been approved by the Strategic Management Board and a business case is currently being developed to progress.

Stronger Together Forum

This Forum is centred on the principle of Inclusion and designed to bring together a wide range of identities and backgrounds from staff associations including minority and diversity support associations. The purpose of the Forum is to ensure these associations play a key role in the co-design, co-development, and co-delivery of a diverse PSNI. The Forum will meet again in early 2023 to agree roles, responsibilities and a programme of work.

Developing a Race Action Plan

A multi-disciplinary working group has been set up to develop a Race Action Plan to reflect the local context and demographics of the PSNI workforce and the communities they serve. Ongoing work includes engagement events with internal and external stakeholders and feedback will be provided to the

Stronger Together Forum and People & Culture Board in the New Year.

Members raised the following points with the COO, ACO People and OD and Head of External Recruitment:

- Importance of ongoing work to instil trust and confidence in minority groups in PSNI and for Committee to receive regular updates.
- Challenges in respect of gender budgeting. A Member requested that Gender Budgeting be added to a future meeting agenda for discussion.
- Challenges of improving Equality in one community and impact on good relations in other communities.
- Clarification on consultation process for the refreshed Equality Scheme. Members were advised that consultation was not required for the refreshed Equality Scheme 2023-28, however, there will be external engagement events with stakeholders as part of the development of the Race Action Plan.
- Importance of PSNI outreach initiatives to improve Equality across Northern Ireland and Members were advised of work in Dungannon and Cookstown as part of the previous recruitment process.
- Whether the Equality Scheme 2023-28 was available to view online and Members were advised that this will be checked by Officials. **(AP2)**
- The work underway in regards to Community of Practice initiatives to engage with staff from minority groups within the organisation and a Member requested that the PSNI provide future updates about these initiatives going forward.

- Consideration given to identifying best practice and benchmarking against external organisations to inform the work on Equality, Diversity and Inclusion.

Members **NOTED** the update provided and thanked the ACO People and OD and Head of External Recruitment for their contributions and they left the meeting.

6.4 PSNI Finance Report – November 2022

The Committee **NOTED** the PSNI monthly Finance Report and the PSNI financial position as at the end of November 2022.

The Chair welcomed the Assistant Chief Officer (ACO) Corporate Services to the meeting and he presented an overview of the monthly Finance Report for November 2022 and provided further details in respect of actions taken to address in-year financial pressures:

- The Committee was advised last month of a full year projected financial pressure of £17m. The final budget allocation has now been received and the additional funding has reduced the projected full year pressure to £1.2m. Additional reimbursement is also expected from central government and once this is received the expectation is to report a breakeven budget position for the full year. In this context it was however noted that significant cost reduction measures had been taken throughout the year to achieve this position.
- Cost pressures remain in respect of transport - air fleet, volatile utility prices, the G4S contract due to pay pressures and the rising costs of Injury on Duty claims.
- Overtime costs remain in line with forecasted figures.

- In -year cost reduction measures amounting to £11.5m remain on track and will be monitored closely. Further information was provided on Category 3 measures - these were classified as high impact cost reduction measures not progressed due to disproportional impact on PSNI operations.
- The overall impact of cost reduction measures in this financial year will result in a reduction in both Officer and staff headcount at year end. Planned works have also been deferred alongside in-year cuts to manage expenditure.
- Early planning for 2023-24 financial year indicated financial pressures of £75m. Due to funding being brought forward from 2023-24 to meet financial pressures this year coupled with future pay pressures and volatile utility prices, financial pressures for 2023-24 could now be in the region of £100m.

During the briefing Members raised the following points with the COO and ACO Corporate Services:

- Ongoing litigation in relation to PSNI holiday pay claims.
- Year to date overspend in Air Support and assurances that resource will be made available at critical times, for example, Search and Rescue.
- Return of £1.5m of capital budget following a Budget allocation exercise.
- Board's advocacy role considering projected financial pressures in the next financial year.
- Impact of decisions taken to address financial pressures this year on Health & Safety and Corporate risks.
- G4S Contract - National Living Wage issues and other contract management issues including securing value for money and an

effective service.

The Committee thanked the COO and ACO Corporate Services for the briefing provided and they left the meeting.

6.5 Northern Ireland Policing Board (NIPB) Management Accounts

The Committee **NOTED** a paper providing an update on the NIPB budget allocation for 2022-23 and Management Accounts to the end of November 2022.

The Finance Manager provided an overview of the Board's expenditure against the 2022-23 budget and outlined the current underspend position of £41k.

6.6 PSNI Above Delegated Authority Request – Settlement of Legal Claim

The Committee was asked to consider a PSNI request to make a specified Above Delegated Authority payment to settle both the payment of financial compensation and payment of the Plaintiff's legal costs associated with a personal injuries claim. Board Officials provided the factual background to legal proceedings against PSNI and noted that a Second Defendant had been joined to proceedings, as well as details of the proposed settlement.

Legal advice from PSNI Senior Counsel has stated that costs be apportioned as 50/50 between PSNI and the Second Defendant, and this represents a favourable compromise.

The Above Delegated Authority request also includes monies for the payment of the Plaintiff's legal costs which would also be settled on a 50/50 apportionment basis with the Second Defendant. Members were advised that PSNI will negotiate with the Plaintiff's solicitors to agree final costs.

During discussion Members raised a number of points in respect of lessons learned, costs incurred, and time taken to resolve the case. It was agreed to write to PSNI highlighting these concerns. **(AP3)**

Following discussion Members were asked to make a decision on the PSNI request to make an Above Delegated Authority payment and after a Member vote it was **AGREED** by majority decision:

- To recommend to the Board to approve via written procedure the request from PSNI to make an Above Delegated Authority payment to the maximum value specified to settle both the financial compensation and payment of legal costs associated with the personal injuries claim.

Mr Trevor Clarke MLA voted against the proposal and requested this be recorded in the minutes.

6.7 Guidance for the Appointment of Chief Officers and Senior Police Staff Equivalents

The People and Organisational Development manager presented a paper seeking Members views on suggested amendments to the guidance for the appointment of Chief Officers and senior police staff equivalents.

These amendments have been proposed following a review by Officials to ensure that guidance remains fit for purpose and in line with good practice. Proposed changes include updates to the terminology used, role of Board Vice Chair on the panel and defining the roles of panel Members including Policing Advisors and Specialist Professional Advisors.

Members raised several points in respect of the appointments process including:

- the desirability of the vice-chair of the Board being able to chair, if the chair of the Board was unavailable;
- the appropriate role that the specialist advisors could perform, with officials tasked to develop robust guidelines on questions the panel could ask advisors; and
- whether it might be appropriate to use specialist advisors from external Police Services.

Members **NOTED** the update provided and following discussion it was **AGREED** to consider Members comments, and further advice as requested above, as part of a revised paper to be brought back to Committee in the New Year.

6.8 Police Pensions and Injury Benefits

6.8.1 Cases for Committee Decision

The Director of Police Pensions and Injury Benefits (PPIB) presented a paper requesting Members review and make decisions on the eligibility of awards under Injury on Duty and Police Pensions Regulations further to assessments undertaken by Selected Medical Practitioners (SMPs) and Independent Medical Referees (IMRs).

Members were advised that between 14 November 2022 and 2 December 2022, SMPs had considered 12 cases referred to them under the relevant regulations.

Members also considered 4 submissions in respect of reconsideration applications to SMP/IMR.

Following discussion it was **RESOLVED** that:

- The medical recommendations of the Selected Medical Practitioners in 12 cases assessed between 14 November 2022 and 2 December 2022 be approved.
- The 4 anonymised cases (**RECON IMR 13-22.23, RECON SMP 9-22.23, RECON SMP 10-22.23 and RECON SMP 11-22.23**) progress to reconsideration by SMP/IMR.

6.8.2 Pension Scheme Manager Update

The Director of PPIB presented Members with a quarterly update on the ongoing and upcoming work in relation to the area of police pensions owing to the Board's role as police pension Scheme Manager.

Members were advised of the high workload from the McCloud judgment and likely impact on both staff resources and Board's finances due to the time-sensitive nature of this work.

The Chief Executive also highlighted the significant workload pressures resulting from the McCloud judgment and the matter will be raised at the next Audit and Risk Assurance Committee in conjunction with the Corporate Risk Register.

Members **NOTED** the update.

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 is scheduled for Thursday 26 January 2022 in Waterside Tower.

The meeting ended at 12.45pm

CHAIR

**RESOURCES DIRECTORATE
DECEMBER 2022**