

# NORTHERN IRELAND POLICING BOARD

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## COMMITTEE REPORTS

1 April 2021 - 31 March 2022

# CONTENTS

<b>1</b>	<b>INTRODUCTION/OUTCOMES OVERVIEW</b>	<b>2-3</b>
<b>2</b>	<b>AUDIT AND RISK ASSURANCE COMMITTEE REPORT</b>	<b>4</b>
<b>3</b>	<b>PARTNERSHIP COMMITTEE REPORT</b>	<b>11</b>
<b>4</b>	<b>PERFORMANCE COMMITTEE REPORT</b>	<b>20</b>
<b>5</b>	<b>RESOURCES COMMITTEE REPORT</b>	<b>32</b>
<b>6</b>	<b>MEMBERSHIP AND ATTENDANCE AT COMMITTEES</b>	<b>46-47</b>
<b>7</b>	<b>GLOSSARY</b>	<b>48</b>

# 1. INTRODUCTION

The Northern Ireland Policing Board is an independent public body made up of 10 Political and 9 Independent Members established to ensure for all the people of Northern Ireland an effective, efficient, impartial, representative and accountable police service which will secure the confidence of the whole community, by reducing crime and the fear of crime. The Board is responsible for overseeing all aspects of policing

The Board is responsible for overseeing all aspects of policing. In addition to monthly meetings, the Policing Board has four Committees to take forward detailed scrutiny of the work of the Police Service of Northern Ireland (PSNI) and fulfil its range of legislative duties. These are:

- [Audit and Risk Assurance Committee](#)
- [Partnership Committee](#)
- [Performance Committee](#)
- [Resources Committee](#)

This Report provides an overview of the work during the last year against the agreed Terms of Reference for the Standing Committees of the Policing Board. These can be found [here](#).

In addition to this published report, details of discussions and decisions taken by the Board's Committees are routinely published on the Board's [website](#) along with other information explaining the Board's role and work.

# OUTCOMES OVERVIEW: 2021 - 2022

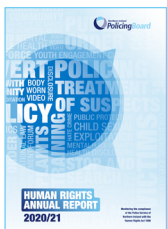


## KEY DOCUMENTS PUBLISHED



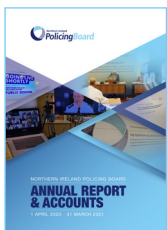
### POLICING PLAN 2020-25 AND ANNUAL PERFORMANCE PLAN 2020-21

The Policing Plan has been developed in partnership with the PSNI following public consultation and outlines our ambitions for policing in the next five years. It outlines three outcomes for policing: that we have a safe community, we have confidence in policing, and we have engaged and supportive communities.



### HUMAN RIGHTS ANNUAL REPORT

The Report provides an account of the performance of the PSNI in its compliance with the Human Rights Act 1998 (up to the end of March) and an overview of the monitoring work carried out during the year by the Board. It highlights good policing practice and areas in which practice could be improved with specific recommendations.



### ANNUAL REPORT

The Board's Annual Report and Accounts provides an overview of work during the financial year and provides an assessment of Board performance against the Corporate Plan and police performance against the Policing Plan.



### THEMATIC REVIEW OF USE OF SPIT & BITE GUARDS

This report considers all relevant information and provides a human rights assessment of the application of Spit and Bite Guards. It also reviews all the current evidence, safe-guards and protections and makes a number of recommendations in relation to training and guidance.



### HUMAN RIGHTS MONITORING FRAMEWORK

The Human Rights Monitoring Framework sets out in detail the standards against which the performance of the police in complying with the Human Rights Act 1998 is assessed by the Board.



**16** Board Meetings



**10** Board Public Accountability Sessions



**34** Committee Meetings



**65** Committee Reports/Briefings



**155** Oral Questions



**114** Publications



**55** Written Questions

## POLICING BOARD RESOURCES

**19** Board Members

**46** Board Staff

**£6.58m** Board Funding

**£1.52m** Board PCSP Funding

**24** Custody Visitors

**10** Community Observers

## APPOINTMENT PROCESSES

**1** Chief Executive

**2** Assistant Chief Constables

**3** Assistant Chief Officers

## 2. AUDIT AND RISK ASSURANCE COMMITTEE

### 2.1 Role of the Audit and Risk Assurance Committee

The Northern Ireland Policing Board (the Board) has established an Audit and Risk Assurance Committee (the Committee) to support it in its responsibilities for issues of risk, control, governance and assurance by reviewing the comprehensiveness of the Board and PSNI’s governance framework in meeting the Board’s and the Accounting Officer’s assurance needs and reviewing the reliability and integrity of these assurances.

### 2.2 Audit and Risk Assurance Committee Meetings and Membership

The Committee’s Terms of Reference states that it is required to meet at least four times a year. During 2021-22, the Committee met five times with meetings held on 19 May 2021, 17 June 2021, 30 September 2021, 9 December 2021 and 16 March 2022.

During 2021-22, the following were Members of the Committee. Details of Members attendance is included at Section 6.

<b>Committee Membership</b>	
Colm McKenna, Chair	Gerry Kelly MLA
Edgar Jardine, Vice Chair	Joanne Bunting MLA (until September 2021)
Michael Atkinson	Trevor Clarke MLA (from September 2021)
Frank McManus	Carmel McKinney (from December 2021)

### 2.3 Internal Audit

The Northern Ireland Civil Service’s (NICS) Group Internal Audit Team, from the Department for Communities (DfC) were appointed NIPB’s Internal Auditors from 1 July 2019 and Michael Matthews is the Head of Internal Audit. The Department of Justice (DoJ) Internal Audit Team audit the PSNI and so to avoid a perceived conflict of interest it was agreed in 2019 that the Board’s Audit Team would be from DfC.

During 2021-22, Internal Audit completed five audits and one desktop review and an overview of this work is included below.

The Committee met in private session with Internal Audit Representatives before its meeting on 19 May 2021 to discuss the audits completed during 2020-21 and the Head of Internal Audit's Annual Opinion which was presented at the meeting on 19 May 2021; the opinion on NIPB's governance, risk management and internal control system for 2020-21 was 'satisfactory' and was based on internal audit activity carried out during 2020-21 and cumulative assurances derived from internal audit activity during 2019-20 and 2018-19.

At the meeting on 17 June 2021 the Internal Audit Manager presented the Internal Audit Charter to the Committee, noting that the Committee were asked to recommend that the Board approve the Charter. The Committee recommended its approval to the Board who subsequently approved it at the Board meeting on 1 July 2021. The Committee also considered and approved the Internal Audit work plan for 2021-22 at this meeting.

At the meeting on 16 March 2022, the Committee considered and approved the proposed 2022-23 Internal Audit Annual Work Plan. This was compiled in consultation with the Chief Executive and ARAC Chair, and incorporates the results of Internal Audit work completed to date in the previous 3 financial years, any new or emerging risks, areas where previous audit coverage highlighted issues; the audit resources available and any key risk areas identified by management on the corporate and directorate level risk registers.

**Summary of 2021-22 Internal Audits**

Audit	Assurance Rating	Number of Recommendations by Risk Priority Rating		
		Priority 1	Priority 2	Priority 3
<b>NIPB Human Resources Recruitment</b>	Satisfactory	No Priority 1, 2 or 3 Recommendations were made as a result of this audit. Internal Audit made one Best Practice Recommendation.		
<b>Business Continuity Planning</b>	Satisfactory	0	1	3
<b>Belfast Policing and Community and Safety Partnership</b>	Desktop Review - Assurance Rating not provided.	Desktop Review – Risk Based Priority Recommendations not provided.		
<b>Review of Northern Ireland Policing Board Police Appeals Tribunals</b>	Satisfactory	0	0	1
<b>Review of Northern Ireland Policing Board Police Pensions and Internal Dispute Resolution Procedures</b>	Satisfactory	0	2	0
<b>Review of Northern Ireland Policing Board</b>	Satisfactory	0	2	0

Audit	Assurance Rating	Number of Recommendations by Risk Priority Rating		
		Priority 1	Priority 2	Priority 3
Information Management and Security				

### Open Internal Audit Recommendations

During the year, Members received quarterly updates from Board Officials on the implementation of open audit recommendations. At 1 April 2021, there were four audit recommendations being progressed to implementation by Officials, and at 31 March 2022 there were eleven audit recommendations that had to be implemented.

### 2.3 External Audit and NIPB Annual Report and Financial Statements for the year ended 31 March 2021

At the Committee meetings on 19 May 2021 and 17 June 2021, the Committee considered the draft Annual Report and Financial Statements for the year ended 31 March 2021.

At the meeting on 17 June 2021, the External Auditors updated the Committee on the progress of the External Audit and presented the draft Report to Those Charged with Governance from the Comptroller and Auditor General (C&AG). This Report included the C&AG’s unqualified opinion on the Annual Report and Financial Statements to 31 March 2021. The final Report To Those Charged with Governance was presented to the Committee at its meeting on 30 September 2021.

At the meeting on 16 March 2022, the External Auditors provided an overview of their planned 2022-23 External Audit Strategy. Members were briefed on the NIAO Audit Strategy for the certification of the Board’s Annual Report and Accounts for the year ended 31 March 2022. The audit strategy detailed the NIAO approach to the audit, the roles and responsibilities of Board and Audit staff, the cost of the audit, associated risks, and also a detailed audit project plan which included a proposed commencement date of 16 May 2022. Members were advised that The Annual Report and Financial Statements had to be laid in



the Assembly before 8 July 2022 when summer recess will commence. Members noted the proposed timetable, however it was noted that these timescales will be subject to the re-constitution of the Board following the NI Assembly elections in May 2022.

## **2.4 NIPB Governance Statement 2020-21**

The Accounting Officer (Chief Executive) is required to prepare an Annual Governance Statement for inclusion in the Annual Report and Financial Statements. The Governance Statement is designed to bring together all disclosures relating to governance, risk and control and ensure transparent reporting. The Committee reviewed the 2020-21 Governance Statement at its meetings on 19 May 2021 and 17 June 2021, and as noted above, at the meeting on 19 May 2021, the Committee considered the Head of Internal Audit's Annual Opinion on the Board's internal control and risk management framework which was which was 'satisfactory'- this Annual Opinion is a key document in preparation of the Governance Statement. At the meeting on 17 June 2021, the Committee agreed to recommend that the Governance Statement be signed by the Accounting Officer.

The Annual Governance Statement for 2021-22 is currently in progress with Board Officials.

## **2.5 Risk Management**

The Board owns the organisation's risks and throughout 2021-22, the Committee, on behalf of the Board, spent a considerable period of time considering the approach to risk management.

Throughout 2021-22, the Boards' Senior Management Team regularly reviewed the Board's Corporate Risk Register and kept the identified risks under review, escalating and de-escalating risks as appropriate. At each Committee meeting in 2021-22 the Committee reviewed the Corporate Risk Register and received an update from Officials about the material changes to the register since the last review. In September 2021 an additional risk was added to the register with regard to the backlog of FoI/GDPR requests, taking the total number of risks on the Corporate Risk Register to 7.

At the meeting on 16 March 2022 the Committee asked Officials to further review and consider the content and format of Risk Register which will be progressed during 2022-23.

## **2.6 Stewardship Statement to the Department of Justice**

In accordance with the Management Statement and Financial Memorandum, the Chief Executive as the organisation's Accounting Officer provides a bi-annual Stewardship Statement to the DoJ Accounting Officer which enables the DoJ Accounting Officer to satisfy themselves that all relevant risk management practices are being adhered to. A mid-year Stewardship Statement was provided to the Committee at their meeting in September 2021. The end of year Stewardship statement for the 2021\22 year will be tabled at the May/June 2022 Committee meeting.

## **2.7 Governance**

Throughout the year, the Committee considered a number of Governance matters including:

- NIPB Direct Award Contracts (DACs).
- NIPB Complaints update.
- Dear Accounting Officer correspondence from the DoF.
- NIPB Whistleblowing Policy/Raising a Concern update

### **2.7.1 Direct Award Contracts**

An update on NIPB DACs was provided regularly during the year, and one DAC was reported to the Committee.

### **2.7.2 NIPB Complaints Update**

The Committee received updates on the complaints received by the Board and the outcome of each complaint.

### **2.7.3 Briefing and Presentation from Police Pension Board Representatives**

At the Committee meeting on 9 December 2021, the Committee received a briefing and presentation from Brian Quinn, the Board's Independent Pensions Advisor and Michael Burton the Police Pension Board Chair. The purpose of the briefing was to provide a

refresher session for Members in relation to the various statutory responsibilities and obligations of the Board as the Police Pension Scheme Manager as well as to provide an overview of the current work of the Police Pension Board. In addition, Members were provided an update and engaged in a question and answer session in relation to the current position of the McCloud Remedy Project.

#### **2.7.4 NIPB Whistleblowing Policy/Raising a Concern Update**

The Committee received regular updates throughout the year and were advised that there were no whistleblowing incidents to report.

#### **2.8 Fraud**

An update on NIPB Fraud was provided regularly during the year, and the Committee were advised that there was no suspected or actual fraud to report.

#### **2.9 Gifts and Hospitality**

The Committee monitored the Gifts & Hospitality Register on a quarterly basis, but because of the impact of COVID-19 no gifts or hospitality were offered or declared during the year.

#### **2.10 PSNI ARAC**

The PSNI's ARAC have five scheduled meetings per year and each meeting is attended by the Chief Executive, who provides a verbal update to the Board's ARAC, at its next meeting, on the material items considered at the meeting including but not limited to PSNI Corporate Risks, PSNI Internal Audit Reports, and PSNI DACs. ARAC Members also receive a copy of the PSNI's ARAC meeting papers for information.

#### **2.11 Audit and Risk Assurance Committee Minutes**

ARAC Committee Minutes can be found on the Board's website or by clicking this [link](#).

### 3. PARTNERSHIP COMMITTEE REPORT

#### 3.1 Role of the Partnership Committee

The Northern Ireland Policing Board has established a Partnership Committee to support it in its statutory responsibilities for partnership working, including Policing and Community Safety Partnerships (PCSPs), communications and strategic engagement and community consultation.

#### 3.2 Partnership Committee Meetings and Membership

During 2021-22 the Committee met on nine occasions. 22 April 2021, 20 May 2021, 17 June 2021, 21 October 2021, 18 November 2021, 16 December 2021, 17 February 2022, and 10 March 2022. During 2021-22, the following were Members of the Committee:

<b>Committee Membership</b>	
Dolores Kelly MLA (Chair)	Michael Atkinson (Vice Chair)
John Blair MLA	Janet Gray
Maurice Bradley MLA ( from September 2021	Liz Kimmins MLA
Tom Buchanan (until 1 November 2021)	Sean Lynch ( until 1 July 2021)
Joanne Bunting MLA	Colm McKenna ( from November 2021)
Jonathan Buckley MLA (from November 2021)	Carmel McKinney ( until 1 July 2021)
Linda Dillon MLA ( from September 2021)	Mervyn Storey MLA (until 14 June 2021)

Details of Member attendance is included at Section 6.

#### 3.3 Key Issues Considered against the Committee Terms of Reference

The Committee’s role and remit is set out in its Terms of Reference where the Committee’s responsibilities are noted as follows:

- Monitor police performance against measures/indicators specific to the committees in the Annual Policing Plan / Performance Plan(s) and support the Board in holding the Chief Constable to account for delivery on the Plan.
- Monitor progress in embedding of a Policing with the Community culture within PSNI.
- Monitor the development and administration of the Police Property Fund ( PPF)
- Annually monitor, support and evaluate the effectiveness of Policing and Community Safety Partnerships (PCSPs) and report to the Board.
- Monitor the Board's communications activity and monitor PSNI communications plans and activity;
- Develop, implement and monitor an Engagement Strategy for the Board that supports confidence and co-operation of the public with the police.
- Develop, implement and monitor activities which secure community involvement in policing, including community consultation activities.
- Monitor and promote the Independent Custody Visitors (ICV) Scheme and the Independent Community Observer (ICO) Scheme.

### **3.4 Partnership Committee areas of focus**

Set out below are the key areas of business scrutinised during the reporting period.

#### **3.4.1 Monitoring Police Performance against the Policing Plan**

The Partnership Committee monitored measures within the Policing Plan and held the Police to account in relation to these. Over the last twelve months the Committee has provided analysis and oversight on the following areas:

- PSNI presentation on Policing with the Community.
- Policing Plan Measure 2.1.1: Number of people in Northern Ireland who are confident that PSNI is Accessible, Visible, Responsive and Victim Focused.
- Policing Plan Measure 3.1.1: In collaboration with the community deliver the commitments outlined in the Local Policing Review.
- Policing Plan measure 2.2.1: Number of victims and service users who are satisfied with the service they have received.

- Policing Plan Measure 3.1.2: Identify and report on the Neighbourhood Policing Team initiatives to address local problems and tackle local issues, including co-designed solutions, in line with Neighbourhood Policing Guidelines.
- Policing Plan Measure 3.1.3: Assess and evaluate the impact of partnership working with local communities, including but not exclusively, in areas of high deprivation and areas that have been repeatedly victimised.
- PSNI presentation on Strategic Community Engagement.
- Policing Plan Measure 1.3.1: Number of people in Northern Ireland who feel safe in their local area, local high street or town centre and own home.
- Policing Plan Measure 1.3.2: Rate of places repeatedly victimised.

Reports on each of these measures were brought to the Partnership Committee for scrutiny and senior officers including the Deputy Chief Constable, Assistant Chief Constables attended Committee to present the latest information on the performance of PSNI and to answer queries and questions from Members.

Further information on the scrutiny of the measures is contained within the sections below.

### **3.4.2 Monitor progress in embedding a Policing with the Community culture in PSNI**

The Partnership Committee has responsibility for analysing and monitoring the progress in embedding a Policing with the Community culture within PSNI. Members used the information presented for the relevant Policing Plan

Measures noted above, as well as the additional topic-specific presentations on the PSNI's Policing with the Community Strategy and the work of PSNI's Strategic Community Engagement Team to assess and oversee the work being done by PSNI in this regard.

Senior PSNI Officers attended Committee to provide updated information in relation to relevant measures contained in the Policing Plan.

### **3.4.3 Local Policing Review**

In 2018, the Board in partnership with PSNI carried out a significant consultation exercise in relation to Local Policing in Northern Ireland, with over 4,000 responses to the consultation. The responses were independently analysed and a Consultation Response drafted and published containing 45 delivery actions which are led by either PSNI, the Board or a collaboration of both organisations.

Policing Plan measure 3.1.1 of the 2020-25 Policing Plan is dedicated to monitoring delivery of those actions, and during the last year the Partnership Committee has been provided with updates and on the progress being made to deliver against the actions.

At the most recent presentation to Partnership Committee regarding the Local Policing Plan (in February 2022), the 31 actions remaining open were discussed and the Committee agreed to close 20 of those actions, extend timelines for a further 9, and it was agreed that the remaining 3 actions should effectively close and move across to PSNI to be managed through its People Strategy, which is reported to the Board's Resources Committee, thereby ensuring continued monitoring by Board Members.

### **3.4.4 Monitor the development and administration of the Police Property Fund**

The Partnership Committee continued to oversee the implementation of the Police Property Fund and were provided frequent updates in relation to the first call for applications into the Small Grants Scheme. In line with the Procedure for Implementation of the Small Grants Scheme, Members of the Committee participated on an assessment panel to take decisions on 98 applications that had passed basic eligibility.

In September 2021, the Partnership Committee considered 33 projects which were recommended for funding and these were recommended to the Board for ratification at their October meeting.

Further Information on the Police Property Fund can be accessed on the Board's website.

### **3.4.5 Annually monitor, support and evaluate the effectiveness of Policing and Community Safety Partnerships (PCSPs) and report to the Board**

In its role to monitor the work of the PCSPs, the Partnership Committee, during the 2021-22 year, the Partnership Committee were provided with an overview of the PCSP Action plans for 2021-22 including how they were adapting projects and initiatives in light of continuing Covid-19 restrictions.

In addition, Members were provided with the Support Hub evaluation which was overseen by the DoJ and which provided good insight into the workings of each Support Hub with a number of recommendations to ensure a consistency of approach for clients and to provide continued training to Support Hub members. Whilst the PCSP does not have direct membership of the hubs, the PCSP Manager in most areas provides the secretariat function and there continues to be a joined up approach in referrals and post-referral work that may be advantageous.

Members were also provided with an update on the development of Local Policing Plans (LPPs) with PCSPs which led to the development of a Policing Committee template to increase effective reporting against the LPPs., along with a training event to launch the use of the template. The training was attended by PSNI District Commanders and a representation from the majority of PCSPs. The template was jointly developed by the PSNI and Board officials and was considered by the Partnership Committee.

In addition, the Partnership Committee played a critical role in the consideration of updated Strategic Priorities for PCSPs which were approved at the November 2021 meeting and shared with PCSPs to assist with the development of their 3-year Strategic Reviews (2022-2025) and their 2022-23 Action Plans.

The Annual Effectiveness Review of PCSPs was presented to Members for consideration at their meeting in March 2022.

Members also considered and took a decision in relation to a complaint against a PCSP Member in this period.



### **3.4.6 Monitor the Board's communications activity and PSNI's communication plans and activity**

In April 2021, the Committee reviewed a detailed report on Communications Activity during the 2020-21 period in support of the Board's Corporate Plan and Annual Business Plan.

Throughout the reporting period, verbal updates were provided to Committee on activity in support of particular areas of Board Business and the delivery of the Board's legislative duties. This included actions in support of raising awareness of Policing and Community Safety Partnerships, the Independent Community Observer Scheme, the Custody Visiting Scheme, the Police Property Fund Grants Scheme, recruitment of senior officers, publication of Board reports, and online communications activity highlighting particular issues under scrutiny by the Board and its four Committees.

A copy of the final PSNI Communications and Engagement Strategy was provided to the April 2021 Committee. A report on activity will be considered in the 2022-23 year.

### **3.4.7 Develop, implement and monitor an Engagement Strategy for the Board that supports confidence and co-operation of the public with the police**

The Engagement Strategy Programme of Work was updated for 2021-22 and was presented to Partnership Committee in June 2021. A number of events have taken place in the period from April 2021-March 2022 including:

- A Volunteer Recognition Event for volunteers in the Board's two schemes – Independent Custody Visiting and Independent Community Observers;
- Marking the Board's support of the 25<sup>th</sup> Law Enforcement Torch Run for Special Olympics with support given by the Partnership Committee and the promotion of the event through a social media opportunity with the Board's Chair and members of the Law Enforcement Torch Run for Special Olympics;
- Engaging with the public at the Balmoral Show, which provided an opportunity for Officials and the Chair and Vice Chair of Partnership Committee to promote the work of the Board;
- An Anniversary Celebration Stakeholder event following the Special Board Meeting on 4 November 2021 to mark the 20<sup>th</sup> year of the establishment of the Policing Board and its accountability role;

- The Chair addressed a meeting of Ethnic Minority Police Association in December 2021, where he spoke about measures currently implemented by NIPB to ensure ethnic minority issues are part of the accountability and oversight of PSNI and what measures may be considered in the future. He also delivered speeches at the Volunteer Recognition Event and the 20<sup>th</sup> Anniversary Event, as well as providing a short video for introduction at each of the Stakeholder Focus Groups and took part in publicity for the Law Enforcement Torch Run.

It was agreed by the Board at their meeting in September 2021 that the non-operational Recommendations arising from the South Armagh Review of Policing would be assigned to the Boards Performance, Partnership and Resources Committees to monitor, with the majority of those being monitored by Partnership Committee. Updates were also provided to the Partnership Committee in December 2021 and February 2022 on the progress to deliver those Recommendations which the Committee is responsible for monitoring.

#### **3.4.8 Develop, implement and monitor activities which secure community involvement in policing, including community consultation activities**

As part of the work being taken forward aligned to the new Policing Plan Measures 3.1.2 and 3.1.3, Stakeholder Focus Groups have been held in 8 Neighbourhood Policing Team areas following PSNI and Board surveys into the work of the NPTs and their initiatives to address local problems. This work has been reported to the Committee on two occasions in this period. The Stakeholder Focus Groups are being facilitated by and external facilitator and a report on the findings of those focus group meetings is currently being produced and will be brought to Committee for consideration when complete.

#### **3.4.9 Monitor and promote the Independent Custody Visitors (ICV) Scheme and the Independent Community Observer (ICO) Scheme**

The Engagement Team continues to monitor and promote the Independent Custody Visitors Scheme (ICV) and the Independent Community Observer Scheme (ICO)

providing day to day management, support, advice and administration to volunteers and PSNI's Custody personnel.

Ten new Independent Community Observers (ICOs) took up post in late 2021 and received training in January 2022 ahead of the PSNI's Assessment Centres commencing at the end of January 2022 and will run until April 2022. In addition to the training, ICOs received a Handbook and forms which were updated and printed.

Training was also provided to new Independent Custody Visitors (ICVs) in June 2021 prior to them beginning their volunteer roles in the 3 ICV teams. In addition Engagement Officials provided training within the period for experienced ICVs to conduct visits to people detained under the Terrorism Act.

Engagement Officials have scheduled and run meetings during this year for Regional Team Leaders and have involved the Board's Human Rights Adviser in delivery of that training.

The Engagement Manger has attended regular meetings of the PSNI's Custody Operational Group, the Independent Custody Visitors Association and the National Preventative Mechanism Group also to ensure a cohesive approach to custody visiting in line with other schemes across the United Kingdom.

### **3.5 Reports Published by Partnership Committee**

The following reports have been brought to Partnership Committee and subsequently published on the Board's website in the last in the last 12 months:-

- [Independent Community Observer Scheme Report 2020-21](https://www.nipolicingboard.org.uk/publication/independent-community-observer-scheme-report-2020-21-psni-recruitment-campaign)  
 [\(https://www.nipolicingboard.org.uk/publication/independent-community-observer-scheme-report-2020-21-psni-recruitment-campaign\)](https://www.nipolicingboard.org.uk/publication/independent-community-observer-scheme-report-2020-21-psni-recruitment-campaign)
- [Independent Community Observer Scheme Handbook:](https://www.nipolicingboard.org.uk/publication/northern-ireland-independent-community-observer-handbook)  
<https://www.nipolicingboard.org.uk/publication/northern-ireland-independent-community-observer-handbook>

- Annual Custody Visitors Annual Report 2020- 21  
<https://www.nipolicingboard.org.uk/publication/annual-custody-visitors-annual-report-april-2020-march-2021>
- PCSP Annual Effectiveness Report 2019-20  
<https://www.nipolicingboard.org.uk/publication/pcsp-annual-effectiveness-report-201920>
- Policy on the Removal of PCSP / DPCSP Member  
<https://www.nipolicingboard.org.uk/publication/policy-removal-pcsp-dpcsp>

### **3.6 Visits to the Police Estate**

Due to the COVID-19 pandemic it was not possible to arrange visits to the Police Estate during the reporting period.

### **3.7 Partnership Committee Minutes**

Committee Minutes can be found on the Board's website or by clicking this [link](#).

## 4. PERFORMANCE COMMITTEE REPORT

### 4.1 Role of the Performance Committee

The role of the Performance Committee is to support the Board in its responsibilities for issues related to PSNI operational performance, to include performance against the Policing Plan measures specific to the Committee, Human Rights compliance and the Professional Standards of Police Officers. The Committee also oversees the exercise of the functions of the National Crime Agency (NCA) and keeps itself informed of the work of Her Majesty’s Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) in Northern Ireland.

### 4.2 Performance Committee Meetings and Membership

During 2021-22 the Committee met on ten occasions. 15 April 2021,13 May 2021,10 June 2021,9 September 2021,14 October 2021, 11 November 2021,9 December 2021,27 January 2022, 10 February 2022 and 10 March 2022.

During 2021-22, the following were Members of the Committee.

<b>Committee Membership</b>	
Mervyn Storey MLA (Chair)	Carmel Mc Kinney (Vice Chair)
Trevor Clarke MLA (Chair) (from September 2021)	Gerry Kelly MLA
Joanne Bunting MLA	Liz Kimmins MLA
Dolores Kelly MLA	Mike Nesbitt MLA
Maurice Bradley MLA ( from September 2021	Deirdre Toner
Edgar Jardine	

### 4.3 Key issues considered by Committee against Terms of Reference

The Committee’s role and remit is set out in its Terms of Reference where the Committee’s responsibilities are identified as follows:

#### Governance and General Matters

- Review policies and procedures pertinent to the Committee's Terms of Reference and make recommendations to the Board in respect thereof;
- Monitor police performance against the Measures/Indicators specific to the Committee in the Policing / Annual Performance plan and support the Board in holding the Chief Constable to account for delivery of the Plan.

#### Other Police Performance

- Keep under review the outcome of external inspections/research or reviews of PSNI performance in the core policing functions of preventing and detecting crime;
- Monitor the implementation of recommendations from PSNI oversight bodies in respect of police performance, practice and policy;
- Consider reports from Independent Reviewers in respect of PSNI use of powers in the Terrorist Act 2000 (TACT) and the Justice & Security (NI) Act 2007(JSA);
- Monitor the work of PSNI Legacy Investigation Branch.

#### Human Rights

- Monitor PSNI compliance with the Human Rights Act 1998;
- Produce an annual report on PSNI compliance with the Human Rights Act 1998 and consider and make recommendations to the Board in respect thereof;
- Consider the Board's Human Rights Reports and make recommendations to the Board in respect thereof;
- Monitor the implementation of recommendations from the Board's Human Rights Reports.

#### Police Professional Standards

- Revise the Code of Ethics for Police Officers and make recommendations to the Board in respect of the publication thereof;
- Assess the effectiveness of the Code of Ethics;
- Monitor trends and patterns in complaints against PSNI;

- Keep under review the outcome of disciplinary procedures;
- Consider investigation reports of the Police Ombudsman and liaise with the Police Ombudsman in relation to policy and practice;
- Keep under review the outcome of Police Appeal Tribunals;
- Consider appeals on PSNI Officer Business Interests.

#### National Crime Agency

- Lead on the Board's oversight responsibilities with regard to the operation of the National Crime Agency (NCA) in Northern Ireland;
- Consider any changes to the Memorandum of Understanding between the Board and the NCA and make recommendations to the Board in respect thereof.

During 2021-22 the Performance Committee made the following progress against these areas:

#### **4.4 Governance and General Matters**

During 2021-22 the Performance Committee's focus in this area was on monitoring police performance against the Policing Plan 2020-2025 and Performance Plan 2021-22.

The Performance Committee started its analysis of the Measures in May 2021. Members noted that reporting during this period built upon 2020-21 performance monitoring through the provision of the PSNI OBA report card, in line with the methodology adopted for the Performance Plan 2021-22. Board Officials provided Members with an analysis paper for each Measure which identified key issues and opportunities in order to assist Members with effective oversight and informed scrutiny of PSNI performance, with senior PSNI officers when they attended Committee.

During the period from May 2021 to March 2022 the Committee scrutinised the following Performance Plan 2021/22 Measures:

- **May 2021** Domestic Violence and Abuse (*Measures 1.1.1, 1.2.1 and 2.4.1*);

- **June 2021** Child Sexual Abuse and Exploitation (CSAE), Hate Crime and Overall Repeat Victimisation (*Measure 1.1.1*);
- **October 2021** Repeat Offenders (*Measure 1.2.1*);
- **November 2021** Organised Crime Gangs (OCGs) (*Measure 1.2.2*);
- **December 2021** Crime Rates and Trends (*Measure 1.4.1*); and Crime Outcomes (*Measure 2.4.1*);
- **February 2022** Domestic Violence and Abuse (*Measures 1.1.1, 1.2.1 and 2.4.1*); and
- **March 2022** Child Sexual Abuse and Exploitation (CSAE), Hate Crime and Overall Repeat Victimisation (*Measure 1.1.1*).

Members held senior PSNI officers to account for police performance in each of these areas by identifying the key issues and discussing the key questions in relation to:

- How much did the PSNI do? (Quantity);
- How well did they do it? (Quality); and
- Is anyone better off? (Impact).

The main feedback from Members found that PSNI were performing well in terms of quantity and quality of work in these areas. However, it has been acknowledged that identifying the impact will require further work and Members will continue to scrutinise further.

#### **4.4.1 Other Police Performance**

Over the course of the year the Performance Committee considers and scrutinises the performance of the PSNI by keeping itself informed of the work of Her Majesty's Inspectorate of Constabulary and the Fire and Rescue Services (HMICFRS), the reports of the Criminal Justice Inspectorate Northern Ireland (CJINI) and the Independent Reviewers of Terrorism Legislation, Justice and Security Act and National Security.



### HMICFRS

During the 2021-22 year, HMICFRS completed an inspection report entitled “Policing in the Pandemic” that examined the Covid-19 response of 43 police forces in England and Wales but also considers information gathered from the PSNI, Jersey Police and British Transport Police. The report makes a number of recommendations and the Performance Committee considered the findings at their May 2021 meeting. The Performance Committee continues to scrutinise the PSNI’s implementation of HMICFRS’s recommendations in this report and this was considered by Members again at the 14 December 2021 Performance Committee meeting.

### Independent Reviewers

The Committee carried out scrutiny and analysis on the work of three Independent Reviewers and their comments in relation to Northern Ireland and the role of the PSNI. In June 2021 the Performance Committee, through its consideration of the Human Rights Annual Report, considered the Report of the Independent Reviewer of National Security Arrangements in Northern Ireland. Members were notified of his points regarding the PSNI compliance with principles A to D of the St Andrews Agreement and the Board ability to monitor PSNI compliance with the Human Rights Act. In October 2021 the Committee considered the most recent annual report from the Independent Reviewer of Terrorism, Jonathon Hall QC. Mr Hall attended the Performance Committee in February 2022 to provide an overview of his report and to highlight key concerns and challenges for PSNI. A number of issues were discussed with the Reviewer including arrests made under Section 42 of TACT, Stop and Search and the current Severe Threat level. At the November 2021 Performance Committee Members considered the Annual Report of the Independent Reviewer of the Justice and Security Act (JSA), Marie Breen-Smyth, who also attended the meeting. Members engaged in a discussion on Stop and Search including the Ramsey Judgement and recommendations including the recording of Stop and Searches under JSA and the PSNI to give consideration to the Board’s 2013 recommendation concerning monitoring of community background.

### PSNI Legacy Investigation Branch

Having received a briefing from the Legacy Investigation Branch (LIB) in March 2021 the Committee did not meet with the LIB over this period.

#### **4.4.2 Human Rights: Monitor PSNI compliance with the Human Rights Act 1998**

The Board is required by section 3(3)(b)(ii) of the Police (Northern Ireland) Act 2000 to monitor the performance of the Police Service Northern Ireland in complying with the Human Rights Act 1998. During the course of the year, the Committee considered and monitored PSNI's compliance with the Human Rights Act across a number of areas and below is a summary of the main issues considered:

##### **Stop and Search**

Following previous Committee discussions with community and academic representatives on the PSNI's use of Stop and Search powers and more specifically; low outcomes, the potentially damaging impact on community relations and the lack of evidence to suggest Stop and Search reduces crime, and why has PSNI's approach to Stop and Search not been subject to reform? PSNI attended the May 2021 Committee to engage with Members and follow up on the issues raised. The PSNI confirmed that they are aware of the debate in relation to the efficacy of the use of stop and search as a tactic and the potential negative impact that it has on communities. The PSNI advised Members that advice had been sought from the Information Commissioner on the way forward on community background recording and that the options available would be presented to the PSNI Senior Team to agree and then inform the Board. Members expressed support for PSNI using stop and search as a tactic and that Police needed to be proactive and visible to build community confidence.

##### **Use of Force**

The Committee considered the workings of the PSNI Police Powers Development Group throughout the reporting year. This internal group considers the use of police powers in respect of PACE, Use of Force and stop and search, analysing statistics and making suggestions for improvement.

##### **Spit and Bite Guards**

The Performance Committee has discussed the potential introduction of Spit and Bite Guards with PSNI since late 2019, however, with the onset of the pandemic the Chief Constable introduced Spit and Bite Guards as a temporary measure in March 2020. Following the publication of the Board's "Report on PSNI's Response to COVID-19" containing a number of recommendations specifically on the use of spit and bite guards

regarding their temporary use, the Performance Committee has continued to engage with the PSNI, Police Ombudsman and advocacy groups throughout 2021/22 to inform discussion and achieve a consensus of opinion prior to the Chief Constable's decision on the future use of Spit and Bite Guards. In terms of this temporary introduction the Committee has closely monitored Spit and Bite Guard use and any human rights implications. In December 2021, the PSNI provided an update to Committee including the Equality Impact Assessment (EQIA) and their internal oversight mechanisms in relation to Spit and Bite Guards. In January 2022, the Human Rights Advisor considered all evidence available to date and presented his considered opinion to the Board. In February 2022, the Board's Human Rights Advisor published 'A Review of the PSNI's Use of Spit and Bite Guards' containing twenty one recommendations for the PSNI to consider prior to taking any decision on the permanency of their introduction. Members will continue to scrutinise further PSNI's use of Spit and Bite Guards.

#### *Covert Human Intelligence Sources (Criminal Conduct) Act 2021*

In April 2021 the Committee discussed the Covert Human Intelligence Sources (Criminal Conduct) Act 2021 and how the original Bill was amended during its passage through Parliament and the potential issues and impacts for PSNI. The Human Rights Advisor briefed the Committee highlighting the main issues and the potential implications of the Third Direction Case. Members engaged with PSNI and discussed the implications of working with MI5 in regards to CHIS and the management of the memorandum of understanding between the PSNI and MI5 noting that it is part of the St. Andrews Agreement to review the MOU and to have the Human Rights Advisor provide assurance to the Board that the work of MI5 and PSNI are compatible. In September the Committee considered a report by the Human Rights Advisor regarding the authorisations in general and Criminal Conduct Authorisations (CCAs) specifically, noting that the new Act and system come into force on 15 September 2021. The Advisor also provide assurance to the Committee on PSNI's inspection by the Investigatory Powers Commissioners Office (IPCO) and PSNI's implementation of the related recommendations.

### Terrorism Investigation Unit

The Committee received a briefing from PSNI's Terrorism Investigation Unit in February 2021, which provided the Committee with an overview of its role, capacity, ongoing investigations, key successes and the work of the Terrorism Management Unit.

### **4.4.3 Produce an Annual Report on PSNI compliance with the Human Rights Act 1998 and consider and make recommendations to the Board.**

The Board is required to monitor the performance of the PSNI in complying with the Human Rights Act 1998 and produce an assessment of the performance of the police in complying. In practice, the Board has produced a separate Annual Report each year drafted by the Human Rights Advisor and Board Officials. During 2021/22 Performance Committee Members considered the draft Human Rights Annual Report 2020/21 at its meetings in June, September and October 2021 prior to recommending it to the Board. The Report was published on International Human Rights Day on 10<sup>th</sup> December 2021 and contains 20 Recommendations across a range of policing areas including Training, Social Media, Legacy, Public Order, Use of Force, National Security, Domestic Abuse, Child Sexual Abuse and Exploitation and Treatment of Suspects.

### **Consider the Board's Human Rights Reports and make recommendations to the Board**

In August 2021 'The Human Rights Monitoring Framework'<sup>1</sup> was published following Board approval and work commenced on new areas such as the Human Rights of Police Officers and the PSNI's Use of Force. The monitoring of police performance and compliance with the Human Rights Act is a legislative duty undertaken by the Board. In November 2021, Performance Committee Members were presented with the 'Human Rights Advisor Three Year Programme of Work'<sup>2</sup> for the period 2021 to 2023. This document compliments the Monitoring Framework and focuses on specific areas such as Use of Force, Use of Covert Powers and a new theme focusing on PSNI's own human rights obligations in respect of officers and staff. These areas are subject to change given the dynamic nature of the

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<sup>1</sup> <https://www.nipolicingboard.org.uk/publication/human-rights-monitoring-framework>

<sup>2</sup> <https://www.nipolicingboard.org.uk/publication/human-rights-three-year-programme-work-2021-2024>

monitoring framework and it is intended that this programme would be reviewed on a regular basis, at least every six months.

A major theme during 2021/22 for policing continues to be the response to the COVID-19 pandemic. This resulted in police forces throughout the UK and Ireland being given very significant new powers. The Board's Human Rights Advisor continues to examine and assess the PSNI's response to the pandemic following the publication of the Board's Report on PSNI's Response to Covid-19 in November 2020<sup>3</sup> of which the Committee received an update on PSNI implementation of the recommendations in May 2021.

### **Monitor the implementation of recommendations from the Board's Human Rights Reports.**

Throughout the 2021/22 year the Human Rights Advisor and the Performance Committee have monitored the implementation of the recommendations made in the Annual Report and in Thematic Reports. This work is captured and reported on in the next year's Annual report. The Performance Committee revisited the recommendations contained within the Review of the PSNI's Response to COVID 19 in May 2021 six months after its publication and again in December 2021.

#### **4.4.5 Police Professional Standards**

##### ***Revise the Code of Ethics for Police Officers and make recommendations to the Board in respect of the publication.***

The Board has a statutory duty to assess the effectiveness of the Code of Ethics and revise it when appropriate. The original Code was published in 2003 with a review carried out in 2008. Since that time there have been a number of significant developments in the area of police professional standards and misconduct. Over the course of the year 2021/22, the Performance Committee has been working closely with PSNI officers to develop a revised Code of Ethics. Updates on the PSNI Draft Code of Ethics was presented to Members at their July and September 2021 meetings. Performance Committee Members engaged in discussion regarding the Draft Code of Ethics with the Police Ombudsman at the October

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<sup>3</sup> <https://www.nipolicingboard.org.uk/publication/report-thematic-review-policing-response-covid-19>

meeting and with the Police Federation at November's meeting to ascertain their views. The Draft Code of Ethics as presented by the PSNI was considered by Committee Members at its meeting of 14<sup>th</sup> December 2021. A revised Code is due to be agreed with PSNI that the Performance Committee will then be responsible for carrying out a consultation on during 2022.

*Monitor trends and patterns in complaints against PSNI and keep under review the outcome of disciplinary procedures*

The Board has a statutory duty to keep itself informed as to the measures in place to deal with PSNI complaints and disciplinary proceedings and to monitor trends and patterns in complaints. The Performance Committee does this by reviewing the annual report of the PSNI's Professional Standards Branch. The Committee reviewed the 2020/21 report in June 2021. In addition, in March 2022 senior officers from Professional Standards and Discipline gave an update and overview presentation of their work to Committee Members and all Board Members were also invited to attend. This briefing provided the Members with an overview of areas such as breaches of the Code of Ethics, suspensions and repositioning of officers, misconduct, complaints and allegations against officers and police staff discipline.

*Consider investigation reports of the Police Ombudsman and liaise with the Police Ombudsman in relation to policy and practice*

In relation to the Police Ombudsman's reports, the Performance Committee considered the OPONI Annual Statistical Report for 2020/21 in relation to monitoring trends and patterns of complaints regarding the PSNI in September 2021. In October 2021, the Police Ombudsman attended Performance Committee to provide an overview of the latest Annual Statistical Report and to highlight key concerns and challenges. Members engaged in discussion with the Police Ombudsman on a number of issues including the Draft Code of Ethics, the OPONI's review of PSNI's use of Spit and Bite Guards and the Ombudsman's Annual Statistical Report and Five Year Legislative Review. The Committee also considered the 'Protocol between the Office of the Police Ombudsman for Northern Ireland and the Northern Ireland Policing Board.'

Keep under review the outcome of Police Appeal Tribunals

From April 2021 to March 2022 two Police Appeals Tribunals were held. Five appeals were received in 2021/22 under the Police Appeals Tribunals Regulations (Northern Ireland) 2016 and all are in progress at varying stages of the process.

**4.4.6 National Crime Agency**

Lead on the Board's oversight responsibilities with regard to the operation of the National Crime Agency (NCA) in Northern Ireland.

The Board's key functions in respect of the operation of the NCA in Northern Ireland is to monitor the exercise of the functions of the NCA in Northern Ireland and make arrangements for obtaining the cooperation of the public with the NCA in the prevention of organised crime and serious crime. The Performance Committee considers a six monthly report from the NCA every November and May. Board Officials analyse these reports in which the NCA set out their work across the areas of vulnerability, including child sexual exploitation and abuse and human trafficking; prosperity, including money laundering, fraud and cybercrime; commodities, including drugs and firearms; specialist capabilities, including major crime investigations and missing persons; and paramilitary crime task force, which includes all crime related to paramilitary activity. Reports are considered by Performance Committee to inform Members of the key issues in relation to NCA activity. Board officials advised Members at the November 2021 Performance Committee meeting that they planned to align future Performance Plan reporting of Organised Crime Gangs with NCA and SOC reports to prevent overlap of information. Based on the NCA information Members are then in a position to raise any issues with the NCA Director at her six monthly meeting with the Board in December and June. In addition, Members also give consideration and feedback on the NCA Annual Plan 2021/22 which was published in April 2021.

**Consider any changes to the Memorandum of Understanding between the Board and the NCA and make recommendations to the Board in respect thereof.**

An updated NCA MOU was considered by Performance Committee Members in September 2019 and this was signed off by the Board Chair in November 2019. The Performance Committee Members continue to maintain oversight of the MOU and no changes were recommended in this reporting year.

#### **4.5. Visits to the Police Estate**

Due to the ongoing COVID-19 pandemic it was not possible to arrange visits to the Police Estate during 2021-22.

#### **4.6 Committee Publications**

The Committee has published four substantial documents the following in 2021-22:

- Human Rights Monitoring Framework
  - <https://www.nipolicingboard.org.uk/publication/human-rights-monitoring-framework>
- Human Rights Three Year Programme of Work
  - <https://www.nipolicingboard.org.uk/publication/human-rights-three-year-programme-work-2021-2024>
- Human Rights Annual Report 2021-22
  - <https://www.nipolicingboard.org.uk/publication/human-rights-annual-report-2020-2021>
- A Review of the PSNI's Use of Spit and Bite Guards
  - <https://www.nipolicingboard.org.uk/publication/review-psnis-use-spit-and-bite-guards-by-ni-policing-boards-human-rights-advisor>

#### **4.7 Performance Committee Minutes**

Committee Minutes can be found on the Board's website or by clicking this [link](#).



## 5. RESOURCES COMMITTEE REPORT

### 5.1 Role of the Resources Committee

The role of the Resources Committee is to support the Board in its responsibilities for issues related to PSNI Resources; to include performance against the Policing Plan measures specific to the Committee, PSNI Finance, Human Resources and the Police Estate. The Committee also has responsibility for oversight and approval of the Board’s financial management and the Board’s responsibilities in respect of police pension and injury on duty regulations and the appointment of Senior Police Officers and Staff. This report details the work of the Resources Committee during the 2021/22 financial year.

### 5.2 Resources Committee Meetings and Membership

During 2021-22, the Committee met 10 times with meetings held on: 21 April 2021,19 May 2021, 16 June 2021,23 September 2021,28 October 2021, 25 November 2021,16 December 2021, 27 January 2022,24 February 2022 and 24 March 2022.

During 2021-22, the following were Members of the Committee:

<b>Committee Membership</b>	
Gerry Kelly MLA (Chair)	Janet Gray (Vice-Chair)
John Blair MLA	Frank McManus
Tom Buchanan MLA (until 1 November 2021)	Deirdre Toner
Jonathan Buckley MLA(from November 2021)	Mike Nesbitt MLA
Trevor Clarke MLA	Linda Dillon MLA ( from September 2021)
Sean Lynch MLA (until 1 July 2021)	Carmel McKinney (from July 2021- November 2021)
Colm McKenna	

The Board Vice-Chair, Tom Frawley, also attended 6 meetings of the Committee as an ex-officio Member.

### **5.3 Committee Terms of Reference**

The Committee's role and remit is set out in its Terms of Reference where the Committee's responsibilities are identified as follows:

#### **PSNI**

##### **Governance and General Matters**

- Monitor police performance against the measures/indicators specific to the committee in the Annual Policing / Performance plan and support the Board in holding the Chief Constable to account for delivery of the Plan.
- Keep informed and as appropriate approve PSNI strategies relevant to the work of the Committee<sup>4</sup>.
- Oversee and report to the Board on the functions performed by the Chief Constable on behalf of the Board namely:
  - Directing and controlling Police staff;
  - Providing and maintaining buildings and equipment for police purposes;
  - Keeping proper accounts and related records; and
  - Preparing and submitting an annual statement of accounts in relation to amounts put at his/her disposal.

##### **Financial Management**

- Make a recommendation to the Board regarding approval of the PSNI budget for the financial year.
- Monitor the effectiveness of the PSNI's strategic financial planning process including monitoring and scrutiny of management accounts, the budget and forward financial forecasts.
- Consider and approve expenditure above delegated limits and novel, contentious or repercussive proposals.
- Consider and approve issues relating to borrowing, gifts made, write-offs, losses and other special payments.
- Monitor and consider as appropriate compensation claims made against the Chief Constable.

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<sup>4</sup> The relevant PSNI enabling strategies include Estates, Transport, Digital Policing, Finance, Procurement , People, Training and Development, Leadership and Health and Safety.

### Estates

- Monitor and review the PSNI's Estate strategy and recommend to the Board acquisition and disposal of land and property.

### Human Resources

- Monitor and report to the Board on trends and patterns in the recruitment of police and police support staff; and assess the effectiveness of measures taken to ensure that membership of the police service and the police support staff is representative of the community.
- Undertake the Board's responsibilities in relation to the secondment of PSNI officers up to and including the rank of Chief Superintendent.
- Exercise strategic oversight of equality and diversity and monitor the implementation of Section 75 within PSNI.
- Approve Special Purchase of Evacuated Dwellings (SPED) and relocation expenses for PSNI officers and staff.
- Undertake the Board's responsibilities in relation to police pay, allowances and conditions of service and provide a recommendation to the Board on input to the Police Remuneration and Review Body (PRRB) annual review of pay for police officers.

### Police Training

- Advise the Board as appropriate on the facilities and provision of both pre-service and in-service training and development for police officers and staff, and oversee quality standards.
- Monitor the provision of continuous professional development and the opportunities for career development of all police officers and staff.

## **NIPB**

The Committee will:

### Governance and General Matters

- Review policies and procedures pertinent to the Committee's Terms of Reference and make recommendations to the Board in respect thereof.
- Receive reports on appropriate legal issues pertaining to the Board.
- Undertake the Board's responsibilities under Police and Police Pension Regulations.

- Make recommendations to the Board in respect of pension forfeiture cases.

#### Financial Management

- Make a recommendation to the Board regarding approval of the Board budget for the financial year.
- Scrutinise the Board financial performance, including monitoring and scrutiny of management accounts, the budget and forward financial forecasts.
- Consider and approve expenditure above delegated limits and novel, contentious or repercussive proposals.
- Consider and approve issues relating to borrowing, gifts made, write-offs, losses and other special payments.
- Monitor and consider as appropriate compensation claims made against the Board.

#### Estates

- Advise the Board on the future accommodation for the Northern Ireland Policing Board.

#### Human Resources

- To consider the composition of the PSNI Senior Officer and staff equivalent positions and make recommendations in respect thereof;
- Exercise strategic oversight of equality and diversity and monitor the implementation of Section 75 within the Board.

### **5.4 Resources Committee areas of focus**

Set out below are the key areas of business conducted during the reporting period.

#### **5.4.1 Governance and General Matters**

##### Police Performance

The 2020-25 Policing Plan was published on 1 April 2020 and was underpinned by the 2021/22 Annual Performance Plan. The Performance Plan contained 13 measures one of which was in respect of the representativeness of the police service, this measure falls under the remit of the Resources Committee.

The measure in the policing plan is to *'Improve representativeness of the Service across ranks, grades and departments by gender and community and socioeconomic background'*. This measure falls under Outcome 2 of the 2020-2025 Policing Plan which is that *'We have Confidence in Policing'*.

The Committee considered information and received a briefing on this policing plan measure at the June, September, February and March meetings. In June Members received an update from the PSNI Head of Recruitment on representativeness as detailed within the Equality Monitoring Report Draft which set out a range of analyses of equality and other monitoring information provided by those making applications to join the PSNI as full time police constables. In September Members were advised on measures taken to improve representativeness within the PSNI which included a dedicated mentoring scheme for female applicants and bespoke training sessions for Women's Police Association members, as well as statistics which showed an increase in applicants from the female, LGBT and ethnic minority communities. In February Members received the PSNI Outcomes Based Accountability report card and statistics on applications relating to the Student Officer Recruitment Campaign. Members noted PSNI's outreach to under-represented communities and engagement events, specifically with the Ethnic Minority Police Association, Black and Minority Ethnic community representatives, the Grand Orange Lodge of Ireland and the Ulster Council of the Ulster Council of the Gaelic Athletic Association. At the March meeting the T/ACO People and Organisational Development briefed on the Terms of Reference for the PSNI Cultural Audit. He noted that an independent provider would be appointed to work alongside the PSNI internal cultural audit team to draft the Cultural Audit.

### PSNI Strategies

The 2021 **PSNI Draft People Strategy Action Plan** was initially considered by Committee Members in April when the PSNI Director of Human Resources advised on the appointment of a Programme Manager to manage the People Strategy, on plans to undertake a PSNI Culture Audit and on a planned audit of the PSNI's suite of Dignity at Work policies. The Plan was further discussed in January when the PSNI briefed the Committee on the overall development and implementation of the Action Plan with regard to two of the five 'People' Principles – 'Being Representative and Inclusive' and 'Leading Together'. Members

provided feedback in respect of how the PSNI were measuring success against the action plan and how the work of the Professional Standards Department is reported under the Action Plan.

At the May meeting the **PSNI Digital Strategy 2021 and Beyond** was provided to the Committee for information. The strategy had been approved by the PSNI's Strategic Management Board.

The PSNI briefed the Resources Committee on the **PSNI Procurement and Contract Management Strategy and Practice** at their meeting in April. They provided an overview of their procurement practices and highlighted their use of contracts with the Department of Finance's Construction and Procurement Delivery (CPD) Service as well as with other public sector organisations as well as the UK's Police Service.

The Head of Estate Services presented the **PSNI Estates Strategy** at the October meeting. Members were advised of the eleven PSNI sites that are currently closed and earmarked for disposal, the disposal process with timelines and the projected income from the sale of these properties. They were further updated on the Police Training College Redevelopment Site.

The draft **PSNI Fleet Strategy 2021 and beyond** was considered at the December meeting when the PSNI Head of Transport briefed the committee on PSNI's intention to create a modernised, technologically advanced and green operating model that provides colleagues with a safe mobile working environment to meet future policing demands. Members were also advised on the composition of the future fleet with relevant costing. Members discussed the position on outsourcing maintenance work and fuel costs as well as stock levels of new and used vehicles.

#### **5.4.2 PSNI Financial Management**

##### **PSNI Budget**

The Committee considered and scrutinised the **PSNI monthly financial accounts** at each Committee meeting. Members considered the Finance Report which provided a summary of the PSNI's monthly financial position and an update on in year capital spending. Members

examined the Finance report at each meeting which provided detailed information on the reduction of overtime and PSNI Business cases (redevelopment of the Police College, replacement of public order vehicles and the rollout of ruggedized laptops to frontline officers and staff). Members discussed the position regarding the in-year monitoring rounds in June, October and January and the constant pressure of overtime each month on resources.

The **PSNI Resource Plan for 2021/22** was considered by the Committee in May. The PSNI Temporary Executive Director of Finance, Support Services and Human Resources and the Chief Operating Officer provided an overview of the updated 2021-22 Resource Plan. Members noted the additional funding of £12.3 million which was to be used to focus on PSNI's officer and staff headcount. PSNI confirmed that even though they had received the extra funding, there was a projected shortfall and advised that PSNI were providing initiatives to balance the budget including a reduction in overtime and other non-pay areas. Following a recommendation from the Resources Committee, the Resources Plan was approved by the Board in June.

The Assistant Chief Officer Corporate Services (formerly Temporary Executive Director of Finance, Support Services and Human Resources) presented at the February Committee Meeting the PSNI proposals to achieve a balanced Resource Plan for 2022-25. He highlighted the current proposed budgetary shortfall of £226 million across the three year period and its implications on service delivery, resilience, modernisation as well as long term impacts on recruitment. Members were provided with a detailed breakdown on how PSNI intended to address this funding gap and subsequently agreed to make a recommendation to the Board to approve the **PSNI Resource Plan for the 2022-2023** financial year.

### Reducing Costs within PSNI

The Chief Operating Officer briefed the Committee at the September meeting on the five recommendations concluded in the report from the **Northern Ireland Audit Office (NIAO) on Reducing Costs within the PSNI**. The report was first issued on 28 April 2020. Members were advised that the PSNI had decided to use a model already implemented by Her Majesty's Inspectorate of Constabulary and Fire & Rescue (HMICFS) entitled "Force Management Statement" which is designed to quantify demand for capacity across the

organisation. The Chief Operating Officer agreed to report progress to the Board at regular intervals.

#### Above Delegated Limits Requests

At the November meeting of the Committee Members considered three **Above Delegated Authority** requests from PSNI as the expenditure was above the Chief Constable's delegated limit for approval. The three requests were in relation to the Hate Crime Advocacy Services (Rainbow Project, the Migrant Centre Northern Ireland and Leonard Cheshire). Whilst consideration was given to these requests it transpired that Board approval was not in fact required as the Department of Justice advised that they should be considered as fresh standalone applications due to the PSNI's intention to move onto a commercial contract for the issuing of grants. Members also considered an **Above Delegated Authority** request for PSNI Officers providing cover at the COP26 Environmental Summit in November. This request was approved at the November Committee meeting.

#### Compensation Payments

At the November Committee meeting Members considered a request from the PSNI for a **Compensation Payment** which was above the Chief Constable's delegated limit for approval. Members received briefings from the PSNI and their legal representatives. Further information was received and the request was considered and approved at the Board meeting in December. At the January meeting, the T/Director of Police Administration presented a paper to Members involving a civil litigation claim for a Compensation Payment lodged by a former officer against the PSNI and the Board. Members received further information and it was approved at the February meeting.

#### 5.4.3 PSNI Estate

At the February meeting Members considered and approved a final Estates Protocol between the Board and PSNI. The Protocol outlines the roles and responsibilities of both organisations in line with the Board's legislative responsibilities in the Police (NI) Act 2000. Members received details of the PSNI station closure and disposal programme in November and again as part of a wider briefing on the Estate Strategy briefing at the disposal schedule at the February meeting.



The Committee considered the approval the disposal of Portadown station at the meeting in October. After obtaining additional information the matter was considered further at the Board meeting in November and the disposal was subsequently approved. Members also considered and approved the disposal of Ballyclare station at the meeting in December and this was subsequently approved by the Board in January. At the January meeting Members considered the vesting of land adjacent to Woodbourne station for the purpose of a road widening project and recommended acceptance of the compensation offered. The recommendation was approved at the Board meeting in February.

At the December meeting Members noted a report on the background to land at Desertcreat in Cookstown which was purchased in 2006 for a new police college. The sale of the land has recently been agreed with conveyance completion imminent.

#### **5.4.4 Human Resources (HR)**

##### **PSNI HR Dashboard**

Members considered detailed information provided by PSNI in the form of an **HR Dashboard** which outlined the various demographics of police officers and staff at the October Committee meeting. The briefing was provided by the PSNI T/Assistant Chief Officer People and Organisational Development on issues such as recruitment, information on leavers, absence, disability and national identity. He also briefed the Committee on the key areas of resourcing, attendance management, equality, diversity and inclusion and Disciplinary Procedures, Grievances, Bullying and Harassment.

##### **Health and Wellbeing**

At the May, September, November, January and February meetings of the Committee Members noted correspondence on the work of the **PSNI Occupational Health and Wellbeing (OHW) Branch**. PSNI informed Members on the various steps that had been undertaken to recruit OHW staff, these included use of “Agenda for Change” pay scales, facilitating flexible (compressed hours), part time opportunities, establishing OHW as a specialist training centre for clinical staff as well as advertising widely in professional medical journals, media outlets and social media platforms. PSNI also noted that a number of successful appointments had been made during this year which included 2 Principal Clinical Counselling Psychologists, 2 Assistant Psychologists, 1 Occupational Health Physiotherapist and Head of Occupational Health.

### PSNI Police Officer Sickness Absence Review

Members considered a report from Headstogether Consulting Ltd. on **Police Officer Sickness Absence** at their meetings in May, September and March. This review was commissioned by the Committee in November 2020 and the terms of reference were subsequently amended in February and May 2021. The final report made thirty-one recommendations in respect of Attendance Management Policy and Procedures, Responsibilities of Managing Attendance, Review of E-services, Roles and Responsibilities of Human Resources Branch and Occupational Health Branch, Training, the process for facilitating Adjusted Duties and Police Officer Operating Procedures. Members were informed at the March meeting that the PSNI had accepted the majority of the recommendations and would consider implementation alongside a further internal review of the overall Human Resources function within the Service.

### Barriers to Recruitment Research

Members considered a research report in respect of a report from Headstogether Consulting Ltd. on **Barriers to the Recruitment of Assistant Chief Constables (ACCs)** within the PSNI at the November meeting. The research had been commissioned by the Committee to identify potential issues preventing candidates applying for ACC positions. The research identified some issues that acted as barriers including:

- Absence of planning for talent management
- Leadership development interventions not being sufficiently joined up
- Lack of succession planning
- Perceived separateness of Northern Ireland in terms of the unique and complex policing environment and in terms of the geographical location, with the complexity views as a challenge but the steep learning curve of political and cultural factors being an inhibitor.
- Geography was referred to in the context of relocation with stakeholders stating they would not relocate without being properly reimbursed for expenses.
- Practical issues such as finding schools for children, support for partners looking for employment were also cited

The above issues and others were taken on board in a recent ACC competition with greater help for candidates around the political and cultural issue and flexibility within the relocation package. The competition was undertaken in December 2021 and resulted in two appointments for the Police Service of Northern Ireland (PSNI) Service Executive Team.

The Committee discussed the low levels of females applying for the ACC roles with PSNI and were advised that work is underway to address this issue going forward.

At the June Committee meeting the Director of Human Resources provided an overview of the internal processes that Superintendents, Chief Superintendents and equivalent staff grades must complete in order to apply for both the **Police National Assessment Centre (PNAC) and Strategic Command Courses (SCC)** with the College of Policing.

#### Assistant Chief Officer Pay and Conditions

At the September meeting of the Committee Members considered a letter from the Chief Executive to the Department of Justice on the terms and conditions and remuneration in respect of substantive appointment of three **PSNI Assistant Chief Officers (ACOs)**. After a selection process in December, the names of two candidates for ACO Corporate Services and ACO Strategic Planning and Transformation were ratified by the Board and approved by the Minister of Justice. The third ACO People and Organisational Development was appointed in March.

An updated **Removals and Relocation Policy** which included the reimbursement of expenses should an individual terminate their service within the first three years of taking up a post was approved by the Committee at the November meeting.

#### Police Remuneration & Review Body (PRRB)

The Committee considered and approved a response to the Minister of Justice for issues to be included in her annual remit letter to PRRB. This included issues on salary, the Northern Ireland Transition Allowance, Competence Related Threshold Payments and the ACC salary. The proposed response was subsequently approved by the Board in December. The Committee formed a sub-group of Members to consider the Board's submission to PRRB and this was submitted in March.

### Assisted Removal Scheme

Members considered a request from PSNI under the **Assisted Removal Scheme** to extend an Officer's time in police leased accommodation and storage of personal possessions and furniture. This particular case was considered during the 2020/21 financial year and was considered further by Members in June, December and March. Due to the exceptional circumstances of the particular case Members agreed to approve the extension.

### International Secondments

Members considered an evaluation report following the completion of a PSNI secondment which provided assistance to the Royal Omani Police. The secondment had been partially impacted by the pandemic and was conducted remotely.

## **5.4.5 Police Training**

Committee Members received a presentation from the Head of the Police College at the meeting in May. Members were updated on the outstanding Gibson Report recommendations and discussed the entry route levels for student officers as well as the impact of the pandemic on the delivery of training.

At the meeting in November the Committee received a briefing from PSNI on the Governance arrangements in the Police Training College. Members were advised of the various different types of training currently being provided by the college in Garnerville and various other sites across the police estate. Members were also briefed on the new degree programme offered to Student Officers commencing in January 2022.

## **5.4.6 NIPB Governance and General Matters**

### Duties under police and Police Pension Regulations

At each Committee meeting throughout 2021/22 Members considered information on opinions provided by Selected Medical Practitioners and Independent Medical Referees in respect of Injury on Duty and Ill Health Retirement cases. The final decision on an application is delegated to the Committee by the Board.

A progress update on the **Northern Ireland Audit Office (NIAO) Injury on Duty Recommendations** was provided at the December meeting. Members were advised that

a consultation document is being finalised to address the issues identified by the NIAO and a consultation to be held within the coming months.

#### **5.4.7 NIPB Financial Management**

The Committee considered and scrutinised the Board's **Management Accounts** quarterly during the financial year and noted the financial position at various stages and the outcomes of the June, October and January monitoring rounds. The **Board's Updated Resource Plan for 2021/22** was considered at the May Committee meeting and the PSNI T/Executive Director of Finance, Support Services and Human Resources noted that the Updated Resource Plan included a projected shortfall of £24.8 million. The PSNI provided an overview of initiatives to balance the budget which included a reduction in overtime and other non-pay areas. The Committee made a recommendation to the Board to approve the Resource Plan.

At the February Committee meeting Members considered the **Board's Resource Plan for the 2022-2023** financial year. A number of strategic assumptions were outlined even though there was some uncertainty around the overall budget position. The Committee made a recommendation to the Board to approve the Resource Plan for 2022-2023.

#### **5.4.8 NIPB Estate**

At the Committee meeting in December Members were provided with an update in relation to the Board's costs and savings in respect of the James House. The Board will move from Waterside Tower to James House in 2022. Anticipated savings over the next ten year period are likely to be in the region of £2.7m. Members were advised that a full commercial rent from year 6 onward may be charged following the initial 5 year licence period. Other additional costs such as security, cleaning, off-site storage and utilities are still to be considered.

#### **5.5 Visits to the Police Estate**

The Resources Committee visited the Police College at Garnerville in November as part of their meeting. Prior to the meeting Members received a tour of the facilities at Garnerville and had the opportunity to observe at classroom lessons on Anti-social behaviour and

practical lessons on stop and search. Members discussed various issues on training with a number of Student Officers and senior Police Officers and Staff.

### **5.6 Resources Committee Minutes**

Committee Minutes can be found on the Board website or by clicking **here**

## 6. MEMBERSHIP AND ATTENDANCE AT COMMITTEES 2021-22

Members	Audit and Risk Assurance Committee Attendance	Partnership Committee Attendance	Performance Committee Attendance	Resources Committee Attendance
Michael Atkinson	5/5	8/9		
John Blair MLA		9/9		8/10
Tom Buchanan MLA (1)		4/5		4/5
Joanne Bunting MLA	0/2	5/9	6/10	
Trevor Clarke MLA	1/3		8/10	8/10
Tom Frawley		5/9 (7)	9/10 (7)	6/10 (7)
Doug Garrett				
Janet Gray		8/9		10/10
Edgar Jardine	5/5		10/10	
Dolores Kelly MLA		9/9	9/10	
Gerry Kelly MLA	2/5		10/10	10/10
Liz Kimmins MLA		9/9	10/10	
Seán Lynch MLA (2)		3/3		2/3
Carmel McKinney	2/2	3/3	10/10	2/2
Colm McKenna	5/5	4/4		7/10
Frank Mc Manus	5/5			9/10
Mervyn Storey MLA (3)		2/3	3/3	
Deirdre Toner			9/10	9/10 (8)
Mike Nesbitt MLA			9/10	8/10
Maurice Bradley (4)		5/6	7/7	
Linda Dillon (5)		5/6		6/7
Jonathan Buckley (6)		3/4		4/5

(1) Mr Mervyn Storey MLA resigned from the Policing Board on 14 June 2021

(2) Mr Maurice Bradley MLA was appointed to the Policing Board on 14 June 2021

(3) Mr Seán Lynch MLA resigned from the Policing Board on 30 June 2021

(4) Ms Linda Dillon MLA was appointed to the Policing Board on 26 July 2021

(5) Mr Tom Buchanan MLA resigned from the Policing Board on 1 November 2021

(6) Mr Jonathan Buckley MLA was appointed to the Policing Board on 1 November 2021

(7) Dr Tom Frawley attended these meetings in an ex-officio capacity

(8) Ms Toner was on Board business on 21 April 2021 and did not attend Resources Committee

**NIPB – Composition of the Board from 1 April 2021 to 31 March 2022**

<b>Name</b>	<b>Role</b>	<b>Effective Dates</b>
Doug Garrett	Chair	1 April 2021 – 31 March 2022
Tom Frawley	Vice Chair	1 April 2021 – 31 March 2022
John Blair MLA	Political Member (Alliance)	1 April 2021 – 31 March 2022
Joanne Bunting MLA	Political Member (DUP)	1 April 2021 – 31 March 2022
Dolores Kelly MLA	Political Member (SDLP)	1 April 2021 – 31 March 2022
Gerry Kelly MLA	Political Member (Sinn Féin)	1 April 2021 – 31 March 2022
Liz Kimmins MLA	Political Member (Sinn Féin)	1 April 2021 – 31 March 2022
Trevor Clarke MLA	Political Member (DUP)	1 April 2021 – 31 March 2022
Mike Nesbitt MLA	Political Member (UUP)	1 April 2021 – 31 March 2022
Michael Atkinson	Independent Member	1 April 2021 – 31 March 2022
Janet Gray	Independent Member	1 April 2021 – 31 March 2022
Edgar Jardine	Independent Member	1 April 2021 – 31 March 2022
Carmel McKinney	Independent Member	1 April 2021 – 31 March 2022
Frank McManus	Independent Member	1 April 2021 – 31 March 2022
Colm McKenna	Independent Member	1 April 2021 – 31 March 2022
Deirdre Toner	Independent Member	1 April 2021 – 31 March 2022
Mervyn Storey MLA	Political Member (DUP)	1 April 2021 - 14 June 2021
Maurice Bradley MLA	Political Member (DUP)	14 June 2021 – 31 March 2022
Sean Lynch MLA	Political Member (Sinn Féin)	1 April 2021 – 1 July 2021
Linda Dillon MLA	Political Member (Sinn Féin)	26 July 2021 – 31 March 2022
Tom Buchanan MLA	Political Member (DUP)	1 April 2021 – 1 November 2021
Jonathan Buckley MLA	Political Member (DUP)	1 November 2021 – 31 March 2022



<b>7. GLOSSARY</b>	
<b>ARAC</b>	<b>Audit and Risk Assurance Committee</b>
<b>C&amp;AG</b>	<b>Comptroller and Auditor General</b>
<b>DAC</b>	<b>Direct Award Contract</b>
<b>DoF</b>	<b>Department of Finance</b>
<b>DoJ</b>	<b>Department of Justice</b>
<b>DfC</b>	<b>Department for Communities</b>
<b>FoI</b>	<b>Freedom of Information</b>
<b>HMICFRS</b>	<b>Her Majesty’s Inspectorate of Constabulary Fire and Rescue Services</b>
<b>ICO</b>	<b>Independent Community Observer</b>
<b>ICV</b>	<b>Independent Custody Visitor</b>
<b>JSA</b>	<b>Justice and Security Act</b>
<b>LIB</b>	<b>Legacy Investigations Branch</b>
<b>LPPs</b>	<b>Local Policing Plans</b>
<b>NCA</b>	<b>National Crime Agency</b>
<b>NICS</b>	<b>Northern Ireland Civil Service</b>
<b>NIPB</b>	<b>Northern Ireland Policing Board</b>
<b>PCSPs</b>	<b>Policing and Community Safety Partnerships</b>
<b>PPF</b>	<b>Police Property Fund</b>
<b>PSNI</b>	<b>Police Service of Northern Ireland</b>
<b>TIU</b>	<b>Terrorism Investigation Unit</b>

 028 9040 8500

 [information@nipolicingboard.org.uk](mailto:information@nipolicingboard.org.uk)

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#### DOCUMENT TITLE

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Northern Ireland Policing Board  
Committee Reports  
1 April 2021 - 31 March 2022

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