



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2010-01917

Keyword: Human Resources

Subject: Documentation in relation to High Potential Development Scheme

Request and Answer:

I am writing to confirm that the Police Service of Northern Ireland has now completed its search for the information.

I have today decided to:

- disclose records in relation to your request subject to the deletion of information pursuant to the provisions of section 38 of the Freedom of Information 2000 (the Act)

Question

Previous case F-2010-01357 refers

Re question 9 of my request, I believe a paper was prepared by XXXXXX XXXXX in relation as to methods for determining competence for HPDs which considered regulation 4/5 of the 2008 Regulations. Could I be forwarded a copy.

Answer

Section 17 of the Freedom of Information Act 2000 requires the Police Service of Northern Ireland, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which:

- (a) states that fact,
- (b) specifies the exemption in question and
- (c) states (if not otherwise apparent) why the exemption applies.

It has been decided not to release the names of individuals and staff members. The exemption, as well as the factors the department considered when deciding where the public interest lies, are listed below;

Section 38 (1) (a) and (b) - Health and Safety

Section 38 is a prejudiced based, qualified exemption. This means that it is the Public Authority's responsibility to evidence the Harm and carry out a Public Interest Test.

A summary of the Harm for Section 38 along with the Public Interest Test is provided below

Harm Test

Disclosure of PSNI and NPIA staff names contained in the documentation could put individuals at risk and impact on their safety. The Service is currently under threat from Dissident Republicans and releasing names of personnel or names of individuals associated with those personnel could assist terrorists in targeting individuals. Dissidents have been responsible for a number of recent attacks including bombs at Newtonhamilton police station and Palace Barracks in Holywood and have targeted police officers with under car booby trap devices. The Independent Monitoring Commission (IMC) in its 23rd report have stated that the Real IRA and the Continuity IRA were continuing to recruit and train members, acquire weapons and target potential victims, with police officers the main focus of their activities.

Public Interest Test 1st Applicable exemption

For Release

Releasing the information would promote openness and transparency. The public would be better informed about methods considered for determining competence for Higher Potential Development Schemes and the personnel involved in proposing those methods.

For Retention

Releasing the names of police officers and police associates would assist terrorists and criminal elements to link all information available to them to carry out attacks on personnel on or off duty. To release these names would compromise the safety of individuals and assist criminal elements in carrying out attacks.

Decision

I have determined that the names of PSNI staff and other individuals into the public domain would not be in the public interest. The Service is currently under severe threat from Dissident Republicans and disclosure of this information has the potential to assist those criminal elements seeking to carry out attacks against police staff and individuals associated with PSNI. The safety of individuals is of paramount importance and the PSNI will not divulge any information which could put lives or property at risk.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they

investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psnj.police.uk

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

RESOURCE DEMAND & RISK (RDR)

Subject: HPDS 'The Way Forward' – Impact of the Police (Promotion) Regulations (Northern Ireland) 2008 and promotion program (Paper 2).

1. Background

In 2008 a paper on HPD promotion (to the ranks of Sergeant and Inspector) was submitted to the Finance Personnel & Training (FPT) Committee, a copy of which is provided. Since this paper was submitted there has been a move away nationally from OSPRE Part I and our own Chief Constable has gone on record stating he wishes the same for PSNI. Additionally, we have capped the number of officers recommended for national assessment to 2 per annum (2009 and 2010 saw 1 officer per year meet the standard).

2. Issue Raised

This paper is submitted in line with a request from a HPD officer seeking a determination by the Chief Constable to invoke promotion to the rank of Inspector. The officer concerned has inferred from the Police (Promotion) Regulations (Northern Ireland) 2008 that he is not required to complete Part 1 and Part 2 OSPRE assessments.

3. Response to Issue Raised

In response to the issues raised by the officer, there is a perception that OSPRE is not relevant to HPD officers and that the Chief Constable shall promote to rank as soon as he determines the officer competent to perform the duties of Sergeant/Inspector. In response although the Regulations are silent on what process lie behind the Chief Constable making such a determination it does not state that the officer will not have to complete OSPRE.

OSPRE Part I and II have been used to date to enable such a determination to be made. Please see attached document 'NPPF Final to Forces' which states that HPDS promotions should be made based upon the process adopted by Force/Service i.e. where Part I and II are in existence or Part I and work based assessment/other alternative. This highlights that nationally NPIA require HPD officers to successfully complete Part I and then whatever further process is adopted in Force/Service in addition to other HPDS requirements. [REDACTED] Police Promotions Manager, Workforce Strategy Unit NPIA has stated that he strongly urges against moving away from the national approach and would not agree with an officer on the HPD scheme gaining promotion without undertaking a robust assessment (as outlined in his document).

Although the processes for the mainstream Sergeant and Inspector promotions have not been yet been determined, it is held that they will include Part I (as is the case nationally) and will move away from Part II. Although design has not yet commenced it is suggested that a Part II replacement will be some form of work based assessment.

4. Options

For illustrative purposes using the example of a HPD officer seeking promotion to Inspector:

Option 1: Undertake Part I with other non HPDS colleagues when next advertised - Advised

Option 2: Undertake Part I in England - Not Advised as Part I nationally is based on English legislation. Also, consideration would need to be given to the fairness aspect of this and impact on morale for other officers as opportunities for promotion slow down (communicated through recent Promotion Briefings).

s.F38
s.F38(1)
s.F38(1)(a)
s.F38(1)(b)

Option 3: PSNI requests development of local Part I for the officer concerned - Not Advised from a cost and fairness perspective.

In summary I advise Option 1; which requires HPD officers to complete Part 1 when advertised for the Service. I also recommend that necessary research is conducted to provide an alternative promotion process option at the second stage for HPD officers when a Part II replacement is being designed for the Service. This is suggested as HPD officers are already capturing work based assessment evidence.

Discussion is required as to the appropriateness after this year of PSNI adding further numbers to the Scheme, given a significant reduction in promotion opportunities.

It also must be borne in mind that the Scheme is a development scheme as opposed to accelerated promotion, it is important that the expectations of those on the scheme and those seeking to apply are managed.

Submitted for consideration

s.F38

s.F38(1)

s.F38(1)(a)

s.F38(1)(b)

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**Senior Occupational Psychologist
Personnel
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29 June 2010