



Police Service of Northern Ireland

RECORD OF MEETING

NAME OF COMMITTEE: Strategic Management Board (SMB)
DATE: 20 December 2023
TIME: 09.00am
LOCATION: Terrace Garden, Newforge
CHAIRPERSON: Deputy Chief Constable

MEMBERS:

Chief Constable	Apologies
Chief Operating Officer	P McCreedy
ACC Justice	R Henderson
ACC Local Policing	B Singleton
ACC Operational Support	M Jones
ACC Crime	M McEwan
ACO Corporate Services	M McNaughten
ACO People and Organisational Development	C Duffield
ACO Strategic Planning and Transformation	A Magwood

NON-EXECUTIVE MEMBERS:

Non-Executive Member	
Non-Executive Member	

OTHER ATTENDEES:

Director of Strategic Communications & Engagement	
Director of Legal Services	
Chief Superintendent Executive Support Team (Committee Manager)	Apologies
Staff Officer Executive Support Team (Notetaker)	
Staff Officer Legacy and Disclosure Branch (Agenda Item Six)	
Head of Anti-Corruption and Vetting (Agenda Item Seven)	

ACTIONS assigned by the Chair are highlighted in blue text.

Item No	
1.0	<p>181/23 Welcome and Apologies</p> <p>Chair opened the meeting and welcomed all members.</p>
2.0	<p>182/23 Declaration of Conflict of Interest</p> <p>No Conflicts of Interest were declared.</p>
3.0	<p>183/23 Record of Previous Meeting</p> <p>The Record of Previous Meeting on 08 November 2023 was accepted by all in attendance and approved.</p>
4.0	<p>184/23 Actions Arising from Previous Meetings</p> <p>Chair updated members on the progress of actions.</p> <p>The following actions were agreed for closure: Action 22~83 and Action 23~32.</p>
	<p><i>Staff Officer Legacy and Disclosure Branch joined the meeting.</i></p>
6.0	<p>186/23 Transformation of Legacy and Disclosure Branch in response to Northern Ireland Troubles Act 2023</p> <p>ACC Justice updated members on the background behind the paper. The Northern Ireland (NI) Troubles (Legacy and Reconciliation) Bill was announced on 17 May 2022 and received Royal Assent to enter into legislation on 18 October 2023.</p> <p>Under this legislation, from 1 May 2024 a new body to be known as the Independent Commission for Reconciliation and Information Recovery (ICRIR), will assume responsibility for all ‘Troubles’ related Legacy Investigations relating to deaths occurring between 1969 and the signing of the Good Friday Agreement (GFA) on 10 April 1998. In addition to this the ICRIR will also assume responsibility for the review and investigation of ‘Troubles’ related serious injuries.</p> <p>Members were also updated on the current structure and demand within Legacy and Disclosure Branch.</p>

Staff Officer Legacy and Disclosure Branch briefed members on the work that has already been undertaken to understand the future demand and consultation with Victims’ representatives and families and Staff Associations (phase one).

Members noted the deadline of 01 May 2024 set by NI Legacy Act and that the ICRIR Operating Model is currently unknown. At this stage the level of additional demand that ICRIR will place on the Branch is not known.

ACC Justice briefed members on the six options. Members discussed the benefits and risks for all six options.

Members discussed the benefits and opportunities within the preferred option two including:

- resourcing
- trust and confidence of stakeholders, families and communities
- corporate knowledge
- retention by current Chief Officer
- setting out a clear statement of intent for the current workforce.

Members also discussed funding streams in relation to longer term demand.

Decision (74):

It was agreed to transition to Option Two as the future operating model for Legacy and Disclosure Branch, including a reduction in the number of posts. This is a transitional plan which will be managed over time, due to current uncertainties. Governance will be through Service Transformation Board.

*Staff Officer Legacy and Disclosure Branch left the meeting.
Head of Anti-Corruption and Vetting joined the meeting.
Members availed of a break between 10.35am and 10.43am.*

7.0

187/23 Conflicts of Interest Including Declaration of Notifiable Membership

Head of Anti-Corruption and Vetting introduced the new draft Conflicts of Interest (including Notifiable Memberships) Service Instruction.

This Service Instruction provides direction to police officers and police staff concerning conflicts of interest, including notifiable memberships and the providing of character references and testimonials. It is intended to raise awareness and outline personal responsibility to make an appropriate declaration when a conflict becomes, or is likely to become, apparent.

Members considered the example case studies within the Service Instruction.

Members discussed the difference between providing a reference in a

professional capacity (with written consent of Chief Constable) and in a personal capacity (with consent from Head of Branch/District Commander).

Members noted that passport guidance has been updated and that all police staff, as civil servants, can now verify 'the true likeness' of a passport or driving licence photograph as long as they have known the individual for two years.

Members discussed the Register of Interest proposal for SMB/ARAC members, including whether or not to publish the register of senior executives in line with the guidance. Members discussed recording and managing of COI Register at District and Branch level and whether this locally recorded information should be held centrally and reviewed annually. Members noted the sensitivity of this data and raised concerns as to how this would be stored.

Members discussed that Integrity Health Check is a part of the annual PDR review with Line Managers and includes whether there is a change to COI.

Members also discussed the removal of the list of Notifiable Memberships and that Officers are encouraged to make full disclosures of any membership they hold. Members noted that notification is if they believe that it might reasonably be regarded as affecting their ability to discharge their duties effectively and impartially.

Members agreed internal communications to launch this Service Instruction should be wider than POINT and should include conversations at district level and the example case studies.

Members concurred that Misconduct Character References should be addressed within the Misconduct Service Instruction.

Decision (75):

It was agreed that the Register of Interest for SMB/ARAC members should not be disclosed or published externally as it could be used to target police officers and staff.

Decision (76):

It was agreed to approve the new Conflicts of Interest (including Notifiable Memberships) Service Instruction in principle. Slight amendments discussed are to be made and signed off by Deputy Chief Constable.

Action 23~35 :

Administration and safe digitisation of Conflicts Of Interest and Notifiable Membership sensitive data to be reviewed by SIRO –

	<p>Deputy Chief Constable.</p>
	<p><i>Chief Operating Officer left the meeting.</i></p> <p><i>Head of Anti-Corruption and Vetting left the meeting.</i></p> <p><i>Members availed of a break between 11.40am – 11.43am.</i></p>
<p>5.0</p>	<p>185/23 Update on Op Kenova</p> <p>Chair informed members as the Chief Constable was the author of the Interim Kenova Report he has recused himself from the SMB discussion and decision today.</p> <p>Chair briefed members that the document belongs to Op Kenova and that the decision for SMB members today is to approve publication of the Interim Report.</p> <p>Chair wrote to Police Ombudsman for Northern Ireland and Director of Public Prosecution Service in accordance with discharging his duties under Stage Six of the Kenova Reports protocol concerning their Interim Report, asking for confirmation that they had received a copy of the Interim Report from Op Kenova and were satisfied that the process was concluded.</p> <p>This stage sets out the criteria that needs to be met prior to any consideration of publication by the Police Service “that publication of an interim report will only be possible if the PPS, PONI (if and to the extent appropriate) and the Police Service are satisfied that doing so will not prejudice any ongoing criminal investigation or proceeding”.</p> <p>Chair informed members that no written response has been received from PONI and is expected by the end of December. It has been verbally confirmed that PONI would not be highlighting any prejudice but formal written response is awaited from Police Ombudsman for Northern Ireland.</p> <p>Director of Public Prosecution Service has provided a written response confirming that he has had sight of the Interim Report and some detail of the chronology and context. Chronology had been previously discussed with Op Kenova and agreed that in the event of decisions of no prosecution would be (i) all Operation Kenova decisions to issue; (ii) Interim Report to be published and (iii) family reports to be finalised and provided to the next of kin. There are still ten Op Kenova files remaining with the PPS and it is anticipated that decisions on these cases would be issued in early 2024. Chair has discussed these points with Director of Public Prosecution Service this morning who says that he is satisfied that the risk of any prejudice is negligible and stipulated the preferred option is that the remaining ten decisions are made before publication of the Interim Report. It is expected that the ten decisions would be made by the end of January.</p> <p>Members discussed internal assurances, PPS timings and risks involved.</p>

Members also discussed their lack of knowledge about the Interim Report and Kenova investigations and the responsibility of the decision to approve publication.

Members also discussed the wider implications for the Police Service once the Interim Report is published.

Decision (77):

It was agreed to approve the publication of the Interim Kenova Report. To allow the PPS decisions to be announced in January 2024, it was agreed that the publication date should be subject to further engagement with the PPS. This is caveated that if the announcements are not made early 2024 that this will be reviewed.

Decision (78)

As a separate piece, it was agreed that members needed to understand the recommendations and the implications for the Police Service once the Interim Report is published. Time would be required to read the report in great detail and a handling plan developed. It was agreed that an Extraordinary SMB meeting in January should be arranged to discuss this. Op Kenova should be invited to the start of the meeting to provide an overview of the highlights of the Interim Report.

Action 23~36 :

Response Letter from Director of Public Prosecution Service to be forwarded to all SMB members – Deputy Chief Constable.

Action 23~37:

Extraordinary SMB Meeting to be arranged for January 2024 to discuss a comprehensive management plan following the publication of the Interim Report – Deputy Chief Constable.

8.0

188/23 Health and Safety Six Month Update

ACO People and Organisational Development brought to members' attention the annual review of the Health and Safety Policy and Health and Safety Roles and Responsibilities.

Action 23~38 :

ACO People and Organisational Development and Deputy Chief Constable to discuss further actions required for the annual review of the Health and Safety Policy and Health and Safety Roles and

	<p>Responsibilities – ACO People and Organisational Development.</p>
	<p><i>ACC Local Policing left the meeting.</i></p>
<p>9.0</p>	<p>189/23 Governance Boards – Update Reports Service Performance Board – 22 November 2023</p> <p>Members noted the update paper.</p>
<p>10.0</p>	<p>190/23 Corporate Risk Register</p> <p>ACO Corporate Services asked members to consider the de-escalation of the Justice Healthcare risk to Justice’s Departmental Risk Register. ACC Justice provided the rationale to members.</p> <p>Decision (79):</p> <p>It was agreed that Justice Healthcare risk should be de-escalated from the Corporate Risk Register to Justice’s Departmental Risk Register.</p> <p>ACO Corporate Services asked members to consider the escalation of LPC’s Operating Model to the Corporate Risk Register.</p> <p>Decision (80):</p> <p>It was agreed that the Operating Model risk should be redefined before considered for escalation from Local Policing Departmental Risk Register to Corporate Risk Register.</p> <p>Action 23~39:</p> <p>ACO Strategic Planning and Transformation to define the Operating Model risk – ACO Strategic Planning and Transformation.</p> <p>Members had been asked to discuss whether the Crime Recording risk should be reviewed but agreed to postpone this decision, as a paper on this issue was due to be presented shortly by ACO Strategic Planning and Transformation.</p> <p>ACO Corporate Services asked members to consider if the Officer and Staff Conduct risk should be reviewed.</p> <p>Action 23~40:</p> <p>Deputy Chief Constable to review Officer and Staff Conduct risk – Deputy Chief Constable.</p> <p>Members approved paper to go to ARAC in January 2024.</p>

11.0	191/23 Finance Report Members noted the Finance Report.
12.0	192/23 Any Other Business No further business was raised.
13.0	193/23 Forthcoming Papers (January) <ul style="list-style-type: none">• Professional Standards Strategy (Sponsor: Deputy Chief Constable)• Update on Implementation of Service Integrity Board and Management of In-Service Vetting (Sponsor: Deputy Chief Constable)• Race Action Plan (Sponsor: ACO People and Organisational Development)• Police Participation in Events (Sponsor: ACO People and Organisational Development)• Command Resilience (Sponsor: ACC Operational Support)• Business Continuity Management (Sponsor: ACC Operational Support)
	<i>No further business was raised and the meeting concluded at 12.55pm.</i>

Date of next meeting: Wednesday 10 January 2024 at 10.00am