

**PPS Management Board**

**10.00am Wednesday 13 March 2024**

**Belfast Chambers**

**Members:** Stephen Herron  
Michael Agnew  
Marianne O’Kane  
David Best  
Glenn Houston  
Peter Luney  
JoAnne Quinn

**In Attendance:** Tom Murphy (Private Office)  
Claire Harrison (Comms)  
Director of Digital Operations DoF  
Senior Account Manager DoF

**Secretariat: Policy and Information Unit**

**1. Welcome.**

Mr Herron welcomed members and representatives of the Digital, Security and Finance Shared Services to the March 2024 Management Board.

**2. Presentation**

The Director of Digital Operations (DoF) provided an overview of the services provided by the Digital Security and Finance Shared Services Unit. Members discussed the digital workplace and how technology is used to effectively collaborate and interact. It was noted that functionality to facilitate co editing of documents, the capability for wider collaboration and ability to broadcast conference meetings to large numbers of staff would also be most beneficial.

**3. Apologies**

None.

**4. Declaration of Board Members’ Interests**

None.

**5. Management Board Minutes.**

The previous minutes were agreed.

**6. Actions from the Management Board Meeting of January 2024**

***AP 10-23/24. Ms Quinn to circulate draft savings paper to Board Members.***

Closed. The savings paper is no longer required as funding was received to cover shortfalls.

***AP 11-23/24. Ms Quinn to advise ARC of any updates received regarding the reserve Claim.***

Closed. Update provided to members.

**7. Reports from Management Board Committees.**

**Senior Management Group 6 March 2024.**

Ms O’Kane updated members on the matters discussed at the Senior Management Group Meeting of 6 March 2024.

Members noted that matters discussed included arrangements for overtime for the remaining weekends in the financial year, communications regarding performance reports and the value of performance targets and standards for administrative function.

**People and Resources Committee – 21 February 2024**

Mr Luney provided members with an update of the matters discussed at the meeting of 21 February 2024.

Members noted progress made in respect of recruitment to fill accountancy vacancies, however whilst a request for priority has been made, allocation will be on a pro rata basis across the NICS Departments. Ms O’Kane provided an update on the Panel Counsel recruitment exercise, with 27 members having been made offers of appointment to the Panel. An induction day is to be arranged which will provide an overview of matters of interest, including issues relating to victim care.

Mr Agnew outlined risks with retention and recruitment of counsel as remuneration for criminal work is currently not competitive. Mr Herron advised that a legal aid review is ongoing which should address the issue of fees. It is noted that fees have not been reviewed since 2016 which is also having an impact on the retention of counsel for PPS business.

Mr Luney advised members that there is still a high number of vacancies that are being managed by agency staff or by temporary promotions. Progress has been

made with general service grades and a supply of legal grades is available and is providing some stability. Discussions were focused on pressures around caseloads and the need to review the capacity model and operational requirements. These considerations are in the context of a substantial budget deficit, and whilst additional funding has been provided to address this year's shortfall, there is only a small allocation available for overtime for the remainder of the financial year.

The budget forecast for next year indicates a budget deficit which does not take account of modernisation funding and resourcing issues. The changing profile of case work and consequential impact on capacity, alongside the increase in indictable cases indicates a need for additional SPPs.

Members noted and welcomed an improvement in the sickness absence rates and a reduction in the figures for long term sickness. This will continue to be monitored closely. A case conference has been held between RMT and NICHSR to manage and progress long term sick absence, with a number of positive actions being considered to assist staff returning to work.

An update was provided on wellbeing initiatives delivered in recent months. There is a concern about the lower-than-expected uptake in PRRT training, with some staff citing work commitments impacting their ability to attend. Discussions are ongoing with ADs to ensure that this training becomes mandatory, and attendance is improved. Feedback from those who have attended training have advised they have found it to be of high quality and beneficial.

Mr Houston queried progress on leadership training. Mr Luney provided an overview of the feedback obtained from the recent consultation exercise on senior management leadership, which proposed the need to consider culture alongside leadership. Members agreed it would be beneficial to have the proposal circulated. The next step is to examine available CAL courses with a view to delivering a programme of leadership training which would cover all grades below Grade 5.

***AP 12-23/24 Mr Luney to circulate a copy of the Senior Management Leadership and Development Proposal.***

#### **Performance and Delivery Committee 11 March 2024**

Ms O'Kane provided an overview of the matters discussed at the meeting of 11 March 2024.

Members noted the matters for escalation to the Board, including the continuing acute resourcing pressures and the benefits of public messaging to explain these pressures and the impact on service provision.

Ms O’Kane outlined figures for unallocated casework and the increasing pressures across all areas, particularly in Belfast and Eastern region and concerns regarding the increase in caseload of category 1-4 case weights.

In respect of public messaging, members discussed and acknowledged the need for more effective measures and a strategic approach to highlight risks with current funding/resourcing and the impact on our ability to effectively deliver services. Mr Herron highlighted further discussions are planned with the Justice and Finance Ministers and a briefing is also scheduled to the Justice Committee.

### **Policy & Quality Committee 29 January 2024.**

Members noted the minutes and matters discussed at the Policy and Quality meetings of 29 January 2024.

## **8. Strategic Improvement Board**

### **Strategic Improvement Dashboard February 2024**

Mr Agnew provided members with a progress update on the key projects.

Members were briefed on a few issues that have arisen with the No File Decision Project, including the application of the criteria and a lower uptake than anticipated. Further discussions will be held with PSNI on the handling of cases, particularly regarding reviews, and in respect of issues where the suspect has been arrested/ detained and then to be released and which cannot be progressed by an NFD.

The original evaluation schedule had been planned for an assessment after five months, however, it has now been agreed to extend this to ensure sufficient time for arrangements to properly bed in, with the interim evaluation now scheduled to commence in the summer 2024.

Mr Luney provided an update on the progress of the rollout of the Content Manager Project and members noted issues with the identification of the file plan builder and ‘power users’.

In respect of the REC project, members noted the addition of technology to facilitate virtual consultations between the court room and the REC. The next milestone planned is to evaluate Phase 2 which will assess the appropriateness of referrals.

Members reviewed the position of the various internal IT changes and noted the conflicting demands on the ICT Team which are impacting the progress of these. The ICT Team and Modernisation Teams are working closely to review, assess requirements and deliver into the live service.

## **9. Performance Summary.**

Members discussed and reviewed the Monthly Performance Summary, as of January 2024.

The overall work queue at the end of January 2024 has increased by 36% since January 2022. Caseload awaiting a decision at the end of January has increased by 8.8% from January 2023, with Belfast and Eastern having an increase of 25%. Members noted that the number of decisions taken was higher than in the previous year with both the SPP and PP decisions per casework day having exceeded the 2023/24 target. Members discussed the current performance measures and the benefits of having a dashboard of the key performance metrics.

Ms O’Kane outlined the current unallocated figures for both indictable and summary cases in Belfast and Eastern and reported these are becoming unmanageable. The Western and Southern figures for indictable cases while not at the same critical level, are also concerning, given the delay arising in file allocation and decisions being taken. Monitoring is ongoing in these cases, to try to profile the delay and offence types involved. Measures have been put in place to mitigate risk and discussions held with RMT on a range of other actions to be taken, including the extension of current temporary promotions, approval of overtime, use of counsel in Magistrates’ Courts and redeployment of staff from other business areas.

Mr Herron queried the current backlog levels. Ms O’Kane provided an overview of available PP staffing levels and highlighted several factors impacting productivity including agency staff with no signing authority working to minimum standards, court cover and urgent rotas. RMT are considering options to reallocate resources across regions, however it is noted this is likely to have an impact and create performance difficulties in other areas. Ms O’Kane highlighted the continued escalation in casework across all the case weights in Belfast and Eastern and advised this is a symptom of underfunding.

Ms O’Kane advised of discussions held with PSNI on the operational impacts of new legislation and the interdependencies and benefits of working together, however these are adding to existing PPS resourcing pressures. Mr Herron also highlighted the funding difficulties that Victim Support Groups are also facing and the valuable work they undertake.

Members agreed that the current trajectory is leading towards a potential crisis and if adequate funding is not made available, there is a real risk to operational delivery and revised arrangements for prosecution services will have to be considered.

It was agreed that urgent work is needed to determine capacity requirements for both PP and SPP grades, which will in turn inform a business case for funding of additional resources. Analysis is required of various factors affecting productivity including outputs, case profiles and the impact of digital evidence. It will also be beneficial to have figures estimating the future volume of workloads and backloads should the resourcing complements remain at current levels. Data regarding the improvement in performance in the SCU arising from the allocation of additional resources can also be considered. Ms O’Kane agreed to work with Mr Luney and the Modernisation team to establish these requirements and will report to SMG.

## **10. Finance Update**

### **Executive Summary**

Members discussed and reviewed the key financial issues being managed by the Finance Team as of January 2024.

Ms Quinn advised members that an allocation of £1.97 million has been received for the financial year. This is to include the additional pay award of 5% and a non-consolidated payment of £1500 per full time equivalent members of staff.

In respect of next year's budget, Ms Quinn advised that the proposed flat cash settlement did not include cover for the August 2024 pay award. If the allocation of flat cash is as forecast there would be a £4.3 million pressure if all current posts are occupied for the full year. This figure does not include funding for modernisation backfill or the additional staff at SPP level that the Director had flagged, which would see the pressure increase to around £6.5m. Mr Best queried whether there were any plans for 3-year budget allocations. Ms Quinn advised that there continues to be one year budget allocations and in the absence of proper comprehensive spending reviews the current allocation is just for 2024/25.

The Department of Finance had requested information from Departments in respect of the budget exercise and this has now been submitted. It is likely that budget allocations will be known by mid-April. Ms Quinn highlighted the exercise for revenue raising is ongoing. At block level it is anticipated that pressures will be significant. Previous additional funding provided by the Treasury was to assist in writing off overspends and fund the August 2023 pay award, but no cover has been provided for the impact of the pay rise on next year’s budget.

Members noted plans for a meeting between the Director and Finance Minister

In respect of the year end Annual Report and Accounts, the Audit Office has advised that accounts will not be audited until August and therefore laying of

accounts will be post the summer recess. Ms Quinn advised that current planning is to have the accounts complete for submission to the NI audit office by mid-July. Accounts should then be audited and cleared for sign off on the 24<sup>th</sup> September 2024. In respect of the prior year supply error, members noted this has now been rectified. The excess vote was reported to the PAC on the 23<sup>rd</sup> March 2024, this is likely to be cleared with no issues raised, allowing a statement of excess to be included in the June Budget Bill regularising the position and closing the issue off.

## **11. People**

### **NICSHR Summary Report February 2024**

Members noted the February RMT Update, including the latest staffing and recruitment, corporate social responsibility, health and wellbeing and training.

Mr Luney outlined progress to fill vacancies in both legal and specialist posts. Mr Best queried whether NICS could provide more focused information in the form of a dashboard so that comparisons can be made. It was noted that standardised reporting is provided to all Departments.

### **New Ways of Working Evaluation Report.**

Mr Luney provided an overview of the report on the implementation of the New Ways of Working. Members noted the report findings and recommendations. NICSHR are currently reviewing the New Ways of Working Policy, however it is noted that this will not be available until the summer of 2024.

## **12. Governance Issues.**

### **Corporate Risk Register 2023/24**

Members reviewed and discussed the 2023/24 Risk Register and noted the planned actions, mitigations, status, and rating of all risks.

Mr Luney advised that a further two risks have now escalated to red, these are Risk 6, Operational Caseloads and Risk 3A, Funding pressures for 2024/25. Following on from the allocation of additional funding for 2023, Risk 3 Funding Pressures for 2023/24 has been revised downwards. There has been no further change to the remaining risks including staff welfare and resilience.

## **Complaints**

Members reviewed and noted the complaints and reviews received up to 31 December 2023.

## **ARC Update**

Mr Houston updated members on the progress of the Audit plan. A satisfactory assurance has been received in respect of the audit of the Victim and Witness Care Unit. There were no losses or special payments incurred and no fraud or loss of assets to report. Two audits are at final stage of field work and are scheduled to conclude soon. Members will be informed of the timetable for the Annual Report and Accounts. Mr Houston noted that the meeting scheduled for later to-day would be Majella Megan's final meeting as a member of ARC. He wished to record his thanks and appreciation of Majella's excellent service to the Committee.

## **13. AOB**

### **Business Case – Digital Media Sharing.**

Members discussed the need, benefits, and costs associated with the Digital Media Sharing and accordingly approved the business case.

## **14. Communication Planner.**

The Board Members discussed and reviewed the Communications Planner and update.

Mr Herron provided members with an overview of the Interim Kenova Report, particularly those aspects relating to the Public Prosecution Service. Mr Herron advised that the no prosecution decisions may be the subject of legal challenge and therefore it was not appropriate for wider consideration at this time. Members discussed the media coverage and the sensitivities and impact of the decisions on families. Members acknowledged the hard work of the Central staff and the contribution made by the Deputy Director to media coverage on behalf of PPSNI.

## **15. Next Meeting.**

The next Management Board will take place on 2<sup>nd</sup> May 2024 at 10.00 am in Belfast Chambers.



**Summary of Action Points arising from Management Board.**

**Meeting of 13 March 2024**

<b>AP 12-23/24</b>	<b><i>Mr Luney to circulate a copy of the Senior Management Leadership and Development Proposal.</i></b>
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**Action Points carried over from previous meetings.**

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