



ACPO SUBMISSION

Independent Review of Police Officers and Staff Remuneration and Conditions



Association of Chief Police Officers

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FOREWORD

ACPO welcomes the opportunity to contribute to the 'Review of Remuneration and Conditions of Service for Police Officers and Staff' led by Tom Winsor.

ACPO's response will seek to achieve a balance between preserving those aspects that place British Policing justifiably as 'world-class', while proposing changes that deal with outdated regulations that sit uncomfortably within a modern and professional public service.

ACPO recognises the urgency for reform in order to become a modern and professional service, so that it can manage local, national and international threats, inspire confidence in our communities and effectively operate within challenging financial times.

ACPO will propose reform which recognises the importance of the "office of constable" and, wherever possible, protects frontline services through the greater flexibility of its workforce. Such reform must also ensure that systems for reward and recognition attract and retain people of the highest calibre, whether call handlers, crime scene investigators, neighbourhood officers, detectives on major crime teams or the future leaders of our service.

ACPO recognises the huge contribution that both police officers and police staff make in order to protect and serve our communities, often through goodwill and without any financial benefit. Policing, both for police officers as well as police staff, is a vocation and therefore describing what constitutes remuneration, reward or compensation is challenging. ACPO is keen to engage in this important debate through the review process. We are clear, however, that the current reward packages are not 'fit for purpose' and represent a significant missed opportunity to motivate our workforce. Special Priority Payments (SPPs) Competency Related Threshold Payments (CRTPs) and bonuses for chief officers do not operate effectively as reward mechanisms in the context of the police service.

This report, which is ACPO's initial submission to the review, strives to describe the reality of policing, lays out our guiding principles as well as detailing our views and options for change. ACPO approaches this review in a frank and open manner and

with a commitment to working with Government and all stakeholders to ensure the right decisions are made to deliver the best service to the communities we serve.

A handwritten signature in black ink, appearing to read 'H. Orde', written in a cursive style.

Sir Hugh Orde

Chapter 1: Describing the Policing Landscape

Introduction

1. This report is divided into three parts, the first describes in broad terms the policing landscape, the second part defines ACPO's guiding principles and the third element details ACPO's specific responses to the questions featured within Mr Tom Winsor's 'Remuneration and Conditions Review'.
2. In articulating its position, ACPO acknowledge and highlight the need to evidence assertions and to improve existing cost data nationally, in order to model options for change and assess both impact and feasibility. It is proposed that, alongside others, ACPO should develop this capability to establish agreed and clear baselines, from which to formulate future proposals.

Describing the Policing Landscape

1. The breadth of the policing challenge was vividly demonstrated recently when Greater Manchester Police placed all their 'incidents' on twitter over a 24 hour period. The purpose was to show that policing is complex, varied, unpredictable and not solely about reducing and detecting crime, important though this is. Policing also operates across agencies such as health, education and local government, all of which have distinct operating priorities, principles, and structures.
2. Neighbourhood Policing is and should remain at the heart of local delivery. This is the aspect of policing that most people relate to and evidence points to an increase in public confidence directly linked to increased visibility of police officers and police staff. Increasing public confidence not only increases police legitimacy, it also has practical benefits, such as increases in intelligence about criminal activity within communities, increases engagement through neighbourhood groups and increases recruitment of those either wishing to volunteer or join through the Special Constabulary. However, in 2008, less than 20% of resources nationally were dedicated to Neighbourhood Policing. Recent HMIC data shows that only 11% of total police strength is visible and available to the public at any one time and that more officers and staff work on a Monday morning than on a Friday night.
3. Our traditional mantra of 'protecting and serving' has drawn policing into other areas such as adult and child protection. Of course, in its capacity as a front-line emergency service, the police service has always dealt with the vulnerable in a compassionate and caring way. But today, the weight and balance of risk has shifted, and so has the resourcing burden. As an example, in the early 1980s, Kent Police had literally a handful of 'specialist staff' dealing with adult and child protection issues such as domestic violence, however, its staffing bill today within its Public Protection Units is £11.5 million. The introduction of complex multi-agency structures and risk assessments, such as the Common Assessment Framework, has blurred the lines of responsibility between the police and the Social Services. Co-located specialist resources such as in Swindon and Exeter are now relatively common and seen as 'best-practice'.

4. Apply the same assumptions to other areas, such as Counter Terrorism, Serious Organised Crime and Sex Offender management and the picture becomes even clearer. The policing mission has expanded exponentially into specialist and invisible capabilities in its quest to combat the threats, manage risks and reduce harm. Essentially, this has happened without the understanding of the public and wider stakeholders. The 2012 London Olympics will further increase this dynamic. Only this week, the media have focussed extensively on police contingencies to deal with 'Mumbai'-style terrorist attacks and they have asked the legitimate question as to whether this has taken the service towards pseudo-military status.
5. The proliferation of police bureaucracy is well-documented, but perhaps best characterised by anti-social-behaviour incidents being recorded under 48 categories in some forces. In 2009 alone, HMIC noted that there were 2,600 pages of new guidance issued, setting out how police officers should fulfil their duty. High profile enquiries and successive inspection regimes have driven forces into a 'if it's not written down, it didn't happen' culture. For example, an incident involving firearms, and lasting a few moments where no-one has been injured and a successful arrest made can result in 2 hours of form filling by an incident commander. New national forms introduced to deal with domestic violence can take 1 hour for an officer at the scene to complete for each individual involved. The accreditation process for public order commanders can take many hours to complete.
6. Over-regulation has also stifled the effective solving of local problems and decision making. The 'office of constable' and the use of discretion are inextricably linked. The rigid competency framework over-engineered officer and police staff assessments and undermined their professional judgement. ACPO fully supports the new Police Professional Framework which recognises workplace behaviours and achievements as opposed to abstract competencies.
7. A recurring theme throughout all aspects of policing and therefore a prime area for reform is the bureaucracy of process. Too often, burdensome systems are introduced to safeguard risk which result in protracted processes, verification, duplication and a passing upward of routine decisions. If the service were able to incentivise and reward enhanced capability and expertise, this would be the surest means by which we could reduce bureaucracy and, at the same time, drive up quality in policing, get things right first time and reduce reliance on, and numbers of, supervisory positions.
8. The Police Service is at the tipping point from being a 'craft' to becoming a modern profession. The hallmarks of this professionalisation are set out later in this document. A critical element is how the service recruits, rewards and retains its people. ACPO firmly believes that the vocation of policing should be supported by pre-entry qualifications and thereafter reward should be based on continual professional development, skill, role and achievement.

9. ACPO believes that the Police Service should learn from, and mainstream, the approach taken through the Professionalising Investigation Programme (PIP). PIP was initiated through the ACPO Crime Business Area and was developed in consultation with a range of stakeholders, including the Home Office, the National Centre for Policing Excellence and Skills for Justice. PIP has professionally developed crime investigators against robust national standards, using focused training allied with minimal accreditation bureaucracy. This is supported through a mentoring and reward scheme (through SPPs) and has developed career pathways outside of the traditional rank structure. It is applied and tailored across a range of investigative roles including senior investigating officer (SIO), child protection and major crime investigation officers.
10. PIP has had a fundamental impact on the professionalisation of a key specialist capability within policing. As within other professions, such as teaching, it has encouraged dedicated and high performing individuals to remain at the point of service delivery, as opposed to drawing them away in pursuit of promotion. ACPO believe that this approach should be promulgated throughout all areas of specialism, for instance tactical advisors within the firearms response or community and neighbourhood officers within local policing teams.
11. The Police Service is no longer reliant on the skills of police officers alone. There are many operationally-critical roles now professionally operated by police staff. APCO calls for the greater harmonisation of remuneration and conditions of these roles, including consideration for the removal of the right to strike for certain police staff roles.
12. The Police Service has to deal with 20% reductions of funding over the next four years, with almost two-thirds of this during the first two years. It is ACPO's view that this will require major reform of its workforce.

Chapter 2: Guiding Principles for Remuneration and Conditions

1. This chapter sets out ACPO's guiding principles for remuneration and conditions. Policing is, and should remain, a vocation of choice. There is nothing to be gained, and everything to lose, by effecting hardship on our workforce and ACPO endorses the concept of fairness to officers, police staff and the taxpayer in the review's terms of reference.
2. The high level of dedication from police officers and police staff across the service should be recognised, and the reward package capable of attracting and retaining a wide range of individuals who are representative of our communities in their composition, abilities and talents. The equality, motivation and retention impact of current and proposed rewards is critical to the effective discharge of our public duty. The Police Service is still seen as an attractive organisation to join, with multiple applications for each vacancy, however, as will be detailed further in this report, the service faces significant challenges around the diversity of its workforce.
3. ACPO firmly believes that the review should not propose any short-term measures that undermine the ability of the service to deliver its longer-term, strategic aims. This would not be in the public interest. ACPO accepts that its workforce will be smaller in the future, but it must have the capacity and capability to manage effectively an increasingly complex environment.
4. ACPO recognises the importance of value for money and productivity within the service and calls for further research in determining a consistent and transparent understanding of these important concepts, taking into account a range of qualitative and quantitative outcome measures within the policing environment.
5. ACPO believes a balanced approach should be taken by the review. Below we have outlined our current and future "guiding" principles which support the best traditions of British Policing, while looking to the future. ACPO believes the Police Service should embrace reform through a professionalised workforce, which recognises, rewards and motivates in a fair and flexible way across police officer and police staff roles.
6. The following ten guiding principles should provide the strategic context for the review.

Ten Principles for Remuneration and Conditions

Current

1. Retain the "Office of Constable".
2. Unique Nature of Policing.

Future

3. Professional status for Policing.
4. Reward not Entitlement.
5. Interoperable Terms and Conditions for police officers and police staff.
6. Flexible and Fair.
7. Modern and not Minimal.
8. National Framework with Local Discretion.
9. Public Interest *not* Vested Interest.
10. Lean and Agile Delivery.

1. Retain the Office of Constable

ACPO *firmly* believes the key elements are:

- Discretion – ultimately only answerable to the law.
- Vocation.
- 24/7.
- Appointed by, and Servant of the Crown.
- Harm's way – risk of personal threat or danger in order to protect the public.
- Posting flexibility.
- Rank not post.
- Non-strike agreement.
- Single entry point.

2. Unique Nature of Policing

ACPO believes the key elements are:

- Tripartite arrangements.
- Operational independence of Chief Constables/Commissioners.
- Political independence.
- Neighbourhood *to* National *to* International.
- Local accountability.

3. Professional Status for Policing

ACPO *firmly* believes the key elements are:

- Pre-entry qualification/accreditation.
- Foundation training.
- Accelerated promotion for exceptional talent (Police Officer and Police Staff).
- Continuous professional development linked to reward (i.e. mainstreaming and developing PIP methodologies for other key areas of policing).
- "Certificate of Practice" similar to other professions (i.e. nursing).
- Chartered Institute status for ACPO.

4. Reward not Entitlement

ACPO *firmly* believes the key elements are:

- Remuneration based on qualification, skill, role, achievement.
- Removal of “time-served” increments.
- Shift allowance only for shift workers.
- Overtime compensation for actual hours worked.

5. Interoperable Terms and Conditions

ACPO believes the key elements are:

- Convergence of pay and conditions between police officer and operational police staff, particularly “critical” roles.
- Movement between police officer and police staff categories in extremis (i.e. long-term restricted duties).

6. Flexible and Fairness

ACPO *firmly* believes the key elements are:

- Recognising the unpredictable and predictable nature of policing.
- Ensuring consistency and justifying differentiation.
- Exit and re-entry provisions (supported by pension incentives).
- Short, medium and long term contracts for police officers and police staff.

7. Modern not Minimal

ACPO believes the key elements are:

- Re-vamp bureaucratic bonus schemes to recognise contributions and motivate over and above competence.
- Reward determined by continual professional development (qualification and accreditation) skill, role, achievement.

8. National Framework with Local Discretion

ACPO believes the key elements are:

- National Pay Review Body.
- Regional/local flexibility taking account of market, skill, threats.
- PCSO powers and deployment

9. Public Interest *not* Vested Interest

ACPO believes the key elements are:

- Short, medium and long-term contracts for police officers and police staff which enable flexible workforce and cost control.
- Flexible pensions.

10. Lean and Agile

ACPO believes the key elements are:

- Simplified promotion arrangements.
- Endorse move to Police Professional framework replacing the Integrated Competency Framework (ICF).
- Police staff 'deployability' across forces/regions to support collaboration.
- Grade-based rather than role.
- Future-proofed in terms of the reviews of pensions and police leadership/training.

Chapter 3: Entry Routes

Future Propositions

1. ACPO believes there should be a single point of entry to the Police Service and it should remain at the level of constable.
2. ACPO firmly believes that entry to the service at the rank of constable is a crucial element for the development of skills and understanding required by the future leaders of the service. The operational autonomy of the role of constable, the application of discretion, the use of police powers and the face-to-face encounters with our communities are impossible to “train-in”, but are the result of real-life experiences which shape and influence leadership within the Police Service. The understanding of risk, assessment of threat and use of harm reduction strategies are not transferable skills. Strategic command requires tactical awareness and this is best learned within a real-world environment.
3. ACPO believes there should be pre-entry qualifications and/or accreditation for police officers. There are successful examples of new, innovative approaches to recruitment and training. In 2008, Surrey Police trialled a new probationary constable and community involvement programme. The previous IPLDP (Initial Police Learning & Development Programme) scheme, accredited by the NPIA, meant that students started their policing careers with Surrey Police having gained no prior experience. Training entailed a 24-week, in-house course which developed academic, legislative and practical street-craft skills in order to become a qualified constable.
4. The new recruitment process is in two phases. Prior to joining Surrey Police, applicants attend the Police, Law and Community Course. This is a Further Education course designed in conjunction with Portsmouth University and delivered at Portsmouth and in FE colleges in Surrey. Students pay to attend the course which they complete over a period of 15-30 weeks in their own time. Having passed their final exam, they can then apply to Surrey Police. The in-house training has been reduced to 10 weeks and concentrates on providing the practical skills required to become a police officer, rather than academic and legislative knowledge, which is now expected upon application. Surrey Police has saved £8500 per probationer (it costs students around £1200 to complete the course) since the new scheme was introduced, savings have exceeded £800k. From Chief Constable to police constables, the scheme is regarded as a great success.
5. ACPO also supports the recruitment of constables through the Special Constabulary as proposed by the Metropolitan Police Service.

6. ACPO is alive to the issue of attracting the broadest range of candidates reflecting all of our communities. For instance, not all students can afford an initial outlay of £1200 to join the Surrey recruitment scheme. As entry channels become more defined, there is a potential risk of excluding talent which reflects the richness of our communities. The current model has not, however, delivered in terms of the number of Black and Minority Ethnic recruits and female recruits. For example, in order to get the level of BME officers to 7% of all sergeants nationally, it will take a staggering 22 years at the current rate. Likewise, in order to get women to 35% of all sergeants, it will take 20 years. Consequently, the introduction of any schemes should be carefully monitored and consideration should be given to the use of means tested support grants and “positive action” in order to improve the diversity of new recruits.
7. ACPO recognises the importance of the Police Service being identified as a recognised, modern profession. For instance, in a recent IPSOS Mori survey of public confidence, six out of the top nine bodies had Chartered Institute status. There are a number of criteria in achieving professional status including the continual development of police officers and police staff. ACPO will link closely with Chief Constable Peter Neyroud’s Review of Leadership and Training, and is interested in examining the idea of a ‘Certificate of Practice’ which is used in other professional bodies.
8. ACPO fully supports the fast tracking of police officers with exceptional ability and again, will link closely with Chief Constable Neyroud’s review of Leadership and Training.

Chapter 4: Deployment

Flexibility – Shifts and Working Outside of Core Hours

Regulation

1. Deployment is governed currently by Police Regulations and Police Staff Conditions which accord generally with the legislative framework for employment and ACAS codes of practice.

Current Position

1. Police officers, as officers of the crown rather than employees, are currently exempted from the 'right to strike'. Unlike selected others such as those at GCHQ, this is not currently extended to police staff groups even though, with modernisation, a number of these are equally operationally critical creating a potential vulnerability for the service particularly in times of industrial tension. To emphasise the point, in the period since March 2005 police staff as a percentage of total strength have increased by 4.8% i.e. from 36.29% of strength to 41.09% of strength at 31st March 2010. This equates to an additional 19,351 police staff positions. The percentages used are a national average and a number of Forces are already operating with a broadly equal number of police officer and staff.
2. Within the police service nationally, for all one may expect a level of consistency in roles, something in the order of 35,000 job descriptions actually exist. This can lead too often to role prescription and inflexibility particularly amongst police staff which cannot be sustained. This review is an opportunity to rationalise in this as well as other respects.
3. Whilst PCSO's are vested with the same powers framework nationally, these are used selectively and to different levels across the service, by decision of Chief Constables.
4. For police officers and staff, the 'standard' working day is restrictive and the consequence of paying one of a number of enhancements beyond these times is expensive and also bureaucratic in its administration.
5. Police regulations currently prescribe that the decision for police officers to work a variable shift arrangement (VSA) should be reached by agreement with the local Police Federation Joint Branch Board, otherwise there is an automatic reversion to a fixed shift position. This is different to a process of meaningful consultation where the management side hold the final decision.

6. Conditions affecting deployment are negotiated separately for police officers and police staff. In particular, flexibility is different and often inequitable between the two groups. The perception of police officers being more flexible than police staff is only selectively true in that lead in times to vary established police officer shift patterns are protracted at 56 days and that, in other circumstances, the financial consequence of working beyond core hours can be significant. This centres primarily on appointment to rank rather than post and may be demonstrated in such as 'recall' to or 'retained on duty' which currently applies only to police officers. Working examples of entitlement will be submitted to the review team in order to help focus the review and impact assess consequence of change.
7. As for police officers, lead in times and process to vary working times and arrangements are also prohibitive for police staff. This limits flexibility and carries considerable cost, as do overtime payments, in terms of additional enhancements for changes under very short, prescribed timescales. However, changes must be balanced with fairness to staff and the requirements of relevant employment legislation to undertake meaningful (i.e. reasonable) consultations and negotiations as a precursor to change.
8. There is a plethora of detailed regulation and also police staff conditions resulting in bureaucracy and, too often, confusion which mitigates against optimum deployment.
9. Overtime in particular can be selectively expensive e.g., around bank holidays. A new way of handling bank holidays in terms of leave and recompense should be considered. A further area for review should be provisions around the start of a 'police officer day'. This is fixed and regulation is restrictive in that it is this feature which often triggers the payment of overtime which could be avoided with more flexible provision.
10. Overtime payments are nationally agreed and selectively made at minimum levels irrespective of hours worked. Payment and awarding of time off is consequentially sometimes made over and above actual hours worked. The working examples to be submitted will provide examples of police officer entitlement and these can be compared with police staff provisions to establish relativities. In summary, the same principles of complexity, variable and differential standards of compensation apply.

Future Propositions

1. ACPO call for a move towards a more unified set of terms and conditions for police officers and police staff with only key exceptions. These will be associated with the office of constable and such as posting flexibility and where there is employment legislation which impacts on police staff to underscore the clear case for exceptional difference.

2. Increase in workforce mix in recent years carries some operational risk and, in order to assure service resilience and therefore public safety, consideration should be given to extending the exemption from the 'right to strike' to those police staff roles which are operationally critical. Pre-existing arrangements at such as GCHQ where this has been successfully negotiated and implemented should be assessed for feasibility purposes. In the event of adoption for selected police staff roles in policing, this should be negotiated and informed by national prescription.
3. Within the provisions of employment legislation, the processes of appointment to grade/banding rather than specific post should be considered for police staff as per the civil service and police officer terms both of which offer potential for increased flexibility of deployment.
4. Consideration should be given to the standardisation of PCSO powers subject to local dynamic and situational risk assessments relating to specific operations or areas.
5. Re-regulation of shift, allowances and overtime provisions should include new simplified and more flexible provision around bank holidays and potentially individual working times subject to satisfaction of demand and widening/flexibility of the standard day; all within the context of a rationalised and small number of total rewards packages applicable to different deployments (see below).
6. The decision around VSA's, along with other shift or variation in working patterns should be one solely for the chief officer or nominated management representative, subject to, and reflective of, service requirement and meaningful consultations rather than joint agreement. This to apply equally to both police officers and staff.
7. There should be a national framework to guide flexible and shift working for all staff such as that recently agreed by the PNB for police officers but no national shift pattern can meet variable demand for service even between neighbourhoods within a force area.
8. Reduce 'lead in' times to vary working patterns, partly by regulatory and conditions revision but also by the development of a small number of composite and total reward 'contracts' or terms of engagement where variation maybe expected 'part of the job'. This to apply equally to occupational groups and be subject to equally impact assessment going forward.
9. Without commenting on each provision in detail at this point, the appendix to this report summarises some example areas for police regulatory review. This, of itself, makes the case for the move towards a simplified pay and conditions framework and since, if listed, the summary for police staff would be equal, if not greater, in length. This also supports the move towards a rationalised and harmonised set of pay and conditions for both police officers and police staff which provides for total reward packages differentiated broadly as follows:

- Fully flexible operational duties involving shift working over 365 and variable days annually. Unplanned additional hours and disruption be remunerated separately for actual hours worked and at plain time rates.
 - An annualised hours arrangement for those roles where a fixed shift pattern will not satisfy variable demand for service but where flexibility and irregular hours working is an integral feature of the role e.g. in major incident or surveillance work.
 - Non operational requirement which can be executed either within a regular working pattern or by agile working largely of incumbent choice i.e. to the mutual benefit of the individual and service.
9. Current provisions around time accruals for rest days and time off in lieu represent a hidden 'cost', cashable and otherwise, and should be considered in the formulation of proposals arising from this review.
 10. On the basis that pay differentials between ranks and grades are maintained under revised arrangements, the above proposals should encourage career movement rather than act as deterrent at the point where overtime provisions cease.

Mutual Aid

Current Position

1. An agreement providing mutual aid/national resilience for the Olympics 2012 is currently being negotiated through PNB. There is a pressing need to conclude this so that planning and the financial costs arising from the very large amounts of mutual aid that will occur during the Olympic period can be properly assessed and planned for. The negotiations have been protracted.
2. The requirement for cross border working and mutual aid will likely increase with the advent of the National Crime Agency, collaboration and reducing police officer and staff numbers. Also the prevailing Hertfordshire Agreement which governs Mutual Aid arrangements and allowance entitlement alongside general arrangements for cross border/inter-force collaboration and secondments are expensive and not always reflective of additional expenditure incurred. The Hertfordshire agreement originated in the early 80s during a period when large numbers of police officers were deployed outside their own Force area and were accommodated with large numbers of officers sharing communal space, for example large drill halls. At that time it was agreed that officers so deployed and held on reserve would receive payment for 16 hours irrespective of the numbers of hours worked, up to 16 hours. If they worked longer than 16 hours they would receive payment for the hours worked. This was in addition to all accommodation, travel and refreshment costs being met. The payment is regarded as compensation for hardship of being away from home, however, in effect it 'compensates' officers in a very unequal matter i.e. the longer you work, the less compensation you earn. As a consequence, officers receive payment for hours they do not work and Forces incur unreasonable levels of expense. Research indicates that

individual officers gross £60-£70 on average in payment for hours that they have not worked. In addition, officers now so deployed and accommodated benefit from much high standards of accommodation, for example, Olympic officers will in the main be accommodated in single university halls of residence rooms.

Future Propositions

1. Without prejudice to the emerging 'Olympics 2012' agreement for which forces will require reimbursement, the prevailing Hertfordshire Agreement for Mutual Aid should be repealed. In future, any staff working outside of their own force area should simply not suffer financial detriment in consequence of their deployment. It is unsustainable to pay officers for hours they do not work as is provided within the Hertfordshire agreement. The arrangements for the Olympics are currently being negotiated, where it is proposed that officers would move to payment for the hours worked, and would receive an allowance for each night that they are accommodated. There is a need to reach an agreement on this expeditiously and if this is not possible it is requested that the Winsor Review gives this matter urgent consideration.
2. To assist in the development of collaboration a national position needs to be finalised that covers equal pay and equal value issues across Force. Furthermore, a national position needs to be developed in relation to police staff secondments to clarify when a secondment can be used as part of a collaborative project and when, in circumstances where the employer will change, TUPE provisions would apply.

Business Interests

Current Position

1. Business interests are regulated for police officers. Arrangements for their administration and provisions for police staff vary locally. Indications are that there has been a steady growth in applications over time. Beyond considerations of Working Time Regulations and conflict of interest or association, there are Human Rights concerns where there may be no specific reason to refuse. An example, may be where a business interest is purely that rather than a second job. Equally those applicants who are contracted/engaged on a part time basis may warrant different consideration as long as availability for primary police service role is not affected.
2. As well as differences in local interpretation and administration there are differential processes for considering business interests for police officers and police staff in many forces. With an increasingly mixed workforce, this is no longer appropriate. There is too, different interpretation around whether business interests are considered and approved or noted for those in service. Clarification and equality of consideration should be assured.

Future proposition

1. Business interest procedures should be subject to revision and re-launch and be applied equally to police officers and staff. They should be nationally enforced, if necessary, through non-bureaucratic regulation or agreement. Such agreement should take account of conflict of interest potential in terms of activity, association, Working Time Directive, availability for policing work and duty of care considerations.

The Special Constabulary

Background

1. The Special Constabulary plays a significant part in British policing and is an important symbol of the unique position of the Constable as the citizen in uniform. The fact that any citizen who meets the required standard can volunteer and wears the same uniform and has the same powers as a regular officer underlines this concept. The numbers of Specials had been in steady decline since the Second World War but this has been turned around and from a low of about 11,000, numbers are now at about 16,000 and rising. This has to be seen in the context of many Specials having moved on to join the regular force over this period of strong recruitment in most forces.
2. The increase has come about due to the National Strategy for the Special Constabulary largely drawn up by Special chief officers themselves which has as its foundation that the fundamental role for Specials is in local neighbourhood policing. This ensures there is a clear identity for the Special Constabulary and also ensures that the training requirement can be kept manageable given that the training obviously occurs in the Special's own time. This does not prevent Specials being used in other roles provided they have the requisite training. The basic training requirement for a new Special is about 120 hours carried out at weekends and evenings. The commitment shown by Specials is remarkable and this is without doubt one of the most outstanding examples of voluntary service to be found.
3. There have been a number of pilot schemes over the years introducing some form of payment or "bounty". Overall these have not been successful. One or two local authorities have allowed discounts for Specials on council tax but again this has not been taken up more widely. The positive impact or otherwise of such incentives should be further considered albeit the evidence is that Specials are not motivated by monetary reward. There is apparently one key issue which makes a difference for recruitment, retention and number of hours worked and that is whether Specials feel valued and well used when they report for duty and in particular whether they feel valued by regular senior officers. Improvements in the training and equipment of Specials and the fact that they now wear exactly the same uniform as regulars has gone a long way to help create this sense of value and respect.
4. It has to be remembered that every Special is a Constable 24 hours a day with all that this entails for the individual in terms of expectations and restrictions on their private lives and for the force in terms of potential threat to reputation and to the public if that Special misuses those powers off duty. It is

to the enormous credit to the men and women of the Specials that both sides of this equation rarely cause any problems. There are a number of occupations deemed to be incompatible with being a Special these are now very low in number and include those working in public contact positions in the private security industry for which there would be a conflict of interest and for instance PCSOs where it is necessary to keep both roles separate. It was feared that the introduction of PCSOs would mark the end of the Special Constabulary, but this has not been the case and both exist very successfully in local neighbourhood policing teams.

Current Position

1. A number of forces are introducing schemes which will require future recruits to the regular force to have served as Specials. This should be subject to equality impact assessment going forward to ensure no disproportionality or adverse impact on composition. In principle, however, this approach is mutually beneficial as it allows the candidate to get a good feel for policing and whether it suits them and allows the force to make a broader assessment of the candidate's capabilities. This is largely on the basis of around 8 hours duty a week, not too onerous a burden even if someone is in other full time employment. It is important however that the impression is not created that only those wanting to be regulars should join the Specials – this would seriously damage the volunteer spirit.
2. There are a number of members of police staff who are Specials and this is mutually beneficial. All forces should allow police staff who are Specials some time off for their Specials duties as long as they replicate this with their own time.
3. The Special Constabulary is covered by the Working Time Directive and this has caused concern. Overall however the limits set in the directive are common sense although there is the difficulty of ensuring that the Special's normal employer is aware of the hours they are working as a Special for the police force and vice versa. The public interest is not served by a Special working excessively long hours on top of their normal employment but consideration could be given to regulatory dispensation for volunteering effort.

Future Propositions

1. Specials are volunteers and when they turn up for duty and for how long is a matter for negotiation within the general expectation of around 16 hours per month. Most give many more hours mainly at the time additional staffing is required in the evenings and at weekends. There have been suggestions that Specials should be offered some form of payment in exchange for turning up for duty when required to do so. On balance ACPO believes that this would cause more damage than good. Any Special's first duty is to their main employer and indeed to their family. If a non negotiable requirement was laid down many would be forced to leave. The Police Service gains far more from the good will and the strictly volunteer spirit of the Specials. In reality if Specials are given enough notice they show enormous flexibility and self-

sacrifice and could certainly be relied upon to turn out in extreme circumstances as for instance happened in the Cumbria floods.

2. There have been some who have suggested that a paid reserve could be introduced in policing akin to the Territorial Army. In the current financial circumstances it is difficult to see how this would work or be affordable or offer much more than we currently get from the Specials. The requirement to keep such a reserve up to date with training would be a significant overhead. The more appropriate model might be how the NHS uses agency nurses to cover staffing shortages. ACPO is not convinced that this would present Value for Money. In reality most forces find that overtime is the most flexible and cost effective means of covering sudden demand.
3. ACPO feels that there is still a lack of national recognition for the Special Constabulary in terms of the honours system and the recognition for instance given by major employers. A strong push by Business to encourage their staff to become Specials and perhaps recognition by the Government through tax breaks or an award system would be helpful. The Government could consider a small monetary reward for Specials on top of the medals they get for nine years service and indeed the medal system could be modernised and perhaps the years required for recognition could be shortened to five years. It has to be remembered that any financial recognition has to be declared to the tax authorities and declared if the Special is in receipt of benefits.
4. A Special is not “free”. Figures are available for the total cost of recruiting and training a Special. Costed by the hour they are cheaper than a regular officer or a PCSO if people choose to evaluate their contribution in this way. There is a limit on the numbers that the Police Service can recruit and train in a year although this can always be streamlined. Currently many forces are using resources previously used to recruit and train regulars to get more Specials in. The problem is that until very recently this effort was largely covered by grant funding by the Home Office and so if it is to continue represents a growth item in the budget. The main barrier to any sudden increase in Specials is just the time taken to train them and ensure they are then tutored at local level to the point when they are fit for independent patrol. The Metropolitan Police has been running part of this training as a full time course which the candidates attend in their own time and more forces could offer this perhaps on a regional basis. There are a number of specific ideas on how certain groups could be targeted to encourage more to be Specials such as those who are unemployed, the student population or minority communities. It goes without saying that Specials chime extremely well with the “Big Society” concept.
5. There are few other professions which accept volunteers the way the Police Service does. Our volunteers are brought right into the engine room of policing so to speak and almost uniquely carry out the same fundamental role as full time employees. Relations between regulars and Specials are very strong basically due to the very evident sense of dedication and the professionalism of our Special colleagues. The system can be improved upon, amongst other things, by focussing on volunteers beyond Specials but a lot would be lost if the volunteer ethos was in any way undermined.

Rank Structure

Background

1. There has been comment in recent times about management or organisational hierarchy and questions posed about the number of police officer ranks. There is no strong consensus within ACPO on whether the current rank structure should be changed. The Sheehy report recommended the abolition of the ranks of deputy chief constable, chief superintendent and chief inspector. For a period of time the first of these two ranks were removed but they were later reintroduced as a result of pressure from within the Service.
2. All organisations have hierarchies although that in the Police Service is reinforced by the symbols and designations it entails and the use of "sir" and "ma'am" rather than first name terms as now occurs in most of the rest of the public and private sector. This obviously makes the rank structure more akin to the armed services although ACPO would argue that there are very important distinctions between the military and the police force in this country particularly in respect of the discretion allowed and indeed expected of the individual constable and the fact that they largely work without the direct supervision in person of the next rank up.

Current Position

1. The pension system in effect encourages officers to get to the highest rank possible and to stay there. The current rank structure gives stability and a common system across the country with clear command responsibilities to which pay and conditions can then be applied. It is relatively simple in its application compared to systems in other parts of the public sector. It is easily understood by staff and the public who have expectations that senior officers should take responsibility and be answerable and accountable.
2. On the other side of the argument most successful organisations have reduced the number of levels of hierarchy and "flattened" their structures to reduce costs but also crucially to improve lines of communication and to give more junior staff greater responsibility. Some would see the police service as putting too much importance on hierarchy and vertical progression. The front line does not have a strong enough voice and many colleagues complain of being over supervised and checked upon although this is certainly not just a product of the rank structure. The police officer rank structure is clearly defined but less so for police staff and this could be an area of consideration for longer term review.
3. The number of ranks does create considerable churn in police forces as officers move between the ranks or attempt to get the right sort of experience to get themselves promotion. This can often take precedence over the public need for stability in local relationships. For instance a good neighbourhood inspector may perform to such a level where they are promoted to a more

senior position in headquarters when local people and elected members very much wanted to see them stay put.

4. Given that different aspects of policing require different resourcing particularly in terms of rank, a limitation to optimum flexibility currently is that certain police powers are allocated to specific ranks and there is no flexibility where, for example, a particular rank is not actually and operationally required in a unit hierarchy. This results in calling upon other police officers on duty in other areas but, worse, could mean establishment of unit rank structures to ensure the discharge of powers which may not be constantly required.

Future Propositions

1. There is a basic problem that more and more officers are passing the promotion exams to sergeant and inspector when there will not be sufficient positions in the future. The thrust of this whole submission is that the Service should move to a system where greater recognition is given to expertise and quality of contribution rather than just rank and length of service. For now the rank structure should remain unchanged and ACPO will develop further its thinking on the issue of the rank structure for the second stage of the review.
2. Forces should, however, be encouraged to determine structures which will differ in rank requirement as broadly prescribed nationally and which do not presume each rank will be represented in all areas. Forces should also review locally, management and supervisory ratios using HMIC national benchmarking data. To support this, it is likely that some re-regulation and flexibility in the strict allocation of powers to specific ranks should be relaxed.

Chapter 5: Performance/Post Related Pay

Performance Pay

Background

1. Although the attributes of performance related pay (PRP) are understood, it is ACPO's position that this is at odds with the vocation that is policing. Whilst there may be examples where PRP works well in some sectors, research has shown there is a requirement for PRP to be in the order of 20% or more of total pay for this to be effective in enhancing performance. The reality therefore is that this is unlikely to be achievable in the police service even with wholesale change to pay and conditions structures. A previous civil service scheme (operated by MPS for a time for police staff) was abandoned due to equality issues and lack of assurance that the elements of additional pay (around 5% of pay bill and salary) made a positive difference to reward and performance.
2. The current Competency Related Threshold Payment (CRTP) is a form of performance pay but, at an annual estimated cost of more than £96m, there is no evidence that there is any impact on output or performance in any terms. This is not to say that pay in the service shouldn't focus on outcomes i.e. achievements but skills and competence are equally important as long as pay focuses on the utilisation of skills and expertise. It is in this area that there will be a positive application and outcome for policing. Great care will be needed not to resort to too simplistic assessments e.g. arrest rates, numbers of tickets issued, case files completed without assessment of quality, complexity and sense of public value including more qualitative factors such as confidence and contact satisfaction.

Regulation

1. There is no regulation to provide, nor restrict, PRP.
2. Current arrangements are operated through PNB negotiated and Home Office notified instructions for CRTP, superintendent and chief officer bonuses.
3. There are some examples of competency based bars for certain police staff, often in progressive specialisms such as Accounting, Analysis, HR and other largely professional roles. Some forces also deploy selective bonus structures (beyond those nationally prescribed) but in the time available, there has not been opportunity to research fully the details and particularly, impact.

Current position

1. High performance or productivity is not largely rewarded in pay and, where it is, it is combined with longevity in role, is of small proportion with nil perceived impact on performance. Poor performance has procedures; good performance is not really rewarded financially except selectively by promotion. There is some dissatisfaction from high performers that a) they have to get promoted out of a preferred or specialist activity to earn more, and b) others making a lesser effort and contribution get the same pay.
2. CRTP is paid to officers up to and including chief inspector who have reached the maximum of their scale. As an award for competency or performance, it is ineffective in that full competence is actually reached within a year or two of 'qualification' or commencement in rank. In addition, CRTP is pensionable so any revision to this element of pay should take account, not just immediate impact on officers, but the longer term affect too.
3. There is a requirement to ensure full and rigorous performance assessment for many reasons, beyond pay assessment, and the service needs to focus effort in this area going forward.
4. If PRP is actively being considered, the review team should consider the impact this may have on the public's perception of the police, especially in a time of hardship and constraint. Equally, in the current employment market, it is hard to justify apparently paying a smaller number of people greater sums which at least appear enhanced from those which are currently paid.

Future Propositions

1. ACPO comment on the length of police officer scales, the range of police staff grades and the existing terms of incremental progression is included in chapter 6 of this submission.
2. CRTP should be removed in its present form and, in the short term, the resourcing reinvested into remuneration for utilisation of advanced skills, for evidenced continuous professional development (CPD) and, later, for the possession of a 'certificate to practice' along the lines of the Professionalising Investigation Programme (PIP).
3. Pay should be assessed annually as part of rigorous performance assessment and there should be no automatic assumption, as there is now, that incremental progression will occur. ACPO's position is that pay should go up or stay the same according to possession and utilisation of advanced skills, competence and achievements and, conversely, could go down in the event of demonstrable poor performance.
4. There should be the same arrangements for police officers and staff and at all levels.

5. Payments may be funded by re-cutting of the existing pay bill. Estimates currently of monies spent on CRTP, Special Priority Payments (SPPs), senior police and chief officer bonuses are around £200m annually.

Post Related Pay

Background

1. Other than in the short term, it is not ACPO's position to retain post related pay for either police officers or staff. This should be replaced with pay that is clearly still representative of level of responsibility within the organisation but which also rewards level of skill, competence and achievement. To support this, it is ACPO's long term quest that the service is professionalised, our roles and learning is accredited externally and that our staff engage in continuous professional development (CPD) be awarded certificates to practice as is customary in other professions. It is against this backdrop that ACPO submits the following points.

Regulation

1. There are PNB negotiated and Home Office instructions for SPPs.
2. Forces operate allowances for certain positions such as payments to dog handlers for provisions at officers' homes for the dog(s).
3. Heed should be paid to equal pay legislation since this now covers police officers as a result of the new Equality Act.
4. There is a Police Staff Council (PSC) endorsed but non-mandatory national 13-factor JE scheme for police staff which is not widely adopted.
5. There is no national JE scheme for officers' roles but there are clear role profiles which the NPIA has drawn up for use by forces to encourage consistency and equality of standards as well as pay.

Current Position – Police Officers

1. Police officer pay rates are set at basic although there is some differentiation and variation of roles across forces and some, often different, posts are awarded SPPs. This is seen as divisive by police officers and regulations around percentage allocations both of money and posts are restrictive in terms of flexibility. Although carrying criteria to guide their application, SPPs are used by some forces partly in lieu of an on-call allowance which has been the subject of protracted negotiation through the PNB but which is now deferred pending this review.
2. It is not without note that, in the interests of reducing bureaucracy, the overhead cost in administering SPP's alongside all other enhancements, must be prohibitive to benefit and high in relation to overall pay administration.

3. ACPO does not support the continuation of SPPs. SPPs serve more to create dissatisfaction from those not in receipt than it does satisfaction from those whose posts are included. The Federation similarly is opposed to SPPs but will resist pay reduction if removed and similarly for CRTP which, unlike SPP's, is pensionable.
4. It is suggested that there may be examples of similar police officer 'jobs' being done by different ranks in different forces. There are, however, established rank role profiles produced by the NPIA which forces may use to verify their establishments relative to local need.

Current Position – Police Staff

1. Police staff pay is generally and advisably determined by various local job evaluation schemes and by local market forces i.e. the pay line is set according to local conditions.
2. There is ACPO resistance to national pay rates for police staff given that local factors cannot then be recognised other than by additionality in the form of allowance or other enhancement. Cost implications are another prime concern since the financial position and current pay rates or baseline of forces varies.
3. With local factors in mind, some forces operate market rate supplements for certain hard to fill or specialist roles which demand premium rates albeit some of these are currently under review to assess continued applicability.

Current Position – Police Officers and Police Staff

1. The London weighting and SE allowances are in place as essential recruitment and retention tools. Other allowances currently apply which generally require review to ascertain current applicability.
2. There is variation in discretionary allowances such as re-location payments.
3. Non-pay elements are used selectively and arguably to compensate for lack of pay facility e.g. travelling time on duty given for less attractive postings. Also, a range of ad hoc allowances exist for certain posts and circumstances which are costly and bureaucratic to administer. These include such as dog handling allowances, car allowances and the like.
4. Bonuses for any staff and particularly senior police officers, staff and chief officers are a sensitive and often contentious issue. Bonuses are not in keeping with ACPO's view of policing as a vocation and we are cognisant too of public opinion. However, differentials in pay, from lowest to highest paid in forces are well within Hutton's recommendations that there should be no more than 20 times the difference between these 2 extremes. Accordingly, existing pay relativities should be endorsed rather than materially altered either way.

Future Propositions - Police Officers

1. SPPs should be removed and be redirected. In the short term, as CRTP, SPP resourcing should be reinvested potentially into remuneration for the utilisation of advanced skills, for evidenced continuous professional development (CPD) and, later, for possession of a certificate to practice along the lines of the Professionalising Investigation Programme (PIP).
2. For police officer posts we should conduct a sample audit and, if necessary, there should be more marked utilisation and assurance of deployment against the NPIA national role profiles already in existence.

Future Proposition – Police Staff

1. There should be retention of a national pay framework for police staff and all posts should be governed by objective job evaluation schemes but with pay rates and pay lines being determined locally, i.e., ‘common’ jobs will enjoy similar relativities according to local circumstance but without introducing national pay rates and loss of budgetary control.

Future Propositions – Police Officers and Police Staff

1. ACPO supports a long term move to pay that is recognition of level of responsibility within the organisation and which rewards level of skill, competence and achievement. Long term, police officer and many police staff roles should be professionalised, our learning accredited externally and our staff engage in continuous professional development (CPD), securing ‘certificates to practice’ as is customary in other professions.
2. The above moves away from post related pay and which, when coupled with payment within base rate for disruption or fully flexible shift terms, as per chapter 4 of this report, should withstand equality impact assessment albeit this is currently outstanding.
3. In a circumstance where pay may vary according to utilisation of skills and competence, there needs to be a balancing arrangement in place to protect flexibility in deployment to avoid unreasonable individual losses for police officers and staff whilst also guarding against unnecessary payments no longer warranted.
4. As with SPP, allowances other than London weighting and the SE allowance, should be reviewed for continued applicability and, where possible, abandoned and directed into total pay packages to reduce the administrative burden and bureaucracy across the service.
5. Pay relativities across the service should be endorsed as per the Hutton review of fair pay in the public sector and all bonuses, specifically those of senior police officers, staff and chief officers should be incorporated into total pay. ‘Senior’ pay should be awarded consistently at all levels and, as above, based on the same principles of skill, competence and achievement.

6. There should be some flexibility within national frameworks for forces to determine and pay extra for hard-to-fill posts of either type or location based on demonstrable need.

Chapter 6: Pay Progression and Length of Service

Background

1. The traditional pay scale approach, applying to both police officers and police staff, is based on the assumption that the more service that is accrued, the more experience is gained, and the greater performance will be, whatever measurement is applied. There are also disproportionate pay scale within some ranks and grades which lack any form of rational; for instance, there are 11 scales for the rank of constable, whereas there are only 4 for inspectors and 5 for superintendents. Progression for police officers is automatic and there is limited evidence of robust competency based assessments for progression of increments within police staff grades. With long pay scales there is the potential challenge on grounds of age discrimination and claims for equal pay for work of equal pay.
2. Beyond this there are a number of competency based progression steps for certain police staff in some forces, normally in roles requiring specialism's with professional accreditations/qualifications.
3. There are only four forces nationally who are not within the Police Staff Council. Variations in conditions therefore apply, e.g.: Surrey Police has negotiated locally the inclusion of an 'attendance criteria' as a condition of increment progression.

Regulation

1. Negotiated agreements through PNB and PSC. Force negotiated agreements for those outside PSC (Metropolitan, Surrey, Kent and Thames Valley).

Current Position

1. As per the above, the number of points on scales per police officer rank, are as follows:

Constable	11
Sergeant	5
Inspector	4
Chief inspector	3 (plus 1 for officers with reserved rights)
Superintendent	5
Superintendent 2	4
Chief Superintendent	3

2. Progression primarily if not exclusively on the basis of service/time served is not objectively justified in terms of competence. Full competence can be achieved before reaching maximum point of pay scale. Conversely, in other cases, it may never be achieved or progression towards this may be intermittent which is not reflected in pay level at the present time.
3. As above, the length of scales can vary for same police staff across forces and there are, arguably, too many levels and options for grading at the present time.

Future Propositions

1. ACPO firmly believe that competency within a rank or grade should be achieved within a relatively short period of time after 'qualification', for instance, for a sergeant, within 1/2 years of attaining promotion. This would merit a limited pay progression. Thereafter, any further progression to the maximum level would be based on professional qualifications/accreditations, utilisation of skills, and achievement. Consideration could be given for accelerated advancement for exceptional performers, thereby avoiding the need for promotion from within a valuable high performing role. If, via a robust assessment process, the required level of competence is clearly not achieved and may be evidenced by such as the loss of an accreditation, then consideration should be given for an individual go down the increment scale.
2. There should always be a minimum pay increase on promotion, taking account of previous pay to avoid pay cuts on promotion.

Chapter 7: Exit Routes and Pensions

Background

1. At present there is significant disparity between exit provisions for police officers and staff. Police staff, in common with all others of employed status, are subject to the full range of employment legislation including that which relates to redundancy. Police officers are exempt. This has never been more marked than now when forces, whose staff costs exceed 80% of total revenue expenditure, are working to balance reduced future budgets. Police staff are being disproportionately affected by redundancies arising specifically from the Comprehensive Spending Review (CSR) announcement.
2. The currency is that voluntary turnover has slowed amongst both police officers and staff. Those forces who have modelled police officer wastage report a period of up to 6 years from now before their strength will be at a level which is both affordable and satisfies demand for service in terms of occupational mix.
3. Forces are generally keen to increase selectively the mix of police officers and staff but are constrained from so doing since they are precluded from material control of police officer strength with the exception of recourse to regulation A19 which is applicable only at the time an officer reaches full service (effectively 30 years). Regulation A19 prescribes that forces can enforce the discharge of police officers generally with entitlement to a full pension on grounds of service efficiency.

Regulation:

1. Police Regulations but particularly Regulation A19 and UPP Regulations
2. Statutory provisions and codes of practice with regard to redundancy amongst police staff groups
3. Varying local agreements

Current Position:

1. Against the financial backdrop, the use of regulation A19 is being considered although its implementation is currently patchy across the service. However, this is both inadequate and, as said, is also inequitable versus police staff. In fairness, some would argue that the inability of the service to enforce unavoidable police officer redundancies is consistent with the 'non-employed' status of police officers and is balanced by such as their exemption from 'right to strike'. Nevertheless, in face of severe fiscal constraint, reduced turnover, the benefits of increasing the occupational mix, A19 is an inadequate control mechanism and there is currently no provision whatsoever for earlier discharge from service.

2. Severance and redundancy packages being offered to police staff range from basic regulatory and statutory entitlement to materially enhanced redundancy and associated payments; this contingent upon local agreements in place or being negotiated. It is against such a backdrop plus considerations of equity, affordability and the disparate use of the public purse that the review team must consider the future proposition.
3. Emerging academic studies indicate that Generation Y has a materially different view of 'career' than was historically the case. In some sectors it is not uncommon for individuals to have up to 15 different careers by the age of 38. Whilst this depicts an apparently extreme position, regard must be had to the motivations and aspirations amongst those who will comprise the new and future workforce in our planning. The current police officer and, to some lesser extent, police staff pension arrangements are such that the option to make alternative career choices is not available once a significant period of continuous service is accrued because of the financial dis-benefit of pension scheme withdrawal. In some cases, this is not best either for individuals or the service in terms of positive commitment to policing.
4. Capability procedures for police staff are instigated as are selectively appropriate and, although used to a lesser extent, the unsatisfactory performance procedures (UPP) for police officers provide a similar mechanism. UPP is not however widely understood. The regulation is perceived as long winded and not suited to a service such as policing, where there is turnover amongst supervisors consistent with our posting and career development ethos. These factors mitigate against the appropriate deployment of UPP across the service.
5. As earlier in this document, pay progression, beyond that arising from promotion, is currently contingent upon length of service. For both groups, final salary scheme pensions currently apply. The first stage of the Hutton review of public sector pensions has decreed that current pensions are unaffordable and unsustainable and work is in progress to determine the 'shape' of reform in the medium and longer term future. The connectivity between this review and future pensions development cannot be underestimated.
6. Appropriate parity of pension provision across the public sector must be borne in mind and, if in the long term, the pay structure across the police service is materially changed to that which may vary according to skill, deployment and achievement; consideration must be given to the continued applicability and indeed fairness of prevailing pension arrangements. Work in progress within the Civil Nuclear Constabulary around pay, conditions and also the potential move to an average earnings pension arrangement is signposted for consideration by the review team.
7. The ability of the service to balance the requirement to accommodate restricted duties officers and staff whether this be because of injury on duty, pre-existing, emerging disability or other reasons, is increasingly challenging in light of projections around reducing numbers of both police officers and staff.

8. The provisions of the Disability Discrimination Act promote greater retention of officers with disabilities which, in turn, imposes restrictions on full operational deployment. This affects deployment plans for units and resilience for those activities that restricted officers cannot undertake. This also affects police staff and roles where these are sometimes used to accommodate restricted officers, who then retain their full police officer pay whilst working alongside police staff on lesser salaries appropriate to the actual job. This obviously poses equality and Value for Money challenges.
9. There has been a material reduction in officers and also staff retiring on grounds of ill health in recent years. This emanates from a focus on cost, on improved guidance and use of 'reasonable adjustments' in cases of disability as well as the more recent introduction of ill health retirement bandings in the case of police staff. This means that, for police staff, ill health retirement payments are decided on a sliding (4 point) scale of entitlement reflective of ability (or otherwise) to work and at what point following retirement.
10. At present, officers and staff injured in the course of duty are, with the exception of recourse to civil claims, subject to the same provisions as other colleagues who for other reasons are unable to continue in service; this because of the legislative requirement to treat disability fairly and consistently whatever its root cause.
11. As per our equality duty, there is open access to police staff employment for retired/retiring police officers without impact on police officer pension entitlement. In fairness, this applies similarly for other occupational groups and there is disproportionate emphasis placed on its applicability to police officers. For example, pension rules for other staff, including local authority and police staff have been varied over the years which mean retired local authority and police staff may also be re-employed without pension abatement. Accordingly, to redress this circumstance would require material re-regulation to ensure equity/equality of impact. There is concern too that revision regulation would only duplicate the problem creating a skill and knowledge loss in policing only for the issue to re-emerge in other public sector and wider employments.
12. Whilst a small number of forces have arranged nominal movement between police officer and staff roles on the basis of individual case agreement, there is not presently clear provision or statute, beyond Home Office guidance, that police officers who are no longer deployable in that capacity can be employed as police staff but on the terms of the police staff job. The lack of clear provision inhibits movement and retention of police officers with restrictions. This actually places police officers at a disadvantage relative to all other 'employed' persons from any sector.

13. Fitness testing varies, even at the point of non police recruitment right across the service. Some police staff roles are subject to testing as a criterion amongst others, at the point of selection. Those forces that follow the national model of Specials recruitment also test fitness but this is not obligatory. In service, fitness testing is in place for some roles, most notably for firearms officers. Beyond this, the picture is variable nationally. Future arrangements must be more consistent and role specific to accord fully with equality legalisation already in place.

Future Propositions

1. There should be a review of Regulation A19 to provide a more agile mechanism to control police officer establishment and strength to reflect the scarcity of financial resources. Since the service is currently struggling to balance reducing budgets with significantly fixed police officer costs, ACPO will develop their thinking on the applicability of one off severance for police officers irrespective of service. Regard will be had to appropriate equity with police staff, either of payment and/or terms and allow individuals to leave with 'honour' balancing the interests of the taxpayer. Any proposals arising will require financial modelling to assess impact and financial consequence to forces and taxpayer alike.
2. In addition, there is a need for fundamental review of terms and longevity of police service commissions. This should include, in principle rather than detail, consideration of a range of short, medium and long term commissions which exist in such as the armed forces in that short and some non-pensionable commissions are available alongside periodically renewable/extendable service and pension terms.
3. Policing pension arrangements applicable in the future must remain in line with those for other public sector staff but must also reflect any revision in service commissions and subsequent changes in pay and conditions which may mean that pay could vary according to skill, deployment and achievement.
4. Police officer UPP regulations require a revision and re-launch with emphasis on simplicity but still resilience and fairness of process.
5. With regard to ill health retirement provisions for police officers, consideration should be given to a scheme review for this to accord more closely if not be parallel to that which applies to police staff i.e. be reflective of level of incapacity and over time; this where there is no other option to retain paid service of any kind.

6. Notwithstanding the above, the review team should consider whether exemption or variation to the legislative framework around accommodating disability incurred in the course of active operational duty is appropriate for the service. This should be limited to injury sustained or ill-health caused directly in the course of policing activity including arising from those who, in accordance with force policy, put themselves in 'harms way'. Any such arrangements for police officers should also apply to operational police staff e.g. PCSOs. In considering such provision, the review team will need to consider the applicability of this circumstance to other employments/engagements beyond those in the police service.
7. Expressly following from the above, clear statute to support movement between police officer and staff roles at the rate for the job, subject to possession of essential skills and 'fitness' for role should be introduced.
8. The provisions for re-engagement of police officers and others already in receipt of pension (from whatever source) should remain unchanged.
9. Fitness testing for specific roles should be subject to national guidance for consistency and avoidance of the need to develop different arrangements across forces. General fitness testing is currently in place for new police officer recruits at the recruitment stage and should be extended to periodic testing through service where this is a genuine occupational requirement. Accordingly, the application of fitness standards should be selective to ensure that, in all cases, fitness testing is a 'proportionate means of achieving a legitimate aim' i.e. is the level of fitness required for the job in hand. Similar arrangements should apply for specified police staff roles.

Chapter 8: Pay Machinery

Background

1. The current machinery for negotiating pay is based upon a national system of collective bargaining and comprises the Police Negotiating Board (PNB) for police officers and the Police Staff Council (PSC) for the majority of police staff members.
2. Sir Clive Booth most recently reviewed the pay negotiating machinery in 2007 at the request of the Home Secretary of the day. The review was conducted in two parts resulting in the publication of two reports, 'Fair Pay for Police Officers' in February 2007 and 'Determining Pay in the Police Service' in October 2007.
3. Sir Clive Booth suggested that the choice for the police service was between the two systems of collective bargaining and pay review bodies. In summary he concluded that:
 - The pay of police officers and police staff should continue to be determined by separate mechanisms
 - A pay review body should be created for police officers
 - The Police Staff Council should be retained for police staff for the time being
 - The proposed pay review body for police officers should cover chief officers and that if that is not created chief officers should become one of the groups covered by the Senior Salaries Review Body
4. In 2008 both the PNB and PSC agreed a three-year pay deal for police officers and police staff respectively. This agreement was reached at the eleventh hour as negotiations were heading into arbitration. As part of the three-year deal the Home Secretary agreed not to implement the Booth recommendation for a pay review body for police officers for the duration of the last parliament.
5. Traditionally the July meeting of the PNB will seek to agree the level of the annual pay increase. The increase is paid annually on 1st September. We are currently in the final year of the three-year pay deal agreed in 2008. The PSC operates to similar timescales and whilst not linked to the decisions of the PNB will invariably take account of them in arriving at the annual pay increase for police staff.

Current Pay Machinery

Police Officers

1. The PNB was established by the Police Negotiating Board Act 1980 and is governed by a constitution. It is made up of the following components:
 - **Home Secretary** – Makes decisions on behalf of the Government on recommendations from the PNB and where necessary from the Police Arbitration Tribunal (PAT). The Home Secretary may issue directions to the PNB to consider and seek agreement by a set deadline on such matters of national importance to the police service as he or she may specify.
 - **Police Negotiating Board** – Makes recommendations to the Home Secretary on pay, pensions and other negotiable conditions of service. It comprises an Independent Chair and Deputy Chair appointed by the Prime Minister, an Official Side and a Staff Side with each side being made up of 22 representatives.
 - **Police Arbitration Tribunal** – Consists of three members appointed by the Prime Minister. It considers and decides upon issues referred by the PNB after a failure to agree has been registered by either side of the PNB. Its conclusions are subject to approval of the Home Secretary.

Police Staff

1. The Police Staff Council negotiates pay and conditions for police staff covering most police forces. It was established in 1996 as a voluntary negotiating body. It comprises an Employer Side and a Trade Union Side each made up of 7 representatives and each with their own Chair and Secretary. There is no independent element and the Chair rotates annually between the two sides. Conclusions are only binding if police forces incorporate them into employees' contracts of employment.
2. The Metropolitan Police Service has its own machinery for police staff as have a very small number of police forces that operate outside of the PSC (Kent, Surrey and Thames Valley).

Police Advisory Board (PAB)

1. The Board was established by statute to advise the Home Secretary on general questions affecting the police. It fulfils a role comparable to that of consultative bodies found in other fields of employment, and shares with them the objectives of engaging the expertise and experience of managers and staff in addressing the challenges of change and reform, and of providing a forum for the resolution of difficulties. It works in parallel with the PNB, dealing with issues that fall outside the PNB remit, but which affect the working lives of police officers.

2. The Board shares a secretariat with the PNB and a number of members are common to both Boards including the Independent Chair and Deputy Chair. It tends to work through expert working parties that make recommendations for decision by the full Board.

Current Position

1. The key issue is whether or not the current machinery is fit for purpose in determining pay for police officers and police staff in the future.
2. The PNB has been effective in deciding the annual pay increase when it was linked to indexation but less so once this link was broken and arbitration has become a more common feature of how pay has been decided.
3. The Edmund Davies Inquiry in 1978 proposed indexing police officers' pay to movements in the Average Earnings Index for the whole economy. The index was modified in 1984 and 1993. From 1994 police base pay adjustments had been linked to the median total pay increase in a sample of private sector organisations surveyed by the OME. Traditionally the July meeting of the PNB had received the outcome of the OME survey and this had almost routinely been agreed as the annual pay increase. In broad terms the PSC had adopted a similar figure for police staff.
4. In 2006 the Official Side of the PNB sought to break the link with indexation as the means for deciding the annual pay increase. This break was eventually achieved following arbitration in 2006 and the Sir Clive Booth Review in 2007. With the removal of indexation as the basis for determining the annual increase for police officers pay the two sides need to negotiate the annual increase through the PNB. Police officers and police staff are both currently in the final year of a three-year pay deal that was agreed in 2008. New negotiations would have been needed for September 2011 but have now been overtaken by the coalition governments public sector pay freeze.
5. In considering the best machinery for the future in terms of negotiating pay but also wider conditions of service the following factors are relevant:

Ability to Act Strategically

1. The current PNB arrangements operate on the basis of claims being tabled by either side to which the other side then responds and a process of negotiation follows. The timing of the claims, with the exception of the annual pay increase, is completely 'ad hoc' and therefore lacks any strategic coherence. This claim and response approach to negotiating pay and conditions has prevented the sides from achieving a strategic approach to these issues. It was hoped that the duration of the three-year pay deal would provide a period of time when both sides could come together to agree a strategic direction and achieve a more strategic approach to future pay and conditions. This has not been possible and individual issues like the 'on-call allowance' have continued to dominate this period. The current machinery has not created an environment where both sides can work productively and collaboratively to agree and deliver a strategic agenda.

Responsiveness

1. The current process permits either side to register a failure to agree on a particular claim at any point in time. This triggers a process of conciliation and ultimately arbitration. An analysis of claims dealt with through the PNB will reveal that many issues have taken months and often years to progress to a conclusion. The machinery makes it easy to legitimately slow down the progress of issues many of which become frustrated by the passage of time. This is a source of frustration within the service and is a matter of concern as the service seeks to navigate a challenging financial environment when clean and timely decisions will be vital to maintaining a professional and appropriately rewarded workforce.

Ability to Make Important Decisions

1. When the service was debating the merits of collective bargaining compared to pay review bodies during the Sir Clive Booth Review it was argued that collective bargaining ensured the service maintained control of its own destiny. This was a powerful argument in favour of preserving the PNB but the events of recent years have not supported the assertion that the sides can reach agreement on the most significant issues. On the contrary the service has passed the most significant decisions to the arbitrator.
2. Once indexation was removed the annual pay rise for 2006 and 2007 was set by the PAT. In 2008 the negotiations were heading for the PAT when at the eleventh hour the three-year pay deal was agreed. Another important example is the issue of an 'on-call allowance'. The sides were unable to agree on this issue and it was referred to the PAT who found in favour of the Staff Side claim for a national allowance. The matter was remitted back to the sides to agree on the amount of the allowance. Again no agreement could be reached and the matter is awaiting further PAT consideration. In recent years the evidence points towards the big decisions being handed to the arbitrator rather than the service being able to reach decisions collectively and thereby controlling its own destiny.

Value for Money

1. The PNB is made up of over forty members. It meets quarterly but invariably negotiations to resolve the annual pay increase and other conditions of service have required a considerable number of additional meetings in various groupings. The nature of negotiations means considerable 'down time' for participants over protracted periods. The current machinery is therefore a costly and time-consuming process.

In Summary

1. The current PNB machinery for police officers:
 - Is not well geared to taking a strategic approach to pay and conditions.
 - Is slow and cumbersome.
 - Has in recent times resulted in the most significant decisions being handed to the arbitrator.
 - Is time consuming and costly.
2. The PSC is a smaller body and has been more successful in recent years than the PNB in negotiating an agreed annual pay increase. It normally makes the decision after PNB and can therefore take into account the outcome for police officers, which has undoubtedly been advantageous in reaching its decision. On wider terms and conditions there has been an increasing trend towards greater alignment as the number of police staff in operational roles has increased in recent years. This has created some tensions as similar policies are negotiated in different arenas for police officers and police staff. An attempt to recognise and address this situation has been a move to invite members of the Trade Union Side of the PSC to attend the PAB.

Future Propositions

1. It is important that any changes to the pay machinery create a system that is effective, modern and fair. It is important that that police officers and police staff are properly rewarded for the important roles they perform. In the case of police officers it needs to recognise the unique office of constable and the fact that they are not permitted to strike.
2. Essentially the choice now is the same as that faced by Sir Clive Booth back in 2007 between collective bargaining and pay review bodies. ACPO's position that police officers and staff should be treated alike unless there is a justifiable reason why they should not be. Accordingly, ACPO favours retaining a national approach to determining pay and, on balance, supports a move to a pay review body approach to determining pay and conditions for police officers and police staff.

3. The precise detail of a new machinery based upon a move to a pay review body will need greater consideration of the following issues:
- Whether a PRB should apply to both police officers and police staff. Sir Clive Booth recommended retaining the PSC but it would seem appropriate in the context of an increasingly integrated workforce to consider including police staff within a PRB structure.
 - The breadth of the remit for a new PRB structure. This could be tightly defined to deal primarily with the annual pay increase or drawn more widely with a view to achieving a more strategic approach to future pay and conditions. The outcome will influence whether there is a continuing need for a body similar to the PAB.
 - Where chief officers fit within a new PRB structure.
 - Consideration for local flexibility with the national framework.

Chapter 9: Summary of Future Propositions

Chapter	Summary of Future Propositions
2	<p>Guiding Principles for Remuneration and Conditions</p> <p>Current</p> <ol style="list-style-type: none"> 1. Retain the Office of Constable. 2. Unique Nature of Policing. <p>Future</p> <ol style="list-style-type: none"> 3. Professional status for Policing. 4. Reward not Entitlement. 5. Interoperable Terms and Conditions for Police Officers and Staff. 6. Flexible and Fair. 7. Modern and not Minimal. 8. National Framework with Local Discretion. 9. Public Interest <i>not</i> Vested Interest. 10. Lean and Agile Delivery.
3	<p>Entry Routes</p> <ol style="list-style-type: none"> 1. Single point of entry to the Police Service at constable level. 2. Pre-entry only qualifications/accreditation for police officers. 3. Range of police entry routes for the rank of constable (ie: pre-entry qualification, Special Constabulary). 4. Consideration of a 'certificate of practice' for police officers.
4	<p>Deployment</p> <ol style="list-style-type: none"> 1. Work towards a more unified set of terms and conditions for police officers and staff, with only exceptional difference. 2. The exemption for police officers from the right to strike be extended to police staff in designated, operationally-critical roles by national decision and prescription. 3. ACPO develops rationale for rank structure considering need for flexibility at local level to take account of resilience, demand and threats and to balance supply and demand for resourcing.

	<ol style="list-style-type: none"> 4. Greater financial recognition be given to the utilisation of skills within rank or role, in order to prevent promotion being the only route for financial enhancement. 5. Forces to review locally management and supervisory ratios as part of their VFM focus using HMIC benchmarking data. 6. Flexibility to assign designated police powers optionally to ranks (ie: RIPA, review of detention). 7. Consideration be given to a review of police staff bandings and, within the provisions of employment legislation, to the more flexible appointment of staff beyond specific post. 8. Consideration be given to standardisation of PCSO powers, but maintain local discretion according to risk assessment. 9. A move towards the introduction of a small number of more composite 'contracts' or terms of engagement which incorporate total reward and which differentially reflect, via remuneration, different levels of disruption, shift working and flexibility. 10. Police regulations and police staff conditions relating to shift changes and working beyond core hours simplified and only exceptionally sit outside of the 'contract' package. 11. The decision on police officer and staff shift working, VSAs and variations be solely that of the chief officer or nominated management representative, subject to meaningful consultation as per ACAS codes of practice. 12. New provision or entitlements and national guidance are required around the operation of flexible deployment but there should be no recourse to a national shift pattern. 13. The Mutual Aid agreement for the Olympics 2012 be finalised. 14. The Hertfordshire Agreement for wider mutual aid be repealed and replaced by consistent, national provisions which ensure individuals working outside of own force areas do not suffer a financial detriment. 15. The continued application of the Working Time Directive to volunteering activity be considered by Government.
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	<ol style="list-style-type: none"> 16. The practice of utilising the Special Constabulary as an entry route for the regular service be used as one of a number of entry routes subject to equality monitoring and impact assessment. 17. Pre-entry qualification schemes be monitored and reviewed for equality impact and consideration be/given to means-tested grant support. 18. Specials funding be assured and VFM work be undertaken in relation to Specials deployment versus other forms of volunteering. 19. In support of the 'Big Society', research be commissioned to establish the benefits of introducing tax, unemployment credits and/or other incentives designed to support volunteering. 20. New clarified regulation for the consideration of business interests equally for police officers and staff be introduced.
5	Performance/Post Related Pay
	<ol style="list-style-type: none"> 1. CRTP, SPP and bonus provision in its current form be removed and redirected in the short term into reward for advanced skills and achievements. Longer term, the resource be incorporated into wider composite reward packages where remuneration does not reflect 'post', rather it is compensation for skills utilisation, and qualitative and quantitative achievement. 2. A sample audit of police officer rank/role compliance undertaken against the NPIA police rank profiles. 3. Police staff roles continue to be determined by job evaluation to permit differential pay rates as may be warranted in light of local or regional market conditions. 4. Some protection to prevent unreasonable loss from re-posting or utilisation in place in order to support flexible deployment. 5. Pay be decided annually as a result of rigorous performance assessment using the PDR. Pay may increase, remain the same or decrease, supported by an appropriate appeals process. 6. The flexibility for forces to reflect prevailing market conditions be maintained as demonstrated in the retention of the London weighting and SE allowances.

	<p>7. Pay relativities 'bottom' to 'top' of forces be maintained and reflected in new total reward packages.</p>
6	Pay Progression and Length of Service
	<ol style="list-style-type: none"> 1. Length of pay scales be reviewed and selectively reduced, subject to modelling the potential costs of such change. 2. Beyond achievement of full competence, advancement within scale be contingent upon utilisation of skills, practice and achievement. 3. Accelerated advancement for demonstrable exceptional performance. 4. There always be a minimum increase in pay on promotion. 5. Police staff scales be reviewed with a view to reduction.
7	Exit Routes and Pensions
	<ol style="list-style-type: none"> 1. Regulation A19 be replaced with a more agile mechanism to control police officer strength. 2. Review and consider adopting a range of short, medium and longer-term police service commissions to complement revisions in entry routes. 3. ACPO considers and develops its position on an appropriate and one off severance scheme for police officers in response to the prevailing fiscal challenge. 4. The police officer UPP regulations be revised and re-launched in simplified form. 5. Police Service pensions remain consistent with those across the public sector and reflective of revised remuneration packages to be both fair and affordable for officers, police staff and the taxpayer. 6. Ill-health retirement provisions for police officers reviewed viz those in place for police staff. 7. Consider whether there should be special provision and exemption for certain occupations within the police service from disability legislation provisions for those who are injured directly in the course of active duty and from putting themselves in 'harms way'. The impact of this on other sectors be also considered.

	<ol style="list-style-type: none"> 8. Provisions for re-engagement of police officers and staff already in receipt of pensions from whatever source remain unchanged. 9. Statutory provision to move police officers into staff roles on the remuneration and conditions for the police staff job be introduced where continued engagement as a police officer is no longer viable and as an alternative to termination of engagement. 10. Initial and also regular fitness testing in service should be introduced selectively for both police officer and staff positions where this is a proportionate means of achieving a legitimate aim; this by national prescription.
8	Pay Machinery
	<ol style="list-style-type: none"> 1. Pay machinery to be effective, modern and fair. 2. National Pay Review Body be formed, retaining some flexibility to reflect local market conditions.

Appendix

Police Regulations Summary for Review

At this stage in the Pay and Conditions review this is not a definitive list and further consideration should be made in light of proposals arising.

The Police Regulations 2003

- Annex OO - career breaks

The Police (Amendment) Regulations 2007

- [Regulation 5](#) – part time working and Home Office guidance on Flexible Working in the Police Service
- [Regulation 12](#) – Probationary service in the rank of constable
- [Regulation 13](#) – Unsatisfactory Performance of Police Probationers and Extensions to the Police Probationary Period
- [Regulation 22](#) – hours of duty, travelling time and shift rosters
- [Regulation 24](#) – up to date pay scales by rank and CRTP
- [Regulation 25](#) – for examples of casual and planned overtime, less than 8hrs notice and recalls to duty
- [Regulation 26](#) – entitlement to rest days and bank holidays and compensation for working on a rest day or bank holiday
- [Regulation 27](#) – for guidance and criterion for acting in a higher rank or temporary promotion
- [Regulation 28](#) – for guidance on medical appointments, requirements to perform duty when on sick leave and specified periods for full and half pay
- [Regulation 30](#) – fixing of the pay day and calculations for daily, weekly and monthly pay
- [Regulation 31](#) – deductions from pay of social security benefits and statutory sick pay
- [Regulation 33](#) – entitlements to annual leave and the cancellation of leave
- [Regulation 34](#) – allowances and SPP (Annex U)
- [Regulation 35](#) – re-imbusement of expenses, free travel and public transport mileage rates when using own vehicle instead of public transport

- [Regulation 36](#) – continuation of certain allowances when ill
- [Regulation 38](#) – officers serving pre 1994 on rent and housing allowance

Mutual Aid (S.24 Police Act 1996) & Hertfordshire Agreement

The Police Pension Regulations 1987

The Police Pension Regulations 2006

Police Negotiating Board Act 1964 (PNB statutory powers consolidated in Police Act 1964)

The Special Constables Regulations 1965

The Special Constables (Amendment) Regulations 2002

Unsatisfactory Police Performance The Police Regulations 2003, The Police Efficiency Regulations 1999 and subsequent Home Office Guidance

Home Office Circulars 36/2004 & 50/2004 – Chief Officers' pay

PNB Circular 04/07 – Superintendents' pay