

Police Advisory Board for England and Wales consideration of referred recommendations from Part Two Report of the Winsor Review of Police Officer and Staff Remuneration and Conditions.

Introduction

In March 2012 the Home Secretary asked the Police Advisory Board for England and Wales (PABEW), which discusses non-negotiable conditions of service such as professional conduct, entry standards, business interests and vetting procedures to consider a number of recommendations from the Part Two Report of the Winsor Review of Police Officer and Staff Remuneration and Conditions. Discussion on these recommendations at PABEW took place in parallel to the consideration of a number of other recommendations from the Winsor Part Two Report by the Police Negotiating Board, which negotiates the pay and terms of conditions of police officers.

At the PABEW meeting on 24 July 2012 the Board reached unanimous agreement on the following recommendations, which will now go to the Minister for his consideration of implementation.

Recommendation 3

From April 2013, an additional qualification should be added to the list required for appointment to a police force in Regulation 10 of the Police Regulations 2003. Candidates eligible for appointment to a police force should have either a Level 3 qualification, or a police qualification which is recognised by the sector skills council, Skills for Justice, or service as a special constable or service as a PCSO (or another staff role which the chief officer is satisfied provides appropriate experience). The chief officer should have a discretion in relation to which of these criteria should apply to applicants for entry to his force.

The Board agreed that Level 3 achievement is appropriate to the demands of modern policing. The Board recommended that chief officers should have discretion to accept candidates who do not hold a formal Level 3 certificate if there is evidence to show that the training and experience of the candidate is equivalent to Level 3. Also chief officers should be advised to make use of the National Recognition Information Centre for the United Kingdom in evaluating the equivalence of overseas qualifications.

The Board supported the continuing work to develop police specific qualifications and to clarify the level of the functional skills of literacy, numeracy and

communication required by police officers. In the first instance, Skills for Justice and the new Police Professional Body should bring forward recommendations about the precise levels and tests which should be used to set minimum requirements for recruitment. The Board urged forces to assess and monitor carefully the impact on the diversity of recruits of any narrowing of the range of qualifications accepted.

Recommendation 5

The pass mark for the 2013 SEARCH assessment process should be raised to at least 70%. This should be reviewed after five years to ensure that the academic threshold is sufficiently rigorous.

The Board recommended that this recommendation be rejected. SEARCH is a psychometric assessment and is not designed to monitor academic thresholds. Furthermore, insufficient consideration was given by Winsor to the consequences of the proposal, in particular the effect it would have on the pass rate, which would result in only 2.8% of candidates passing, together with significant increases in the costs.

Recommendation 10

Paragraph 1 of Determination Annex C, made under Regulation 12 of the Police Regulations 2003, should be amended to allow those on an accelerated promotion scheme recognised by the Home Secretary to serve a one-year probationary period, or shorter as the relevant chief officer determines in the circumstances of a particular case.

The Board was not asked by the Home Secretary to consider the design of the proposed accelerated promotion scheme. This will be a matter for consideration by the new Police Professional Body (PPB). The Board was unable to reach a decision on this recommendation without details of the scheme design being available to it. This recommendation should be considered by PABEW once details of the scheme can be provided.

Recommendation 11

Regulation 7(2) of the Police (Promotion) Regulations 1996 should be amended to provide that officers on an accelerated promotion scheme, recognised by the Home Secretary, should be promoted from constable to sergeant if they have met the criteria to join a recognised accelerated promotion scheme course, have completed one year's service and have passed a one year probation period, subject to the discretion of their Chief Constable. Officers promoted in such a manner should be on probation until they have completed two years' service at that rank or a recognised accelerated promotion scheme course, whichever is later.

The Board was not asked by the Home Secretary to consider the design of the proposed accelerated promotion scheme. This will be a matter for consideration by the new Police Professional Body (PPB). The Board was unable to reach a decision on this recommendation without details of the scheme design being available to it. This recommendation should be considered by PABEW once details of the scheme can be provided.

Recommendation 12

Regulation 7(4) of the Police (Promotion) Regulations 1996 should be amended to provide that officers on an accelerated promotion scheme recognised by the Home Secretary should be automatically promoted from sergeant to inspector upon passing a recognised accelerated promotion scheme course.

The Board was not asked by the Home Secretary to consider the design of the proposed accelerated promotion scheme. This will be a matter for consideration by the new Police Professional Body (PPB). The Board was unable to reach a decision on this recommendation without details of the scheme design being available to it. This recommendation should be considered by PABEW once details of the scheme can be provided.

Recommendation 16

Provision should be made in police regulations to enable police officers to be seconded to organisations outside policing for a period not exceeding five years.

The Board unanimously agreed this recommendation.

Recommendation 17

The Police Regulations 2003 should be amended to provide for the return to the police service of former non-probationary officers at the rank they last held. There should be no right of return and there must be a suitable vacancy. Return after more than five years should not be allowed other than in exceptional circumstances.

The Board unanimously agreed this recommendation.

Recommendation 18

The Police Regulations 2003 should be amended to provide that returning officers should be subject to a probationary period of six months.

The Board unanimously agreed this recommendation.

Recommendation 21

Determination Annex C of Regulation 12 of the Police Regulations 2003 should be amended to provide that those entering above the rank of constable should

serve a probationary period in accordance with the applicable direct entry scheme.

The Board was not asked by the Home Secretary to consider the design or principle of the proposed direct entry scheme. This will be a matter for consideration by the new Police Professional Body (PPB). The Board was unable to reach a decision on this recommendation without details of the scheme design being available to it. This recommendation should be considered by PABEW once details of the scheme can be provided.

Recommendation 23

From September 2013, the eligible experience for a Chief Constable set out in Determination Annex B, made under Regulation 11 of the Police Regulations 2003, should be amended to include service in a chief officer equivalent role overseas in a common law jurisdiction which practises policing by consent.

The Board noted that the issue of principle involved was one for Parliament. The Board offered a number of comments on implementation, should the principle of overseas appointments be approved by Parliament.

The Board felt that neither “common-law jurisdiction” nor “policing by consent” are precise terms. The difficulty could be resolved by providing, in the legislation, for eligible countries to be designated as such by the Home Secretary. It therefore recommended that, in the event that Parliament approves the principle of overseas experience rendering a candidate eligible for appointment, the countries in which such experience could be gained should be named in the Determination made under Regulation 11.

Recommendation 26

Determination Annex B, made under Regulation 11 of the Police Regulations 2003, should be amended to remove the requirement as to the length or place of service required to become a Chief Constable in the case only of officers to be appointed as Chief Constables from police forces outside the UK.

The view of the Board was that it is difficult to see why the length of senior experience should be less for an overseas candidate than a UK candidate. The Board recommended that the two years’ experience requirement remains for all candidates, and that this be at ACC/Commander level or above, or an equivalent level in an eligible overseas force, should Parliament approve the principle of overseas experience rendering a candidate eligible for appointment.

The Board also noted that British citizenship is a minimum requirement for employment in most national security and secret intelligence roles. Consequently it further recommended that, should Parliament approve the principle of overseas

experience rendering a candidate eligible for appointment as a Chief Constable, it would be appropriate for Parliament to determine whether a successful overseas candidate should be required to obtain British citizenship prior to taking up post, and to relinquish any non-British citizenship.

Recommendation 33

A fitness test should be introduced in September 2013 for all police officers and staff required to undertake personal safety training. Participants should be required to attain level 5:4 on a 15-metre shuttle run. From September 2014, those who fail the test three times should be subject to the appropriate disciplinary procedures.

The Board accepted this recommendation for an annual fitness test at level 5:4 on the shuttle run. However, failure should not lead to disciplinary action. In the first instance supportive action should be offered to remedy the matter and then, if it remains unresolved, Unsatisfactory Performance Procedures should be initiated. The Board does not support the use of disciplinary measures for those who fail.

Recommendation 34

From September 2018, an annual physical fitness test should be introduced for all police officers in England and Wales, equivalent to the test used for recruits in the Police Service of Northern Ireland.

Recommendation 35

From September 2018, the national police recruitment test should be replaced by the more demanding physical assessment test used in the Police Service of Northern Ireland.

Recommendation 36

From September 2018, probationers should have to prove their fitness against the more demanding physical assessment test used in the Police Service of Northern Ireland.

With regard to these three recommendations the Board felt that, prior to introduction in England and Wales, the Police Service of Northern Ireland (PSNI) test would need to be evaluated versus the duties undertaken by officers in England and Wales and the equality impact would need to be assessed and, if necessary, justified. Furthermore, the cost implications of introducing the test require consideration as these are likely to be significantly higher than for the test approved under recommendation 33.

Consequently, the Board proposed that the fitness test introduced under Recommendation 33 should be evaluated two years after its introduction. At that

point a view should be taken on whether the standard needs to be raised. The necessary work could then be commissioned to design the test. The Board recommended the Home Secretary indicates whether this is acceptable, or if work should be commissioned now to evaluate the PSNI test.

Recommendation 37

From September 2018, national fitness tests for specialist police officer roles should be introduced, designed most closely to test the physical capability of officers to discharge the responsibilities of the specialist police officers in the field.

The Board has recently recommended fitness standards for specialist posts in the police service which have been endorsed and published by ACPO. It was the view of the Board that Winsor's argument that the current standards should be replaced was based on the false premise that training scenarios for specialist posts do not adequately replicate the demands of the job. Consequently the Board did not accept recommendation 37 but proposed the impact of the existing standards should be reviewed after two years.