



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

Our ref: 743812

29 October 2010

Mr T Winsor  
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Dear 

**This response is submitted on behalf of the Police Service of Northern Ireland and represents the views of the Chief Constable and Senior Command Team.**

The questions posed by your review are many and wide ranging.

In the time made available, and we understand the pressures on your part, it is only possible to respond at the most general of levels. The Chief Constable looks forward to meeting with you on 8 November alongside colleagues to discuss these issues in more detail.

Your closing remarks give us much comfort and we note with pleasure the respect in which you hold the job of police officer and the dangerous and difficult job which they do.

### **SACRIFICE**

Nowhere we would contend is that more true than here in Northern Ireland. It is worth stating, and we shall never forget it, that in upholding the law and protecting our fellow citizen 303 of our officers have paid the ultimate price, 13000 more have suffered grievous injury.

Everyday our officers face risks unparalleled in any other civil profession. In our world the threats they face impact not just upon them but their wider family circle. As we write we have officers recovering from horrendous and life altering injuries yet struggling to get back to work to fulfil their vocation because that is what policing is, it is not just a job.

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*Calls within Police Service of Northern Ireland telephone system may be monitored or recorded*

We have officers moved from their homes under threat of certain assassination, others ostracised by family members and the broader community from which they came simply because they have opted to serve as a police officer.

We say this not just because it needs to be said but because care needs to be taken in drawing parallels whether within or without the public sector.

The public as a whole have huge expectations of the police service, and rightly so. The quid pro quo however must be that this expectation is fairly and properly recognised in the terms and condition under which our officers and staff are engaged and work.

Policing is a 24/7 365 days a year service - investigations can't just be walked away from when a shift ends and that must be borne in mind by the Review team.

### **NATIONAL POLICE SERVICE**

Turning now to the specifics of your Review we should like to draw your attention to the fact that whilst policing is a devolved matter for the Northern Ireland Executive, terms and conditions for officers at all ranks are the same as those prevailing in England and Wales. We believe that this should not be changed.

As matters currently exist we do not consider that such an argument can be made. We believe it is in the interests of the Service and the Public as a whole that potential remains for movement between forces across the UK. This is particularly important for collaboration and for the cross fertilisation of skills and experience from one force to another.

Our own Senior Command Team for example is composed of members from across the United Kingdom facilitated by a commonality of terms and conditions and Command Band training. As a service we have significant mutual aid obligations in conjunction with other UK Services. Different entry levels and differing terms and conditions of employment could result in the development of police services that are unable to respond cohesively to a National emergency.

### **STAFF MOTIVATION**

We are certainly not opposed to reform, indeed as a Service we have reduced our workforce by around 40% in the last few years, but would ask the Review Team to pay close attention to the motivation of our workforce when it comes to making its recommendations.

It must be recognised, whether it is welcome or not, that all police officers and staff have entered into individual terms and conditions of engagement and that any significant and arbitrary alteration to those terms is certainly not going to enhance morale or encourage increased efficiency.

### **PROHIBITION ON RIGHT TO STRIKE**

Care must also be taken over the issue of the prohibition on the right to strike of police officers.

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We support the continuance of this prohibition but there must be tangible recognition of its existence in the terms and conditions attaching to policing, i.e. there must be a *recognisable quid pro quo*.

In private industry the existence of such a term is highly prized in negotiation and attracts a premium. The term is usually attached to wage increase guarantees tied to inflation and or no redundancy agreements. Whether in the public or the private sector the term is not free.

### OFFICE OF CONSTABLE

We also consider it important that the Office not post of Constable is preserved consequently we would not support redundancy provision being applied.

For ease of reference the remainder of our submission follows the general headings in your commissioning letter.

Annex B

### ENTRY ROUTES

Considerable work has been done in many services in seeking to streamline entry routes to the Service. Most of these have focussed on increasing the basic qualifications for entry at Constable level thus shortening the training period required at the public expense. These initiatives are to be encouraged.

There is no quick fix to the diversity issues facing policing and there is a danger that the higher the qualification levels required at the pre entry stage for Constables the greater the risk that minorities particularly ethnic minorities will be adversely impacted.

That said, a standardised set of entry requirements should be mandated across the United Kingdom.

In many cultures policing is viewed with suspicion and as being an unworthy profession. Negative changes to terms and conditions of employment are unlikely to enhance the view of the profession in those cultures. Consequently there is a real risk that unless care is taken with reform, adverse impact on rather than support for increased diversity could be delivered.

Turning to the issue of entry level above Constable this vexed issue is no longer as significant as it once might have been given the multidisciplinary teams of police and police staff that currently exist at all levels across the country. We do not think therefore that there is much merit in the review team spending a lot of time on this.

### DEPLOYMENT

It is generally accepted that current deployment arrangements particularly in relation to shift working are unnecessarily restricted by some national agreements.

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We recognise that unplanned disruption to the work/life balance of staff whether sworn or unsworn needs, as it does in any sector, whether public or private, to be recognised by the payment of compensation in the form of shift or overtime premia. Whilst premia would benefit from careful review in the existing economic climate, I would stress the need to properly recognise the need to adequately compensate officers for changes to duty and overtime working. This again is a balancing act as the ability to require all sworn officers to work overtime or extend shift times is extremely valuable and in the public interest. Police staff for example in general terms can not be required to extend shifts or work overtime and this has been found by some managers to be unduly restrictive. Any restriction on the ability to direct officers to remain at their post and thus leave an operation or action unfinished would clearly not enhance community confidence in policing.

#### **BUSINESS INTERESTS**

Business interests of police officers and staffs need to be closely regulated to ensure the independence of office that is necessary to instil confidence in the operation of policing. ACPO guidance on this issue has already been developed and PSNI operate an even more restrictive approach to this matter.

#### **PERFORMANCE RELATED PAY, SPP, CRTP**

In general the introduction of these pay arrangements was never sought by police managers and in some cases their introduction was not even discussed.

It is fair to say that the universal view of those in policing is that these provisions are both divisive and labour intensive in operation.

Within PSNI we have little evidence that such payments have either increased motivation or assisted us in filling difficult posts. It is appropriate that all such provisions are reviewed, with the potential for sums paid being re invested in some other manner.

#### **PAY PROGRESSION AND LENGTH OF SERVICE**

Pay Progression is of benefit in recognition that officers learn their skills over a period of time. If progression is to be retained then greater benefit would be achieved by basing this on the achievement of particular skill or experience and not on a time served platform.

#### **LENGTH OF SERVICE**

We can see no prima facie objection to officers retiring and being hired back as members of police staff. We do not think that any prohibition to that effect would be lawful but believe that such a stance would breach a number of existing statutes. Further more it would be foolish to place such an artificial barrier in the way of access to such a skill base.

It should be for individual forces to recruit those that best suit their skill needs and community requirements.

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## EXIT ROUTES AND PENSIONS

Pensions matters are already covered by the Hutton review therefore we do not propose to comment further at this stage. We have already stated our opposition to redundancy for police officers in our introductory remarks.

As members of police staff in Northern Ireland avail of terms and conditions equivalent to those of civil servants the basis for making staff redundant is certainly not simple. We would welcome machinery however that promotes flexible employment for both police officers and staff, however we are aware that that flexibility is about to be constrained by the introduction of EU based legislation on the engagement of Agency staff.

The availability of Agency staffs to PSNI to this date has not only met our needs but gave us the flexibility to adjust our headcount dependent upon available funding streams, thus avoiding the need for expensive and de-motivational redundancy requirements.

## HEALTH RELATED ISSUES

The return of officers to effective duty must be seen in the context of prevailing legislation on DDA. Set against this background the existing regulations do provide an appropriate framework, if properly managed by health professionals and managers alike in reintroducing those injured back to work.

We do not say that some fine tuning is not necessary but it is important to bear in mind that police officers by virtue of their occupation deserve special consideration in circumstances where they are injured strictly in accordance with the execution of duty. This is important in that officers placing themselves at risk to protect the public need to have confidence in professional and caring societal support for them in such circumstances.

It is important however that there is a clear and unambiguous definition of what this actually means as our experience is that the original intent has been very stretched over time.

## PAY MACHINERY

We are convinced that there is a need for a National body to establish pay parameters and basic conditions for engagement but that current arrangements have no place in the future. Any future arrangement has to take into account more fully the view of the leadership of the Service and reach more speedy and relevant determinations.

We consider the current structure of the Police Negotiating Board and to some extent the Police Advisory Board to be cumbersome and a mechanism whose time has passed.

This matter was considered by a previous administration in 2007 as a result of which the establishment of a Pay Review Body was a recommendation. We believe that the thinking around this recommendation should be re-visited by the Review body.

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## CONCLUSION

As stated at the outset we have endeavoured to take a strategic approach to the questions posed, many of which are complex in themselves. They also have complex interdependencies which have to be teased out in detailed analysis and debate.

It was once said that Policing is much too important to be left to the police themselves. We whole heartedly endorse this statement but policing is also too important to be put at risk by reforms that can not be seen to be both fair and equitable.

We look forward to the opportunity to discuss these matters with you at a later date.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J M Stewart', with a long horizontal flourish extending to the right.

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