



# National Association of Retired Police Officers

(Founder Member of the Public Service Pensioners Council)



## **About the National Association of Retired Police Officers**

The National Association of Retired Police Officers (NARPO) is a member organisation founded in 1919 to represent the interests of former police officers of all ranks from Police Forces in England and Wales, their widows, widowers and former partners. Currently we have in excess of 79,000 members in over 100 local branches throughout England and Wales. Our principle aim is to safeguard the rights of members and promote measures for their welfare, with particular regards to pensions.

## **Introduction**

As former police officers, we are proud to have served in that unique role as servants of the Crown in the office of Constable. From our experience we believe that the 'Office of Constable' needs to continue as the mainstay of British policing. This role ensures political independence of the service as well as impartiality. We believe successive Governments need to recognise the 'Office of Constables' and not by simply paying lip service to the role.

In this response to our invitation to provide evidence to the Independent Review of Police Officers and Staff Remuneration and Conditions, we will not comment on all the areas under consideration but hope what we do say, which is borne out of considerable experience of the police service, will be helpful.

## **Entry Routes**

The question of direct entry above the rank of constable is not a new one and is 'wheeled out' at regular intervals by those who are critical of the services performance. Little evidence is provided by those who seek this change, instead challenging the service to provide evidence that the status quo is a preferential option.

Knowledge of front line policing is required at most if not all levels of policing. A grounding in policing is a benefit to those who achieve higher rank and is respected by those at lower ranks.

Direct entry is unpopular within the service. There could be no worse a time to introduce direct entry than at a time when the service is cutting back as this would be likely to further affect the diminishing promotional prospects of currently serving officers.

## **Specials**

The Home Office have from time to time invested significant amounts of money into recruitment campaigns for Specials with very little effect. It must also be acknowledged that the general trend is not good for volunteering in any field. The majority of those who do volunteer are either the older generation with both time on their hands and life experience or the younger generation looking for that life experience before starting a working life. We are sure a similar pattern must be evident in the Specials.

All organisations seeking volunteers need to overcome this very obvious hurdle. 2011 is the 'European Year of the Volunteer'. We have seen little evidence that the U.K. is in any way highlighting this issue.

Our view is that local rather than national action needs to be taken, which offers 'recognition' of the volunteer role. Government should be grateful of the recent acceptance of Special by the Police Federation, which will go part of the way to addressing this 'recognition' question.

Mandating that police officers and / or police staff are recruited from the Specials has significant drawbacks. Significant numbers of police officers have been recruited through the Specials in the past and there is no reason why this could not continue into the future.

However, this proposal would not be suitable for all police staff as skill areas required for Specials are likely to be significantly different than those required for many police staff roles.

It would strictly limit the range of people likely to be recruited and work against those from poorer backgrounds or those with an immediate requirement for paid employment. It is interesting that this proposal is made at the same time as a proposal for 'direct entry' as the two proposals must be mutually exclusive.

It moves the concept of the Special constabulary away from its current local volunteer status.

## **Deployment**

Shift patterns and changes to them are amongst the most contentious areas for those who work them. Short term changes affect the work life balance of officers as well as interfering with domestic arrangements. Wholesale long term change can have domestic and health consequences.

Whilst we recognise that policing is fundamentally a demand driven service, much of that demand can be planned for. A requirement to forward plan shift patterns is we believe a function of good management. It also allows individuals to plan their free time to achieve a healthy work / life balance. Current regulations recognise that the service is an emergency service and makes allowances for that requirement but it must be a function of management to plan ahead and make best use of its resources.

Even the best efforts to forward plan cannot take account of the occasional individual or collective requirement to react to the unforeseen although this can be kept to a minimum by careful planning. Overtime is the most cost effective and flexible arrangement in such circumstances and, if well controlled, provides fair recompense and good value for money.

Fundamentally, it is not shift patterns that keep officers off frontline 'street' duties but bureaucracy. Overtime can also be a consequence of a failure of other parts of the Justice system.

### **Business Interests**

We believe that Chief Officers should look sympathetically on the question of business interests. Whilst recognising that any business interest should not interfere with any officer's ability to perform the role of constable impartially, there are areas of business that will not interfere with that role.

It may also be particularly important to some officers approaching retirement to carefully consider further work. Many do move into business. Any consideration by chief officers on this matter could take pending retirement into account when considering an application for a business interest.

### **Pay and Conditions – Pay Machinery**

We do not want to comment in detail about pay scales and other conditions of service. We do, however, wish to comment on the more general issues involved in pay and conditions including the negotiating machinery for police pay.

The Police Negotiation Board (PNB) was borne out of a Royal Commission on policing and recognises the status of the Office of Constable. In both the award of a significant pay rise in the late 1970's / early 1980's and the setting up of the PNB, the Commission made particular reference to the lack of employment rights for Police Officers, including the right to strike. The Commission came out of significant unrest in the police service aligned to a distrust of the previous pay negotiating machinery.

Despite fairly regular attacks from outside the PNB, it has, in the main, served a useful purpose to both sides and will be difficult to replace. Some improvements could however be made, including binding arbitration. A closer relationship with the Police Advisory Board (PAB) might also provide a better overall function.

Since 1980, changes of Government have impacted on the pay and conditions of police officers. As an example in 2001/2 the last Government introduced 'competency related threshold payments' and 'special priority post payments' as part of an overall package described as the most significant modernisation of police pay in a generation. It was introduced through negotiations at the PNB. Those new pay arrangements included the shortening of some pay scales to meet legal requirements.

These features were part of an overall package, offset against the surrender of allowances and a significant pay claim. It took the service some time to come to terms with these

changes, which were strongly supported by the Home Office, Chief Officers and Police Authority representatives at the PNB.

It is therefore in our view surprising that after such a short time a further 'significant' change could be proposed. We are sure that many in the service, who have planned their future on the basis of the current arrangements, will be dismayed at this further proposed disruption to their terms and conditions.

## **Exit Routes and Pensions**

### **Redundancy**

There seems to be a drive in these proposal to make police officers 'employees' in the very ordinary sense of that word yet still expect them to be restrained in their demands for full employee status. Police Officers hold a responsibility to act as 'Constables' whether on or off duty. They act in very controversial situations and are very vulnerable to malicious complaint. All this demands fair treatment in return. The service also has several means of disposing with officers who either break the code of conduct, are incompetent or whose attendance does not meet the criteria required. The introduction of a power to make officers redundant is we believe unnecessary.

### **Health Related Issues**

The main issue preventing officers returning to full duties are health issues. In 2002 as part of a package of measures, guidance recommending that the service saw medical retirement as a last resort meant, that more officers were retained, who are not fit for a full range of police duties, in most cases 'permanently' unfit for those duties. This has significantly reduced medical retirements and the associated costs of medical retirements but has left the service with a significantly higher number of officers in this bracket of not fit for a full range of duties. The move was intended to retain the skills of those officers and usefully employ them within other than front line roles. The current situation was an entirely foreseeable consequence of that earlier guidance, introduced by the Home Office and employers' representatives and agreed at the PAB as part of the overall pay and conditions package in 2002.

Again and as part of the pay and conditions package negotiated around 2001/2002, a new Police Pension scheme was introduced in 2006. This includes new provisions in respect of medical pensions. It should be noted that these changes have lead to very significant reductions in medical pensions and associated cost savings, which was a major aim of the agreement.

### **Pensions**

We recognise that the whole question of pensions is subject to consideration by Lord Hutton and we have provided evidence to that process. We do however feel obliged to make comment further about some of the specific issues raised in your invitation to comment.

## **Flexible Pension**

There are two police pension schemes currently in operation in the service, the 1987 scheme and 2006 scheme. There is and has been considerable misrepresentation about both of these schemes in respect of 'flexibility to leave the service'. It is possible, at any stage in police service, to leave and take a benefit from both schemes either by way of a deferred pension or transfer value.

In terms of the 1987 scheme, it could be argued that there is a disincentive to do this as the scheme does not provide an equal accrual system. It is a thirty year scheme but only one half of the final value of the pension is accrued in the first twenty years of service. The second half of the pension is accrued in the last ten years of service. We are sure that the intention in the design of this scheme was retention of experienced officers.

Despite that intention, the scheme allows for flexible early exit and the deferred pension is calculated on a pro rata of actual service to potential full thirty year service providing a slight advantage in respect of actual accrual for those leaving the service early. Deferred pensions are index linked before payment at 60 years of age. There is also a ability to take a transfer value instead of a deferred pension.

The new Police Pension scheme introduced in 2006 is a thirty five year scheme with an equal accrual over the thirty five years of the scheme. The scheme ignores the 'retention' provision of double accrual in later service and as such is likely to prove less of a disincentive to leaving the service early, particularly in later service. In fact as officers will be asked to work longer to achieve a full police pension, we can see many of the most talented who are contributing to the new scheme, considering their options for re-employment in their forties, balancing continuing in the police service until their late fifties or early sixties in front line duties to obtain a full pension against the possibility of less physical work elsewhere, with a transfer of accrued benefits into another scheme. The 2006 Scheme has a deferred pension provision as an alternative to the transfer value provision similar to the 1987 scheme.

We think it worthy of note that a new police pension scheme, taking into account affordability and the desire to attract and retain good quality recruits was only introduced as recently as 2006. Many of the issues raised in this review are not new and were considered in the discussions leading to and some provisions within that scheme.

Since then the Government have changed the measure for indexation of police pensions from the Retail Price Index to the Consumer Price Index from April 2011. Lord Hutton recognises that this measure will reduce the value of a typical public sector pension by 15% during the life of that pension. He also recognises that measures already taken by introducing new schemes across the public sector will save a further 10% in the lifetime of a pension, significant reductions both for serving officers and those already in receipt of a police pension.

## **Working after retirement**

Current and previous Government policy has encouraged a longer working life. With proposals for later payment of State Pension and the measures we have referred to above already affecting the value of public sector pensions including police pensions, more and more people will be working to an older age. Whilst many former police officers look for

employment in new areas, others wish to continue their association with the service or with the security industry. We are at a loss to understand what thinking is behind any suggestion that former police officers in receipt of a pension should be barred from employment within or suffer some penalty for employment with the police service.

In reality the employment of former police officers in roles in policing is a direct consequence of successive Government policies of employing non sworn personnel in some roles in preference to police officers. Many of those roles require skills and experience, which are hard if not impossible to find outside policing. If they can find these skills in other areas, frequently significant training is required to fully equip the individual for the role. Former police officers bring that knowledge and skill at no or little cost.

The roles these former officers fill are required roles and in general are competed for in the same way as other vacancies within the police service or other parts of the public sector. The retired officers are available for work, have paid 11% towards their pension- the highest in the public sector- and have been in competition for the job. We consider it would be grossly unfair to penalise retired officers from open competition for jobs in this area as for many this is their skill set and one of the few opportunities for work following retirement. We also consider that it would be equally unfair to impose some sort of penalty on anyone in receipt of a pension when in competition for a job or following appointment.

As we have argued there are advantages to the employer in respect of cost savings but further there is likely to be a significant advantage to the Treasury in terms of taxation. Former officers in receipt of pensions are more likely to pay more tax than other employees in the same role as they will be taxed on the sum of pension plus income. We see no justification whatsoever to introduce restrictions on further employment either within or outside the service. It must surely be the best person for the job. If restrictions were introduced in respect of former police officers, we would expect similar restriction for all those working and in receipt of a pension, a measure which would clearly act against current Government policy in respect of extending working lives.

Clint Elliott QPM  
Chief Executive