

MPS Response: Tom Winsor Review of Remuneration and Conditions of Service

Context

The Metropolitan Police Service (MPS) is famed around the world and has a unique place in the history of policing. It is by far the largest of the police services in the UK with more than 32,500 officers, together with about 14,200 police staff, 230 traffic wardens and 4,300 Police Community Support Officers (PCSOs).

The MPS is also supported and services delivered through the contribution of more than 4,000 volunteer police officers in the Metropolitan Special Constabulary (MSC) and its Employer Supported Policing (ESP) programme, together with other local volunteering schemes for support roles.

The MPS covers an area of 620 square miles and a population of 7.2 million.

The MPS polices a wide range of inner city and suburban neighbourhoods with diverse populations and communities, together with a large itinerant population of daily commuters, business travellers and tourists. It handles numerous capital city functions, including major ceremonial events and demonstrations, a wide range of specialist functions (see appendix) and has a number of national responsibilities. Under the auspices of ACPO it is the lead national force on Counter Terrorism, the 2012 Olympics and Criminal Justice.

The MPS remains committed not only to Safer Neighbourhoods but also the balanced policing model and the many unseen policing services that support local police like the Flying Squad, Human Trafficking Teams and Murder Investigation Teams that work together to fight crime and keep the streets safe for Londoners.

A balanced model that includes the MPS' national and international leadership role in counter terrorism and specialist crime.

Recent Developments

Until the formation of the Metropolitan Police Authority (MPA) in 2000, the Home Secretary was the Police Authority for London.

This, combined with the size, scale and complexity of the service, meant both that the service enjoys a close relationship with the Home Office and that it has developed a wider range of specialist functions and managed more activities in house than exist in other forces.

It was an early adopter of 'workforce modernisation' and developing specialist police staff roles in larger numbers and to a greater extent than in other forces. These include roles such as communications operators, station reception officers, vehicle removal officers and, more recently, PCSOs and Designated Detention Officers. It is currently rolling out a programme of introducing specialist police staff nurses into custody suites in police stations and employs small numbers of very specialist police staff in front-line operational roles, such as helicopter pilots and explosives experts.

Until 2000 police staff were civil servants and, along with most civil service departments at the time, the MPS developed a local pay bargaining machinery which has operated since the mid 1990s (Unlike most other forces, where police staff are aligned with local Government

staff and operate with terms and conditions derived from those established under the national Police Staff Council arrangements).

This flexibility has helped the service respond to labour market pressures, particularly when there have been pressures on recruitment and retention of police officers.

The London Factor

The London labour market has resulted in pressures on both officer and staff recruitment. Historically, there was a trend for officers to join the MPS and, after probation, move to other forces, some returning later to gain promotion or move to a specialist role. This led to conflict between forces over 'poaching' of trained officers or specialists by one force from another (claims which were strenuously denied by both parties - all forces were competing for scarce resources i.e. trained and experienced police officers in a 'closed' market in a relatively small geographical area).

Following the 1994 reforms of police reward, when the payment of rent or housing allowances ceased for new officers, it was recognised that rates paid in London were insufficient to attract and retain officers in sufficient numbers. It was agreed in the Police Negotiating Board to introduce a special London allowance (together with some South East allowances) to help address this problem. In addition the residential limit restriction on officers was removed and, later, a contract agreed with the Association of Train Operating Companies (ATOC) to provide London officers with free travel on national rail services up to 70 miles from London.

These incentives, together with national pay uplifts, enabled the MPS to attract and successfully recruit a large number of officers to boost numbers to over 30,000 in 2006. In addition to improving resource and resilience, the diversity profile of the new recruits improved the representation of both women and ethnic minorities in the officer group.

At the same time improvements in police staff pay, agreed by the MPA in 2001, supported the introduction of a new role of PCSO, grown from a zero base to a workforce of over 4,500 in under 5 years with a key role in neighbourhood policing, and the expansion of over 400 forensic staff to provide a better crime scene evidence recovery.

A Response to the Call for Evidence

Important Issues for the MPS

1. Entry Points

1.1 Review officer entry models and 'points' to ensure the system enables the service to attract the best people from across the whole community into the role of officer:

- The MPS supports entry as a constable, but with variable starting pay and routes reflecting previous learning and relevant experience – especially relevant to entry e.g. from PCSO, with a relevant qualification etc.
- The MPS supports multi-point entry - entering the service at a rank higher than constable in certain circumstances - and would welcome further discussion on how this might work.

1.2 The police service nationally, and especially in London, is competing for top recruits with other services who provide direct entry into the service at higher levels than basic entrant - and have an advantage over us.

1.3 Professionalising the policing world is critical to securing improvements in service delivery and longer term strategic management of the service. The Review should contemplate, as the Royal College of Nursing has, the establishment of a specific graduate position as a route of entry and pathway to longer term career development (Please see 4.3 below).

1.4 The Review might like to consider whether the different approaches taken to police staff and police officer entry and career progression remain justified – police staff are already recruited on local pay rates to locally determined roles with variable entry points.

2. Deployment

2.1 Whilst the value and status of the office of constable is recognised, it should not necessarily involve:

- retention of the special employment status and
- the resulting complexity of general employment provisions, certain of which apply to officers and certain of which don't, and
- the legal framework of terms and conditions, especially where these are inflexible, outdated, complex and don't deliver value for money.

2.2 The public needs maximum flexibility from police officers in terms of numerical flexibility (the ability to change the size and shape of the workforce to reflect policing and financial pressures) and flexibility around deployment and role.

2.3 There is a balance to be struck between the imposition of duty on the lives of officers and the cost and complexity involved in rostering to meet the public's needs. At present, that balance appears weighted too much in favour of officers, given their special status and pay position which reflects that status.

2.4 There is a need to recognise that overtime is not always a 'bad thing' - it can be a flexible and cost effective management option, but the notice and pay arrangements need to be rationalised and simplified to facilitate effective deployment. Equally, many individuals are choosing a work-life balance over maximising reward – rates for overtime need to be

sufficient incentive to yield volunteers to work additional hours at times of high demand.

2.5 Cost-effective deployment must be facilitated through modernisation of rules around rostering, overtime and Bank Holiday premium rates and the requirement to secure in all cases local agreement on variable shift patterns. The public have the right to expect, in return for fair reward package and good terms and conditions, that officers do not receive generous additional rewards for doing what the public perceive is part of their job – working flexibly to meet service demands, working on Bank Holidays, working additional hours when required without excessive compensation (including working into holidays and rest days) and responding to telephone calls without claiming 4 hours' overtime.

2.6 In this context, consideration should be given to the introduction of a pay differential for 'response' 24/7 officers and those with unpredictable working arrangements over those in routine 'day duty' roles, as set out in the ACPO response.

2.7 The Review might also consider the increasing specialisation of officer roles and the impact this trend has on issues such as training, succession planning, deployment and resilience within a force.

2.8 In all but exceptional cases claims for meal expenses and allowances should be removed - these are outdated, inappropriate in a professional discipline and – in common with the payment of a number of allowance and expense items - consume a disproportionate amount of authorisation / administrative / processing time beyond the simple cost of the amount being claimed.

2.9 The Review should address the issue of replacement allowances, administration of which is labour intensive and complex and which may pose equal pay challenges. These might be frozen at current value then either phased out over time or entitlement bought out.

2.10 Move towards a single employment framework for officers and staff, where there are differences, but those differences are logical, fair, transparent and justifiable. This would facilitate transition during a career from staff to officer and vice versa.

2.11 The issue of Mutual Aid and the 'Hertfordshire Agreement' is one that requires urgent resolution, certainly early in 2011, in view of the very significant requirement from the MPS for mutual aid to support the 2012 Olympics. Negotiations on alternative arrangements are taking time to progress and conclude and there is a need for planners to have a reasonably certain framework on which to base deployment and costing plans.

2.12 The MPS does not support regular fitness testing across the board, but supports a framework of age-related and role specific fitness testing where appropriate.

3 Performance / Post Related Pay

3.1 The bonus regime, from ACPO ranks down to Federated Ranks' SPPs, is not an effective incentive in the public sector in general and policing in particular. Bonuses are not the general incentive for police officers and staff coming into the Service and indeed could lead to perverse management decisions and inappropriate priorities.

4 Pay Progression & Length of Service

4.1 A phase out of discredited 2003 Police Reform payments might release funding to achieve pay & reward modernisation in other areas.

4.2 Review of pay scales (especially constable) and differentials between the ranks to ensure equal pay proofing against the PNB equal pay audit findings, that pay reflects the rate for the job and that it is internally consistent. In this context, there may be scope to reduce the number of ranks and/or merge two ranks into one.

4.3 Support the professionalisation of policing through linking pay and career progression to acquisition and deployment of knowledge, skills and experience which are accredited and maintained through ongoing professional development - rather than the current focus on rank-based pay progression achieved only through promotion.

4.4 The Review should consider the current rank structure in terms of the hierarchy it tends to create, the distinction between roles in different ranks and the pay differentials between them. Fewer ranks would support removal of tiers of management, flattening the structure and giving clearer lines of communication and command.

4.5 It might also consider, in relation both to officers and staff, the conventional approach to career progression through line management roles and to seek to reward at similar levels both those with a leadership role and others with no staff but a scarce technical skill to whom we have reward appropriately to attract.

5 Release & Pensions

5.1 We would welcome a discussion on the provision for release of officers other than retirement or dismissal on grounds of capability / conduct. The introduction of some provision of voluntary terms with an incentive to depart may ease the process. The provisions of Regulation A19 allow only for the exit of 30-year officers. Pressure is current on forces identifying a reduction in costs - and a pause in recruitment and / or natural wastage alone may not help to meet funded target strength in the years ahead.

5.2 Whilst the 'no strike' arrangement for officers should be valued as an important contribution to effective policing, it should not preclude having effective, timely arrangements in place to deal with performance issues and those officers unable to undertake a meaningful role as an officer.

5.3 The Review should explore the right to strike - the benefits, in terms of potential changes to pay and conditions may outweigh the risks. Notwithstanding this, caution must be used in ensuring if the right is granted that current rules pertaining to industrial action are sufficiently stringent to protect public safety in a situation of emergency.

5.4 The Review should recognise, in modernising the terms and conditions framework, the value of the whole employment package in terms of wider benefits and specifically pension provision. Whilst the Hutton Review is addressing technical issues of contribution rates,

discount rates and scheme valuations, the importance of the benefit as a part of the overall package to officers must not be overlooked.

5.5 The current UPP (Unsatisfactory Performance) process requires simplification while still maintaining standards of protection for officers and ensuring due process when invoked, consistent with disciplinary processes for employees in industry and commerce (and, of course, police staff).

5.6 The service needs a robust process to deal with officers permanently unable to fulfill the full duties of the office of constable – always accepting that there is scope to provide for those injured in the execution of their duty and observing responsibilities under e.g. Disability Discrimination legislation.

5.7 Within those broad requirements, there are some specific issues concerning injury benefits which could be addressed in the context of a wide ranging review and we would welcome a discussion on these.

6 Local Pay Determination

6.1 The MPS is a large employer (the largest single employer in London) with significant, well-developed and professionally run resources in terms of support functions, such as HR and Finance. It has significant experience and expertise in handling employee relations issues and pay bargaining locally. If the above changes can be introduced through the existing national pay negotiating and bargaining machinery quickly and effectively, with perhaps scope for some local flexibility around precise details, then the MPS could potentially support retention of the current negotiation and bargaining arrangements.

6.2 Experience to date, however, suggests that this is unlikely. Change delivered through the Police Negotiating Board (PNB) is usually slow and incremental. Some of these changes may be of lower priority for some other forces and others may wish to move in other directions. The priorities may not be shared by all parties of the tripartite Official Side of the PNB.

6.3 In that case, the MPS would argue strongly for the scope to move to a local bargaining arrangement to be introduced covering the MPS only to enable the service to manage its own workforce more effectively in order to deliver a better service for Londoners.

6.4 There are already moves within the PNB for some separate development of terms and conditions for Scottish officers, albeit at a very early stage of consideration.

6.5 The MPS does not argue for the creation of an internal market in policing nor is it seeking a 'race to the bottom' in respect of terms and conditions – indeed in a competitive labour market such as London, it could not afford such an approach. But it wants to adapt its reward arrangements to changing priorities at a faster pace and with greater relevance than the current arrangements allow.

6.6 Ultimately, pay rates, terms and conditions for officers could be negotiated with police authorities and reflect market forces and local priorities and requirements. Specifically, in relation to senior officers and their contractual obligations, arrangements should reflect the reality of the market and police authorities and the Commissioner should be given the flexibility to reflect market demands for particular posts and individuals. The current system is one of national rates up to certain ranks and local rates for more senior roles, most of which are supplemented through the application of local additions to pay or bespoke remuneration packages. This lack of transparency is unsatisfactory from a public perception and makes it difficult for forces who observe national rate – and the MPS is one of a few that

do so - to compete for talent. The reality is that, for the most senior and demanding roles, London rates are around £3,000 per annum more than the rates paid in many other parts of the country, where quality of life may be better and housing and other costs of living are much lower.

6.6 In relation to police staff, the MPS already operates its own terms, conditions of service and annual pay negotiations and would not wish to be subsumed into some form of national bargaining arrangement for police staff.