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Robin Paddock  
Chief Executive

Your Ref:

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**PRELIMINARY SUBMISSION TO:**  
**INDEPENDENT REVIEW OF POLICE OFFICERS AND STAFF**  
**REMUNERATION AND CONDITIONS**

**ON BEHALF OF:**

**ESSEX POLICE AUTHORITY**

At any time a fundamental review of Police Officer and significantly, Police Staff pay, terms and conditions, will be of great importance to all stakeholders, but also a cause of considerable concern to all of our employees. This will be particularly the case when the review is undertaken in the context of 80% Of policing costs being staff and at a time when we are facing major cuts in our funding from Government. Nevertheless, the view of Essex Police Authority is that such a review is timely as change is necessary in some areas. However the review must be objective and allow all of the issues to be debated and scrutinised. There should be nothing excluded but at the same time, the intention should be to produce a range of options which can then be negotiated and hopefully agreed with the stakeholders, including the representatives of staff. This must be a better way of proceeding at this time when the maintenance of staff morale is essential, than any thoughts of arbitrary imposition.

Developing this point further, any outcomes should be seen in terms of a package which is hopefully fair to all stakeholders. To put it another way, if there is an expectation that staff should accept detrimental changes to their pay, terms and conditions, this must be balanced by some positive changes elsewhere, perhaps to development opportunities, or work life balance as part of a new deal for staff moving forward. If there is not this measured approach, there has to be the real possibility of detrimental industrial relations implications, which will directly impact on the delivery of policing both locally and nationally.

To turn to some of the key issues such as the office of constable and harmonisation; how we proceed on these in the future will have an impact on many of the other questions posed by the review. The view of Essex Police Authority is that both of these matters, which are indeed interlinked, must be fully debated and a conclusion reached once and for all. It is difficult to see how the entirely logical long term objective of pay and conditions harmonisation can be achieved, when our staff are divided between those who are "employees" and those who are "constables". This must pose the question as to whether

the now unique office of constable, has a relevance today for either effective policing or management of our staff. It is our view that we would need to be persuaded that this is the case.

Obviously, if there was change to the office of constable, this would open up some difficult issues, or at least some that are perceived to be difficult. The most obvious of these are those relating to unionisation and the right to strike, although these can be overstated. There are examples outside of policing, most significantly in GCHQ and perhaps the other security services, where unionisation has been satisfactorily incorporated. It is also the case in GCHQ, that there is a long standing agreement on the avoidance of industrial action and the resolution of disputes. If there is the will, similar arrangements could apply in policing.

This perhaps leads us to the question of pay determination. Here the logic of harmonisation seems unavoidable. The two existing systems and particularly the potential differing outcomes, are not in the best interests of anyone committed to the concept of a Police Service. The question has to be, what is the best arrangement for the future which will have the confidence of all parties and which recognises the special nature of policing. The present PNC arrangements do appear unduly protracted and perhaps, not fit for purpose, although the concept of unilateral access to arbitration is one that should be seriously considered for all staff, subject to clear criteria being set on what is and is not subject to arbitration. Arbitration is, of course, an entirely legitimate part of what is often described as free collective bargaining. This can, however, be a misnomer in the Public Sector, when Government can and do impose arbitrary pay policies, but this can also be a problem with the other likely alternative of the pay review body process. Pay review bodies are a significant feature of the UK public sector, but with mixed reviews often as a consequence of perceived or real Government interference. The extension of the pay review bodies to the Prison Service, which has some parallels with policing, has not been seen as a great success. Our conclusion to all of this is to move to a harmonised pay determination system, based upon free collective bargaining and away from PNC, but with clear criteria for access to unilateral arbitration and clear understanding of Government's ultimate right of over ride or not.

A further matter linked to pay is that of remuneration for working outside "normal working hours". It has to be the case that working early, late or overnight, is for most staff, more difficult and disruptive than for their colleagues who work 9 to 5 and therefore, we believe as a principle, that this should be reflected in their pay. What is more difficult is exactly what that difference should be. In our view, predictability should be a factor, as should frequency. Emergency, unplanned and necessary attendance should be rewarded differently from pre planned continuation of work, as should overnight work.

Legitimate questions are posed in the review about pay progression and the length of pay scales. Pay progression is linked, in our mind, with performance appraisal and should be linked to satisfactory performance, including attendance. The length of pay scales is a different matter. It is often argued in policing, that these are necessary to reward experience, but if this is true, it needs to be objectively quantified and relate to other occupational groups and professions. Is long experience as a Police Officer more necessary than for a brain surgeon, thereby justifying a longer pay scale? There also needs to be an incentive to seek promotion and career development, rather than rewarding "staying where you are", unless there is a clear business need.

Finally, there is a growing body of evidence that pay scales over 5 years long are potentially discriminatory.

There is little evidence, if any, that performance related pay in the public sector has led to increased performance or productivity. This may well be because the quantum of money available is insufficient to deliver results, but the reality is, that even if this were correct, that level of money will never be available. More important is the question of the effectiveness of performance management systems and the willingness to deal with and resolve poor or declining performance. Anecdotal evidence continues to suggest that the "problem" is still too often moved on rather than dealt with. Also, in policing, there has been an over focus on numerical assessment of the coverage of performance appraisal system rather than a qualitative assessment.

Special priority payments have been a valuable tool in Essex, particularly in dealing with recruitment pressures from the MET. In any sector such as policing, there are always specialisms and locations where posts are hard to fill and pay supplements are necessary. As with all such pay payments, the criteria must be open and transparent and the impact equality proofed.

On the question of entry to the police service, Essex Police Authority would want to retain the present devolved arrangements for recruiting police staff. However, we believe that the concept of national standards for the recruitment of Police Officers should be retained, but the process must become more responsive to local needs and far less time consuming. Processes that can extend over 4 years or more from initial application to completion of probationer training are not acceptable in this day and age. The recruitment of PCSOs probably falls somewhere between these two positions and Essex Police Authority supports local recruitment to broad based national standards. In all of this, we do see considerable scope for savings in time and money to accrue from collaboration. On multi level entry, this of course exists for Police Staff and should be retained. Whether it should be extended to Police Officers, is a much more complex debate. Whether it is necessary to have served as a constable and come through the ranks to have the skills necessary to be a strategic manager at ACPO rank, is probably doubtful, although it is, in our view, vital for those exercising operational command.

We believe that as an employer, we should be able to deploy all staff anywhere within Essex, either temporarily or permanently, subject to reasonable notice and a general test of reasonableness based upon an individual's circumstances and in accord with equality legislation.

Turning to business interests, we do need to recognise that we are in the 21<sup>st</sup> Century and with the development of the internet etc, the definition of a business interest becomes more difficult. Is trading on eBay a business interest? Also many people, including Police Officers and staff, need two jobs to meet living expenses, particularly in areas of high housing cost. In our view once again, the test should be whether a reasonable person, outside policing, perceives a conflict of interest.

Finally, there are a number of questions on the position of Special Constable. We do have considerable doubts as to whether service as a Special Constable should be the only route to recruitment as a Police Officer. It is certainly one very legitimate route, as is service as a PCSO or Police Staff member more generally, but we should always be able to attract the best field of applicants with unnecessary restriction. We await, with interest, an evaluation of the current experiment on this matter in the MET.

In our view, Special Constables have a valuable role in supplementing our paid force, but the questions posed seem to suggest that they might be paid in the future. This has been a long standing debate. The Essex Police Authority's view is, on balance, against paying Special Constables. This is in part, due to cost pressures at present, but also, we believe it would change the fundamental concept of Special Constables freely giving their time for community service. It would also create confusion in the minds of the public, as to who are the paid professionals and who are not.

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

**Robin Paddock**  
**Chief Executive**  
**Essex Police Authority**