

NORTHERN IRELAND POLICING BOARD – NOVEMBER 2010

HOME OFFICE REVIEW OF REMUNERATION AND CONDITIONS OF SERVICE FOR POLICE OFFICERS AND STAFF

This response is submitted on behalf of the Northern Ireland Policing Board

The Northern Ireland Policing Board acknowledge receipt of the invitation to submit a response on the Review of Remuneration and Conditions of Service of Police Officers and Staff.

The report of the Independent Commission on Policing for Northern Ireland published in September 1999, heralded as the Belfast Agreement of 1988 stated, *“A new beginning to policing in Northern Ireland with the Police Service capable of attracting and sustaining support from the community as a whole”*.

The Independent Commission report (Patten Report), acknowledged the need for change in policing in Northern Ireland and made 175 recommendations. Since 1999, the Justice Sector in Northern Ireland and in particular, the Police Service of Northern Ireland and the Northern Ireland Policing Board, has engaged on implementing the changes agreed.

Noting that the Terms of Reference for the review only refer to England and Wales, we believe it is essential that the Northern Ireland position be considered as our governance arrangements are currently part of decision making bodies that exist in those parts of the United Kingdom under review. The review outcomes will, therefore, have a direct effect on policing in Northern Ireland.

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 in England and Wales. We believe it is in the interests of the Service 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.

The PSNI 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. 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, and for Northern Ireland the lack of ability to attract talent from other parts of the UK.

RECENT BACKGROUND TO POLICING IN NORTHERN IRELAND

The Board considers it is essential that the review team are fully aware of the process of change experienced by policing in Northern Ireland and the significant changes which lie ahead. Many of these changes will present their own challenges which are not only unique to policing in the UK, but in some cases, are unique to all policing situations.

As a result of the Patten Report, the PSNI has experienced a Programme of Change unlike any police force in the UK. The Service has taken on a new name, badge, culture and continues to police in a unique policing environment. The Severance Scheme has resulted in large numbers of experienced officers leaving the service and over the past 5 years, these officers have been replaced by over 4,000 new recruits. This has taken place against a background of 50:50 recruitment and the need to provide professional training for officers.

The Patten Report noted that it was the imbalance between the number of Catholics/nationalists and Protestants/unionists which was the most striking problem in the composition of the Royal Ulster Constabulary. It recommended that all candidates who wished to join the Police Service and who reached a specific standard of merit in the selection procedures, should be placed in a pool from which an equal number of Protestants and Catholics would then be drawn for appointment. It was envisaged that one half of new recruits would be Catholic and the other half from Non Catholic (which includes Protestant and other non determined). This arrangement is commonly known as 50:50 recruitment and using this model Patten envisaged that the proportion of Catholic officers would be quadrupled within 10 years. Patten recommended that the 50:50 recruitment provision should remain for at least 10 years up to 2011. The Police (Northern Ireland) Act 2000 (the 2000 Act) Sections 44 to 47, gave effect to the Patten Report recommendations and a temporary provision for 50:50 recruitment.

Over the past 10 years, the Police Service of Northern Ireland has reduced from over 13,000 officers to the present level of just under 7,500. Included in this figure is a number of Full Time Reserve Officers and in addition, Police officers Part Time (previously known as Part Time Reserve Officers). In order to comply with a Patten recommendation, the Full Time Reserve is being gradually phased out.

The policy of 50:50 recruitment is due to cease with effect from 31 March 2011 and the Northern Ireland Policing Board, in conjunction with the Police Service of Northern Ireland, is reviewing the recruitment policy effective from 1 April 2011. This has to be effected in accordance with Northern Ireland equality legislation.

PRESENT STATISTICS OF NORTHERN IRELAND POLICING

The Police Service of Northern Ireland does not employ Special Constables, and therefore this is not a route the Police Service of Northern Ireland can consider for future recruitment. Northern Ireland also has Fair Employment legislation that currently does not apply to the rest of the UK and this, together with equality and cultural issues, will require consideration in any future recruitment policy.

Over the past 10 years the numbers of PSNI officers has reduced from over 13,000 to the present level of just under 7,500. In order to comply with a "Patten" recommendation, the last Full Time Reserve Officers will leave the service on 31 March 2011.

Northern Ireland is represented at the Police Negotiating Board (PNB) by the Northern Ireland Policing Board, the Department of Justice and the relevant Police Staff Associations. Differences in circumstances which relate only to Northern Ireland, whether due to statutory legislation or other situations, are normally factored into PNB agreements and decisions to reflect the Northern Ireland unique position.

The Police Service of Northern Ireland does not employ Special Constables or Police Community Support Officers (PCSOs), although the Northern Ireland Policing Board did reflect a view that the Police Service of Northern Ireland should consider the introduction of PCSOs if financial resources permitted this. This was not possible as one of the outcomes of the "*Patten*" Report was a fixed establishment for Police Officers with funding for the police service linked to that establishment. The number of Police Officers available for frontline policing does concern the minds of all connected to policing in Northern Ireland, particularly when the threat level for unrest is heightened. The safety of the public, those in society and our Police Officers and Police Staff are paramount.

The Chief Constable in 2009/10 instigated a review of the Service to ensure effective and efficient deployment of Police Officers and Police Staff to frontline service.

Police Staff

There are 2,521 Police Staff employed by the Northern Ireland Policing Board under the direct control of the Chief Constable. Traditionally, Police Staff comprised seconded Northern Ireland Civil Servants. As the province emerged from an extended period of unrest, Police Staff became directly employed. A Change Project was undertaken and provided opportunities for seconded Civil Servants to return to the Civil Service or remain working directly for the Chief Constable under the employment of the Northern Ireland Policing Board.

The break with the Northern Ireland Civil Service took place on 1 October 2008. As part of this Project, delicate discussions took place with the Northern Ireland Civil Service Pension Scheme and HM Treasury on the Pension Provision for those seconded Civil Servants who had decided to remain working for the Chief Constable as Police Staff. If they are to remain as members of the Northern Ireland Civil Service Pension Scheme, Terms and Conditions of Service for Police Staff must remain "broadly similar" to those of the Northern Ireland Civil Service.

The Northern Ireland Policing Board seeks to support the Chief Constable (PSNI) when permissions are sought to provide mutual aid to other Police Services and Foreign Governments through the Foreign and Commonwealth Office, the National Policing Improvement Agency and the International Police Assistance Board etc.

In order to respond to the questions raised in Annex 'B' of the 'Call for Evidence', the remainder of this submission will respond in sequence to the questions identified. The response is based on the NIPB/PSNI experiences and needs and therefore, in many cases, may not be representative of other UK forces.

1. Entry Routes

It is accepted that considerable achievements have been made in many services in order to streamline entry routes to the service. In the main these have focused on increasing the basic qualifications for entry at Constable level thus shortening the training period required.

Due to Fair Employment legislation in Northern Ireland, there must be an open competition for all job vacancies. This applies to both police officers and police staff. Any new policy on recruitment should endeavour to ensure that recruitment reflects and is representative of the community and be cost effective.

There is no quick easy answer to diversity issues facing policing and there is a significant risk that the higher the qualification levels specified at the pre entry stage for Constables the greater the risk that minorities particularly ethnic minorities will be adversely impacted. A standard set of entry requirements should be mandated across the UK in order to address this issue.

It is considered important that the Office not post of Constable is preserved and as a result in general it would be counter productive if redundancy provisions were applied.

As a result of 'Patten' the PSNI has recruited more than 4.000 officers over recent years. The large number of applicants would indicate that the employment package is attractive judging by the number of applicants that apply for each recruitment competition a significant number of whom are graduates.

An in-depth study of graduate entry for the PSNI would require to be considered. At present, the recruitment of Constables attracts a large number of graduates, although the degrees obtained by the graduates do not, in the majority of cases, reflect policing needs. PSNI has been proactive in working closely with local universities to provide courses primarily for police officers.

A Graduate Scheme would require national standards to be specified for entry to prevent legal challenges and to enable officers to move between forces in there future careers. The scheme would, however, require to be administered on a local basis due to the different needs of forces and the provision of courses.

In the case of PSNI, a Graduate Entry Scheme would need to satisfy the requirements of Fair Employment legislation and equality issues. This issue may be more easily addressed by forces in England and Wales due to the different equality legislation.

2. Specials

As stated in the introduction, PSNI does not employ Specials and it is unlikely, due to local circumstances and funding considerations that Specials will be introduced in the immediate future. The NIPB/PSNI will observe with interest the experience of police forces in England and Wales engaging police officers via the Specials route and consider the outcomes in future decision making.

This response also addresses the further questions on 'Specials' as contained at 7 on Annex B.

3. Deployment

This is an operational issue and the Chief Constable's view is that it is generally accepted that current deployment arrangements particularly in relation to shift working are unnecessarily restricted by some national agreements.

4 & 5 Working outside Core Hours and Shifts

PSNI and the Board both recognise that unplanned disruption to the work/life of police officers and police staff as it does in any employment sector, whether public or private, should be recognised by the payment of compensation in the form of shift and/or overtime premiums. The very nature of policing requires officers to work unsocial hours and this is reflected in the total employment package.

In the present economic climate the first priority for policing is to endeavour to maintain the numbers of officers and any significant changes to the employment packages would have a significant negative impact. For operational reasons it is essential for the Chief Constable to have the ability to require police officers to work overtime, or, extend shifts to ensure an effective service is provided to the community.

Managers in PSNI have found that due to the fact that police staff cannot be required to extend shifts, overtime is extremely restrictive. Community confidence would be negatively impacted upon if a restriction was placed on the ability of the Chief Constable to ensure police officers remain at their post and thereby ensure that an operation or duty is completed in a professional and dedicated manner.

The dedication and commitment of police officers in Northern Ireland in what is an extremely demanding and unique policing environment has been and continues to be demonstrated on a daily basis.

6. Mutual Aid

There should be more emphasis on the need to replace the Hertfordshire Agreement with a more cost effective alternative. PNB are in the final stages of a draft mutual aid agreement to address the issue of the Olympics in 2012. This agreement, when approved, will only address the Olympic period and the Hertfordshire Agreement will remain in place.

7. Specials

I would refer to 2 above of this Submission.

8. Business Interests

It is essential that the business interests of both police officers and police staff is closely regulated in order to ensure there is clearly visible independence of the offices. This is necessary in order protect the professional independence of both police officers and staff and thus maintain community confidence.

There is ACPO guidance available to all forces on this issue and the PSNI operate an even more respective approach to this issue of business interests. The particular issue of business interests of police officers on disciplinary suspension should be urgently addressed.

9. Performance/Post Related Pay

Organisations in both the public and private sector, have introduced in numerous formats, performance related pay and no one model has been found to justify the time and resources to monitor performance levels. A model for both police officers and staff should reflect the rate for the job and an effective annual review system should be in place to monitor and improve performance. The present system where people move on to the next scale point due to completing a further year of service, without any regard to individual performance should be considered during the review, although any change would need to be cost effective.

The present incentive schemes introduced to enhance performance/results are as follows:

- **Special Priority Payments Scheme**
- **Competency related Threshold Payments Scheme**
- **Post Related Allowance**
- **Chief Officers Bonus Scheme**

These schemes were driven through PNB by the Home Office and were unpopular with the Official Side of PNB, and the Staff Side also objected to the introduction of the Special Priority Payments Scheme, and this scheme in particular has attracted unfavourable comments from all sources since it was introduced.

There has been no in-depth evaluation conducted on the costs of the schemes and any contribution made to authorities and forces achieving objectives and targets. It is unlikely that such a study would indicate that the monies invested in these schemes produced any measurable results.

10. Recognising Skills and Hard to fill Posts

Due to Patten severance the PSNI has lost the services of many highly skilled and experienced officers and this has created a shortage of knowledge across all ranks. Some specific posts have suffered more than others but with the training programmes internally and programmes developed due to relationships with local universities and colleges this is being addressed. This work continues to be essential for the ongoing development of skills within PSNI. Reducing financial budgets will impact on the investment necessary to improve and purchase new technology and the training necessary to keep pace with future challenges. A new Police Training College planned for Northern Ireland can only add significant benefit to what has been achieved to date.

There is also a need to have a more appropriate balance of police officers being active in the community and the time given to undertake administration functions. This is an urgent and imminent requirement for the effectiveness of policing both now and in the future.

11. Other Allowances and Entitlements

The London and South East Allowances do not impact on PSNI but evidence would suggest that the cost of living in London and the impact of MET recruitment on neighbouring authorities/forces, requires some measure to balance payments and benefits.

The present package of benefits payable to Chief Officers requires to be reviewed as there is a lack of consistency in the range and level of benefits payable to Chief Officers. It is also essential, at a time when many Chief Officer Vacancies become more difficult to fill, that the package/allowances reflect those enjoyed by those in similar roles in both the public and private sectors and take into account local conditions. In the present climate of reduced public spending, it is also essential that the benefits/allowances enjoyed are justified and cost effective. Both the formal and informal elements of a Chief Officer's package should be regularised to allow for comparability across forces/services.

12. Equality

At present, the maternity benefits enjoyed by police officers are less favourable than those earned by police staff. In an environment where police authorities/forces are encouraging female officers to continue a career after having children, this situation does not provide a level playing field with male colleagues. The object of recruiting more female officers is undermined if a maternity scheme treats them less favourably than their staff colleagues, and as a result female officers leave the service. This leads to waste in terms of the recruitment and training costs and the experienced gained by the officers, and will have a negative impact on the delivery of effective policing.

13. Pay Progression and Length of Service

The review should consider the point of officers and staff moving to the next scale point, by having to complete another year's service. Progression should be performance based and the annual performance reviews should be monitored, any change must be cost effective. This would require a further examination of existing performance review systems and the introduction of more accountable national standards.

Any enhanced payment to officers who leave the Service before the end of the 30 – 35 years required to receive a full pension would place additional financial strain on an already high level of pension costs. There is within the present pension arrangements, the ability of officers to make additional voluntary contributions in order to enhance pension benefits.

14. Length of Service – Pension Entitlement

The present police pension schemes for both officers and staff are final salary schemes. The cost of such schemes place significant demands on the public purse and to increase the cost of the schemes by introducing unearned benefits/added years would not be economically viable. The pension scheme for police officers provides additional benefits such as ill health retirement, injury on duty awards and other benefits which can be paid early.

A separate Home Office review (Hutton Review) specifically focuses on pensions and we will look forward with interest to the outcomes and content of that review report.

Officers who leave the service have the right of every other member of the community to apply and be considered for police staff posts. Any other position would breach employment, equality and human rights legislation.

There would appear to be practical benefits in fitness testing of serving officers. This would require an in depth review on a national basis with the aim of ensuring consistency in its application and fitness standards. Work has already been undertaken in this area but further considerations would be required before such a process could be introduced.

15. Exit routes and Pensions

At present there is no redundancy scheme for police officers. In Northern Ireland, due to 'Patten' recommendations, a generous severance scheme has been in place and this achieves the same outcomes as a redundancy scheme and allows police officers to leave the service. The cost of the PSNI scheme was significant and in the present climate of reduced budgets, it may not be possible to introduce a similar scheme for other forces.

With the possibility of some forces having to reduce numbers, and in Scotland where the number of forces may be reduced to 8, this may not be achievable by natural wastage. A national redundancy/severance scheme should be considered rather than waiting until one is urgently needed. The opportunity should also be taken to examine the present staff scheme and consider whether it is fit for purpose to meet the changing needs of policing.

16. Health Related Issues

PSNI have and continue to place significant resources to the issue of the health and wellbeing of police officers and police staff. The Wellbeing programme and initiatives have received national acclaim and recognition and have resulted in the reduction of sickness levels. Due to the nature of policing officers are required to be physically and mentally alert and therefore health related programmes and assistance in return to work after periods of sickness or injury is essential. This is a responsibility for all caring employers, but in terms of police officers it is essential to ensure all officers can undertake the full range of duties, support colleagues and provide a service to the community.

17. Pensions

Legislation being introduced in October 2011, will result in the significant reduction in former police officers being re-engaged on a temporary basis, in staff roles. This will present real challenges in the ability of PSNI to provide the necessary resources against a changing and fluctuating need.

With fair employment legislation in Northern Ireland, it is essential to demonstrate that any successful applicant is appointed on merit.

18. Pay Machinery

At present the pay, conditions and pensions of police officers are negotiated via the PNB and recommendations are submitted to the Home Office. It may be opportune to review the structure of PNB and the relationship with Government. This could assist constructive future negotiations and remove some of the obstacles which delay the decision making.

NIPB consider there is merit in continuing to be represented on body which conducts national negotiations rather than negotiations at local level. Whilst the overall structure of pay and conditions can be agreed nationally via a national body, there is still provision to reflect local conditions of individual police forces (in Northern Ireland 'Service'). This ensures continuity of police officers pay and conditions across all forces and also ensures a level playing field for recruitment and the movement of officers between forces.

The alternative to a national body in which all parties within the police family can participate would be a Pay Review Body. It is not considered that this format would be able to effectively capture the complex nature of policing and ensure that authorities, forces and associations/representatives, fully support nationally determined agreements and would be particularly detrimental to Northern Ireland Pay and Conditions of Service.

CONCLUSION

All the questions posed in Annex B are complex and therefore, it is extremely difficult to reflect all the issues in a response of this nature. The NIPB has however endeavoured in this 'Call for Evidence' to provide a flavour of the many issues in terms of pay and conditions for police officers and staff. It is also important for Northern Ireland to be part of the national policing negotiating family.

It is essential that any changes which may occur as a result of this review and report reflect the future needs of policing. This will assist both Police Authorities/NIPB and police forces (in the case of PSNI) to deliver the level of policing necessary to ensure a safe environment in which the economy can flourish and people feel safe and have confidence in policing

NIPB Members and Officials are also grateful for the opportunity to discuss with Mr Winsor and explore further many of the issues contained in this submission.

Northern Ireland Policing Board – 8 November 2010