



Home Office

# Home Office Evidence to the Senior Salaries Review Body

2015/16 Pay Round

# 1. Executive Summary

1.1. This government has set out to deliver a radical programme of reforms for policing in the 21<sup>st</sup> Century. The Government has:

- **Established police and crime commissioners (PCCs), elected in 2012**, to bring greater accountability and transparency to the public than the old Police Authorities and powers to shape priorities.
  - **Established the College of Policing** which is building a proper evidence base to drive up standards and improve professionalism including the publication of the first ever Code of Ethics.
  - **Established the National Crime Agency (NCA)** with the powers and mandate it needs to tackle serious and organised crime.
  - **Given more powers and resources for the Independent Police Complaints Commission (IPCC) and reinforced Her Majesty's Inspectorate of Constabulary (HMIC) to make it more independent of government and more independent of the police.** This included legislating in 2011 to give HMIC Inspectors new powers of entry and powers of direct access to information.
  - **Introduced direct entry to open up the senior ranks of the police and bring in people with new perspectives and expertise.** It has also provided seed funding for the Metropolitan Police to set up **Police Now**, the policing equivalent of Teach First, which will attract the brightest graduates into policing. Additionally, the College of Policing is undertaking a fundamental review of police leadership.
  - **Created a new offence of police corruption through the Criminal Justice and Courts Bill;** commissioned a review of the whole police disciplinary system from beginning to end by Major General Clive Chapman; is shortly launching a public consultation on measures to ensure that in future police disciplinary hearings will be held in public to ensure maximum transparency
  - Announced a **public consultation on police whistleblowing** to ensure that whistleblowers are not subject to unfair disciplinary action, or other mistreatment by their force or colleagues and a **review of the entire police complaints system.**
- 1.2. The main focus of pay and conditions reform since 2011 has been the Winsor Review.
- 1.3. The police pay system prior to the Winsor Review was designed over thirty years ago. It was out of step with modern management practices as well as having a heavy emphasis on rewarding time served over contribution or performance.
- 1.4. The reforms implemented by this government are not simply about savings but have focussed on ensuring that police pay and conditions reward the best in policing, while giving chief constables and PCCs the flexibility they need to lead their forces and manage their resources more efficiently. Around 80% of police expenditure is on workforce costs. Therefore, reforming the way that officers and staff are remunerated remains key to delivering transformational change and delivering value for money.

- 1.5. Ministers remain committed to the Winsor Review's principles and objectives, in particular linking pay to skills and contribution (reflecting wider government policy), and modernising management practices. We are now looking at what scope there is for making further improvements over the next few years through changes to pay and conditions; in particular, where they could provide further incentives and levers for improving leadership and professionalism and opening up police career pathways.
- 1.6. In the current economic climate of pay restraint and fiscal sustainability, it is important that the focus of any pay reward be targeted at those who are the lowest paid and on the frontline. This will also be reflected in evidence to the Police Remuneration Review Body (PRRB).
- 1.7. **In this context, Senior Salaries Review Body (SRRB) are asked to consider holding chief officer pay at current rates for 2015/16, including London weighting where applicable.**

## 2. Introduction

- 2.1 This year the SSRB will for the first time consider the pay of chief police officer ranks (assistant chief constable to chief constable, or commander to commissioner within London) in England, Wales (and Northern Ireland – to be addressed in a separate evidence submission from the Northern Ireland Executive). Pay and allowances for these officers were agreed by the Police Negotiating Board (PNB), which at that time considered matters relating to pay, pensions, allowances, hours, uniforms and equipment for officers across the UK. It included representatives of police officers and those responsible for maintaining forces, including police authorities previously (subsequently replaced by police and crime commissioners) and chief officers. The PNB's chief function was to seek to make agreed recommendations to the Home Secretary. Where it could not agree, there was an independent system of arbitration, which could make a recommendation in the PNB's place.
- 2.2 The transfer to the SSRB marks a significant and positive step-change in the approach to setting chief officer remuneration. That process began with the Independent Review of Police Officer and Staff Remuneration and Conditions<sup>1</sup>. The findings from this Review, which was conducted by Tom Winsor in response to a commission from the Home Secretary, were published in two parts starting in March 2011. Part 1 of the review published in 2011, concentrated on short-term changes and financial savings. The Final Report (Part 2), published in 2012, concentrated on longer term reforms and management tools. The reports (referred to here as the Winsor Review) made a range of recommendations, many of which have been implemented, to modernise pay and conditions, help chief constables to manage their resources, and improve service to the public.
- 2.3 The Winsor Review found the PNB system for negotiating pay and allowances to be cumbersome, inefficient and adversarial. Since 2006 the PNB had failed to agree in a timely manner on most of the contentious issues, despite taking up about 1500 man hours a year. Originally intended to be a last resort, arbitration became a regular fixture of police pay settlements. This process was time consuming, costly and did not best serve either police officers or the public. There was a fundamental lack of strategic foresight or planning in the system. Tom Winsor therefore recommended that the PNB should be replaced with an alternative system, drawing on the experience in other sectors of pay review bodies.
- 2.4 The SSRB has been asked to review chief police officers' pay alongside other senior public officials, on a timetable to be synchronised with that of the PRRB (considering federated and superintending ranks) to allow the government to consider the recommendations collectively and make a single coherent decision on police pay.

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<sup>1</sup> [The Independent Review of Police Officer and Staff Remuneration and Conditions](https://www.gov.uk/police-pay-winsor-review); 2011; <https://www.gov.uk/police-pay-winsor-review>

### 3. Senior Policing in England and Wales

- 3.1 There are 43 territorial or 'Home Office' police forces in England and Wales, that largely follow the same geographical boundaries of the administrative counties used for the purposes of local government from 1974 to 1989 (i.e. the 'old county councils'), with some notable exceptions.
- 3.2 It is important to take account of the fact that the operating environment of different forces can vary significantly by area. HMIC provide comprehensive information about each force on their website through its Value for Money (VfM) profiles<sup>2</sup>, PEEL assessments<sup>3</sup> and other inspection publications<sup>4</sup>.
- 3.3 Police officers are not employees. Instead, they hold the independent office of constable and their pay and conditions are set out in legislation and not in an employment contract. Arrangements for remuneration and conditions of service should reflect the role and status of police officers, and the particular demands of policing, which can be difficult and dangerous. It is vital that the service is able to discharge its duty to protect the public and keep the peace, including at times of serious national and local disorder, without either the opportunity to refuse any lawful order or the threat of collectively withdrawing their labour. These requirements mean that officers have restrictions on their personal life and on their employment status. For example, they are not able to engage in any political activity or take strike action. Police earnings are still appreciably higher than those of the security service and armed forces that also have strike restrictions. In considering police officer pay and conditions, we seek to achieve a fair balance between the need to deliver a responsive and cost-effective service to the public and the need to appreciate properly and fairly the particular demands of policing.
- 3.4 With regard to senior leadership, each force has a chief constable (or a commissioner in the case of the Metropolitan and the City of London forces) who has overall responsibility for the operational and employment decisions of that force. The chief constable is accountable to the elected PCC but the PCC cannot give operational orders (for example cannot tell them to arrest someone or to drop an investigation). In London the Mayor is effectively the PCC for the Metropolitan police, and the City of London have some special arrangements to acknowledge their historic status, where the Commissioner is accountable to the City of London Corporation<sup>5</sup>.
- 3.5 The table below illustrates the different structures and corresponding rank equivalents for chief officers in England and Wales.

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<sup>2</sup> <http://www.justiceinspectorates.gov.uk/hmic/publication/value-for-money-profiles-2014/>

<sup>3</sup> <http://www.justiceinspectorates.gov.uk/hmic/our-work/peel-assessments/>

<sup>4</sup> <http://www.justiceinspectorates.gov.uk/hmic/publications/>

<sup>5</sup> The City of London Corporation is run through the Court of Common Council – its main decision making body – which is presided over by the Lord Mayor. The Court of Common Council is defined as the "police authority" for the City of London Police area in accordance with the provisions of the City of London Police Act 1839 and the Police Act 1996. Thus, the City Corporation provides policing governance for the City of London Police and is therefore accepted to be the "local policing body".

**Table 1: Senior UK Police Ranks**

<b>Metropolitan Police Service</b>	<b>City of London Police</b>	<b>All other Home Office police forces</b>
Commissioner	-	-
Deputy Commissioner	-	-
Assistant Commissioner	Commissioner	Chief Constable
Deputy Assistant Commissioner	Assistant Commissioner	Deputy Chief Constable
Commander	Commander	Assistant Chief Constable

## Employee Relations

- 3.6 The Police Act 1996 (sections 64 and 91) prohibits police officers from belonging to any trade union or from participating in strikes or other forms of industrial action. In light of this, officers up to and including chief inspectors (currently 126,584 officers - 99% of all police officers<sup>6</sup>) are represented by the Police Federation of England and Wales, a police staff association established by the Police Act 1919. The next set of ranks—superintendent and chief superintendent (currently 1121 officers) – are represented by the Police Superintendents’ Association of England and Wales (PSAEW) which is not a statutory body. The most senior ranks, which are to be considered under the remit of the SSRB (assistant chief constable, deputy chief constable, chief constable (and in the Metropolitan Police Service commander, deputy assistant commissioner, assistant commissioner, deputy commissioner and commissioner) –204 officers) are represented by the Chief Police Officers’ Staff Association (CPOSA). Collectively these organisations formed the “Staff Side” of the PNB.
- 3.7 The Association of Chief Police Officers (ACPO) has until now represented the ‘employer’ responsibilities of chief officers, and the Association of Police and Crime Commissioners (APCC) represents PCCs. Together with the Home Office they formed the “Official Side” of the PNB.
- 3.8 The Home Office works regularly and constructively with all of these bodies to provide governance to policing, in addition to HMIC, the IPCC and the College of Policing.
- 3.9 As a result of recommendations in General Sir Nick Parker’s 2013 review of ACPO, PCCs and chief constables are now working towards closing ACPO and establishing a new coordinating body, the National Police Chiefs Council (NPCC) by April 2015.

## Police Reform

- 3.10 In 2010, it was the case that police pay and conditions had not been reviewed for 30 years (not since the Committee of Inquiry on the police chaired by Lord Edmund-Davies in 1978). Many of the allowances and payments were outdated and inflexible, including the police negotiating machinery. The government acknowledged the need to reform and, in its programme for government, it committed to ‘have a full review of the terms and conditions for police officer employment’.<sup>7</sup>
- 3.11 The Winsor Review was accordingly commissioned as an independent review of police officer and staff remuneration and conditions. This was a credible, thorough and well-balanced review, which engaged fully with all parties, including the Staff Side, and rank and file officers. It contained a range of recommendations to improve the service for the public, maximise value for money and reward the best, the majority of which have already been implemented. This did not mean that the PNB Official Side necessarily accepted all of the review’s conclusions precisely as set out in the report. However, it did mean that this group accepted the Final Report to be well researched and well reasoned and accepted its broad conclusions on the best ways of achieving reform. For example,

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<sup>6</sup> Police workforce England and Wales, 31 March 2014 – Home Office statistics  
<https://www.gov.uk/government/statistics/police-workforce-england-and-wales-31-march-2014>

<sup>7</sup> The Coalition: our programme for government, 20 May 2010, page 13.  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/78977/coalition\\_programme\\_for\\_government.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/78977/coalition_programme_for_government.pdf)

although the particular pay scale recommended by Winsor for new constables was revised, his key design principles were retained, such as reducing the number of points on the scale, maintaining the current maximum, differentiating in starting salary on the basis of qualifications and relevant experience, and ensuring that it could incorporate the specialist skills threshold in the future.

- 3.12 On 27 March 2012, the Home Secretary gave a Written Ministerial Statement to Parliament in which she stated that the government remained committed to further reform and to the principles set out in the Winsor Part 1 report. These are:<sup>8</sup>
- Fairness is an essential part of any new system of pay and conditions
  - the Office of Constable is the bedrock of British policing
  - the demands of policing should be given full and proper weight
  - people should be paid for what they do, the skills they have and are applying in their work, and the weights of the jobs they do
  - people should be paid for how well they work
  - a single police service - distinctions in pay and other conditions of service between police officers and staff should be objectively justified
  - arrangements should be simple to implement and administer
  - phased introduction of reform.
- 3.13 This package of reforms has sought to move police remuneration away from a system where pay progression is largely governed by time served and towards a system where those who seek to develop their skills the most and work in the most challenging roles are more fairly rewarded for their efforts. It was also intended that the freedom and flexibility that chief officers have to manage their forces should be increased, enabling them to meet the demands of increased local accountability more effectively. The needs of Devon and Cornwall are very different from Greater Manchester, Thames Valley very different from Cumbria. Chief officers need the ability to manage their workforce strategically through modern and flexible employment practices to meet these new expectations, especially at a time when budgets have been reducing.
- 3.14 The work to implement reform of police pay and conditions also took account of the wider contexts of both public sector remuneration and police reform, including:
- On public sector remuneration: pension reform; the government's policies for a two-year pay freeze and subsequent pay restraint; the strong recruitment and retention situation for police officers; and a detailed analysis of pay and conditions in other parts of the public sector; and
  - in respect of police reform: work to build on professionalism in the police service (including the establishment of the College of Policing); changes to the governance and accountability of police forces to make the police more locally accountable; and to reduce time-wasting bureaucracy and to make policing more effective while saving taxpayers' money.

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<sup>8</sup> Written statement to Parliament: Review of remuneration and conditions of service for police officers and staff, 27 March 2012. <https://www.gov.uk/government/speeches/review-of-remuneration-and-conditions-of-service-for-police-officers-and-staff>

## *Key reforms: police pay and conditions*

- 3.15 We have completed the following changes to police officer pay and conditions, following national negotiations at the Police Negotiating Board and discussion at the Police Advisory Board of England and Wales:
- Pay levels and incremental progression frozen for two years (ended 31 March 2014)
  - new pay structure for new entrants, including lower starting salary with some flexibility at force level
  - enhanced entry standards for new entrants
  - voluntary exit mechanism available to police forces
  - certain allowances and bonus payments abolished or phased out; changes to overtime payments
  - new and revised allowances linked to contribution (unsocial hours, being on-call, being required to stay away from home overnight)
  - annual fitness testing implemented from September 2013
  - direct entry into senior ranks
  - the PRRB replaced the old police pay negotiating machinery and responsibility for consideration of chief officer remuneration falls to SSRB from September 2014.
- 3.16 Some recommendations have been implemented differently from the original wording of the recommendation. Some recommendations have also been superseded by other work in line with broader policy development and the major changes to the policing landscape that have taken place since Winsor was written. For instance, Winsor's recommendations on the creation and work of a police professional body have since been used to define the remit of the College of Policing. Although some recommendations have been amended, the rationale for the change is clear and all are underpinned by the guiding principles set out in the Winsor Review.
- 3.17 This government remains committed to the principles set out in the Winsor Review and to its long-standing objective: to reform and modernise police officer remuneration and conditions so that they are fit for policing in the twenty-first century.
- 3.18 The end goal is a system which appropriately rewards officers for the jobs they do and the skills they have, and which provides PCCs and chief officers with the flexibility to ensure that they can deliver on their objectives of delivering an efficient and effective police force, preventing and solving crime and protecting the public.
- 3.19 Some elements of the Winsor recommendations are still subject to development. These elements are chiefly in relation to:
- Further strengthening linkage of pay to skills, performance and contribution
  - work to improve management of officers on restricted duty including better linkage of pay to contribution and final options for a new capability exit route for officers

- misconduct and discipline recommendations to be considered following completion of the ongoing review of the police disciplinary system
- various recommendations referred to the College of Policing.

### *College of Policing*

- 3.20 One of the most significant developments for police workforce arrangements, since 2010 has been the ongoing work to develop professionalism within the police, in particular through the establishment of the College of Policing.
- 3.21 The College was established as a limited company by guarantee on 1 December 2012. While it is currently owned by the Home Secretary, the Anti-social behaviour, Crime and Policing Act 2014 has afforded the College greater independence through statutory powers to prepare police Regulations, to issue Codes of Practice and to issue guidance relating to police staff and any contractors working for the Police.
- 3.22 The College of Policing aims to become a world-class professional body that works in the public interest by achieving the highest possible standards in policing. The College will equip members with the skills and knowledge to prevent crime, protect the public and secure public trust.
- 3.23 The College will: set standards of professional practice; identify, develop and promote good practice based on evidence; support the professional development of those working in policing; help police forces and other organisations to work together to protect the public and prevent crime; and identify, develop and promote ethics, values and standards of integrity.
- 3.24 The College is currently funded by a combination of grant-in-aid funding from the Home Office and income generated from the provision of training products and services. The College seeks to raise more than half its income from sources other than government grant-in-aid to support their goal of greater financial independence and a subsequent move to independent, chartered status.
- 3.25 The College has been responsible for designing models to support pay structures which will incentivise professional development and reward skills, such as the establishment of skills thresholds and the development of an appraisal system to support the linkage of performance to pay progression. Work on these is well underway, with pay progression for sergeants and inspecting ranks due to be linked to the achievement of a satisfactory Performance Development Review (PDR) rating in Spring 2015. The first phase of work on threshold testing is due to be completed in September 2016.

### *The work of police and crime commissioners (PCCs)*

- 3.26 PCCs are responsible for: setting the strategic direction and objectives for their force; holding the chief constable to account; and overseeing effective and efficient spend of millions of pounds of public money. The next set off PCC elections will take place in May 2016.
- 3.27 It is entirely a matter for PCCs to make decisions around appointing, suspending and removing chief constables.

- 3.28 Before the election of PCCs in May 2012, all police staff were employed by police authorities, with the chief constable having direction and control over staff employed to support the police force rather than the police authority itself. When police authorities were disbanded with the introduction of PCCs, all staff became employees of the relevant PCC, although the chief constable retained direction and control over those staff employed to support the force. This was 'Stage 1' – a transitional phase designed to allow for considered decision making as to the long term split in staff and functions between PCCs and chief constables now being carried out under 'Stage 2'.
- 3.29 Under 'Stage 2', arrangements were put in place to transfer the employment of these staff to the chief constable, based on each PCC's view on how they wished to run their office. All 'Stage 2' plans were approved and transfers completed by 30<sup>th</sup> April 2014. The large majority of PCCs have pursued a maximum transfer option where the majority of staff were transferred to the chief constable and the Office of the PCC retained a relatively small number of support staff to hold chiefs to account. There are variances within this model, with some forces keeping a larger cut of staff than others, and some keeping functions which others have not.
- 3.30 The effect of completing 'Stage 2' was to establish and staff two separate bodies (or corporations sole) – the office of PCC and the office of chief constable. The expectation was that there would be a clear divide between the two bodies with each having clear roles and responsibilities.

### *The Police Advisory Board for England and Wales (PABEW)*

- 3.31 The PABEW: (i) advises the Home Secretary on general questions affecting the police in England and Wales; and (ii) considers draft regulations which the Secretary of State proposes to make under section 50 or section 52 of the Police Act 1996 with respect to matters other than hours of duty, leave, pay and allowances, police clothing and equipment, and makes such representations as it thinks fit. It also works with police managers and staff to respond to more general questions from the Home Secretary about changes to and reform of the police.

## **4. Police funding and pay bill**

- 4.1. Police funding comes from two main sources: central Government grant and precept. Precept accounts for a quarter of total funding to the police, but the proportion varies locally (from 14% in Northumbria to 52% in Surrey). Police forces also receive a relatively small amount of additional income, which varies considerably between force areas from charging for special police services such as policing football matches, as well as interest on investments and reserves.
- 4.2. In 2010 the government published the Spending Review (SR) that set spending budgets for each government department up to 2014-15 and the government's plan for reducing Britain's budget deficit. Government Departments have also been subject to a number of additional top-slices through Budget and Autumn Statement announcements since SR 2010. The Home Office's 2014-15 resource delegation (excluding depreciation) is £10,839m with Police funding representing around 80% of this (£8,748m). Compared to

2010, the Home Office will have delivered savings of around £2bn in 2014-15.<sup>9</sup> Further savings announced through the 2013 Spending Round and Autumn Statement require the Home Office to deliver an additional 6.6% real-terms reduction (£551m of Resource savings) in 2015-16. By 2015-16 the Home Office will have also reduced its administration budget by 50% in real-terms compared with 2010-11.

- 4.3. In light of these, and as is the case for much of the public sector, spending plans require the police to operate with reduced budgets for the foreseeable future (in 2010-11 the police received £9.7bn in central government funding- the equivalent figure in 2014-15 is £8.5bn). Further to this, in June 2013 the Home Secretary announced that the police would face a 4.9% real terms reduction in funding in 2015-16<sup>10</sup>. Winsor highlighted that with around 80% of the police budget in England and Wales attributed to pay it will be even more essential for senior management within policing to be able to configure and deploy the workforce in the most efficient, economic and effective means possible<sup>11</sup>.
- 4.4. Nearly 60% of total expenditure is on police officer pay, of which 96% is spent on salary and 4% on overtime. Employer pension contributions represent 24.2% of salary costs. The overall police officer pay bill is around £6.7 billion<sup>12</sup> (around £8bn including police staff). Chief officer pay accounts for around £23m of this (£32m including National Insurance and employer pension contributions) or 0.5%. The pay bill constitutes a non-ring fenced proportion of the overall police grant to each force. This means that forces already have more freedom than other sectors about how they spend it because PCCs are not under direct ministerial control. Therefore, the affordability of the pay bill will vary by force and over time, depending on other factors and spending decisions.
- 4.5. The effect of National Insurance contributions on salary costs will change following the end of contracting out. We are still appraising the effect that these changes will have on the police pay bill. At present, NI costs represent 8% of the total pay bill.
- 4.6. The announced restrictions on public sector pay awards also provide context to the pay proposals outlined within this document. In the 2011 Autumn Statement, the Chancellor of the Exchequer announced that public sector pay awards would average at one per cent for the two years following the pay freeze (including 2014-15). Subsequently, the 2013 budget statement announced that public sector pay awards in 2015-16 would also be limited to an average of up to 1%. The Home Office proposals outlined in this document comply with the wider conditions on public sector pay and if implemented, will be affordable for Government and for police forces within this up to one per cent limit.

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<sup>9</sup> £2bn of savings based on difference between 2010-11 SR baseline adjusted for CLG police grant that was subsequently transferred to the Home Office in 2013-14, and the Home Office's 2014-15 Resource DEL budget including NCA.

<sup>10</sup> Since the 2013 Spending Round the Home Office's budget has been reduced further through a top-slice at the 2013 Autumn Statement. The police settlement figure is therefore subject to confirmation as Ministers need to consider all Home Office budgets in the round before taking a final decision.

<sup>11</sup> Independent Review of Police Officer and Staff Remuneration and Conditions (Winsor Review), 2011: Part 1 Report. Page 181.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/229006/8024.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/229006/8024.pdf)

<sup>12</sup> including National Insurance payments and employer pension contributions

## 5. Senior police workforce

- 5.1. The size and make up of the police workforce is a matter for each chief constable to decide locally in conjunction with their democratically-elected PCC.
- 5.2. Section 77 of the Police Reform and Social Responsibility Act 2011 requires the Home Secretary to articulate the national threats that the police must address and the policing capabilities required to counter those threats. Chief constables are required to have regard to the Strategic Policing Requirement (SPR)<sup>13</sup> in exercising their roles. PCCs are required to hold chiefs to account for the delivery of the SPR and have regard to the SPR when producing their police and crime plans. The SPR does not cover areas where chief constables and PCCs are able to make effective local risk assessments.
- 5.3. The Home Office (HO) collects workforce data from forces as part of the Annual Data Return which is quality assured by HO statisticians with forces, and released in July each year in the publication “Police Workforce in England and Wales”<sup>14</sup>.
- 5.4. The HO published the latest National Statistics on the police workforce in England and Wales on 31 March 2014. The release contained statistics on the police workforce in the 43 police forces in England and Wales for the financial year ending 31 March 2014.
- 5.5. The number of chief officers has remained steady over the last few years. The table below shows the number of chief officers between the years ending 31 March 2012 and 31 March 2014<sup>15</sup>:

**Table 2: Number of Chief Officers between the Years Ending 31 March 2012 and 31 March 2014**

Year ending	Chief Officers		
	All staff (FTE) <sup>16</sup>	All staff (headcount) <sup>17</sup>	Staff available for duty (headcount)
31 March 2014	204	204	203
31 March 2013	201	201	201
31 March 2012	209	209	204

- 5.6. The data tables from the year ending March 2014 reveal that of the 204 chief officers in post across all 43 police forces<sup>18</sup>:
  - 165 (80.9%) are male and 39 (19.1%) are female

<sup>13</sup> Strategic Policing Requirement, July 2012. <https://www.gov.uk/government/publications/strategic-policing-requirement>

<sup>14</sup> Police workforce England and Wales, 31 March 2014 – Home Office statistics  
<https://www.gov.uk/government/statistics/police-workforce-england-and-wales-31-march-2014>

<sup>15</sup> Ibid.

<sup>16</sup> Full-time equivalent (FTE) – count of officers and staff that takes account of part-time working practices. For example, a full-time employee is counted as 1.0 and a part-time employee who works 70 per cent of normal hours is counted as 0.7. It accounts for contracted hours, rather than actual hours worked that might include overtime.

<sup>17</sup> Headcount – an alternative measure to full-time equivalent, it counts all employees as 1.0, whether full- or part-time.

<sup>18</sup> Police workforce England and Wales, 31 March 2014 – Home Office statistics  
<https://www.gov.uk/government/statistics/police-workforce-england-and-wales-31-march-2014>

- 28 joined
  - 52 left
  - 5 identify as Minority Ethnic
  - the majority of police forces have between 2 and 4 chief officers in post. Notable exceptions to this are Greater Manchester Police (which has 7), West Yorkshire (7) Merseyside Police (6), Metropolitan Police Service (29) and West Midlands Police (8).
- 5.7. It is a local decision for police forces to decide how many chief officers to have in post at any given time, but it is generally accepted that this number would take into account the various factors for each force (such as size, geography, demographics, other policing and crime demands/pressure).
- 5.8. A small number of forces have assistant chief constables who have shared portfolios across two neighbouring police forces, in the interests of collaboration.

## 6. Recruitment, retention and appointments

- 6.1. The College of Policing is responsible for standards in the police. As part of recently published advice to forces on ways to improve diversity in the officer workforce, it will urge forces to undertake strategic workforce analysis and planning to ensure that they have a good understanding of their workforce requirements, and the competencies, experience and background of new recruits needed to ensure they can police their area effectively.
- 6.2. Part One of Annex B of the Secretary of State's determinations, made under Regulation 11 of the Police Regulations 2003, specifies that the Senior Police National Assessment Centre and the Strategic Command Course must be satisfactorily completed before a person may be substantively appointed to a rank higher than that of chief superintendent. The College of Policing holds records of officers who have passed these courses which should be requested by those responsible for appointing chief officers in order to verify policing qualifications and experience.
- 6.3. It is entirely a matter for PCCs to make decisions around appointing, suspending and removing chief constables, as set out in Section 38 of the Police Reform and Social Responsibility Act 2011. As part of their role in supporting PCCs and chief constables the College of Policing have developed guidance and a toolkit for making senior appointments. The College also support PCCs by providing details of career history, skills and qualifications, in order to ensure that PCCs have as much information they need to appoint chief constables.
- 6.4. Since being elected in November 2012, PCCs have successfully appointed 22 chief constables. Five women have been appointed as chief constable since November 2012 (eight female chiefs now in total E&W).
- 6.5. In the run up to the PCC elections in 2012, 12 temporary chief constable appointments were made by police authorities. These temporary arrangements were put in place to allow the elected PCC to appoint a candidate of their choice. Vacancies since this time have arisen for individual reasons and were agreed by mutual consent.

- 6.6. The chief constable is responsible for the recruitment of other chief officers. Sections 39 and 40 of the PRSRA 2011 relate to the appointment of deputy chief constables (DCCs) and assistant chief constables (ACCs) by chief constables for forces across England and Wales outside London. Sections 45, 46 and 47 of the Act make provision for the appointment of senior Metropolitan Police Service officers including assistant commissioners (ACs), deputy assistant commissioners (DACs) and commanders respectively.
- 6.7. The commissioner must consult the Mayor's Office for Policing and Crime before appointing an AC, DAC or commander. The chief constable must consult the PCC before appointing a person to be DCC or ACC for forces outside London. It is for the chief constable (and commissioner) to decide how they wish to run their appointment process and which candidate they wish to appoint. They should involve an independent member during assessment, short-listing and interviewing of candidates.
- 6.8. Chief officers are appointed in post for a fixed term. Regulation 11 of the Police Regulations 2003 makes provision for fixed term appointments and extensions for chief officers. The initial fixed term appointments can be for up to five years, and thereafter extended by a further three years. Beyond that, appointments can only be made annually.

## Diversity

- 6.9. Police forces that reflect the communities they serve are crucial to cutting crime in a modern diverse society. This government's reforms will allow for faster progress on equality and diversity and PCCs and the College of Policing will play a key role in ensuring improvements in forces.
- 6.10. The officer workforce is more representative in terms of gender and ethnicity than it has ever been [*Source: Police Workforce England and Wales, 31 March 2014*]:
  - At 31 March 2014, there were 6,715 BME officers representing 5.2% of total police officer strength compared with 4.6% in 2010
  - BME officers accounted for 8.6% of all officers joining the police, and 4.5% of leavers
  - there were 5 BME officers at chief officer rank (9 in 2010). There are no BME officers at chief constable rank (there was one in March 2010)
  - at 31 March 2014, there were 35,653 female officers, representing 27.9% of total police strength compared with 25.7% in 2010
  - as a proportion of officers joining the police, female officers accounted for 32.4% compared to 30.5% in 2010
  - there were 39 female officers at chief officer rank, representing 19.1% of total chief officers, which is an increase from 15% in 2010.
- 6.11. Whilst the police workforce is more representative in terms of gender and ethnicity than it has ever been, there is still much more to be done, particularly in relation to chief officer and other ranks. The Equality Act 2010 includes positive action provisions to enable employers to address identified under-representation of protected groups in the workplace.

- 6.12. The Home Office are working with policing partners and communities to ensure that diversity remains an important priority. For example, earlier this year, the Home Secretary chaired a roundtable meeting on diversity in policing bringing together PCCs, the College, forces and community representatives, which asked the College to develop an action plan to ensure further improvements.
- 6.13. The Home Office continues to work with forces and the College of Policing and the Government Equalities Office (GEO) to identify ways of tackling under-representation under existing equalities legislation. These include the use of the tie breaker provisions at section 159 of the Act to allow selection of BME candidates where they are as qualified as white candidates, and giving weighting in the application process to reward candidates with knowledge of communities and/or community language skills. The College is developing a major programme of work, 'BME Progression 2018' to explore options for forces. This includes the development of an evidence base of successful approaches to the recruitment, retention and progression of BME officers. The College has also, rightly, included equality and diversity among the standards of professional behaviour in the new police Code of Ethics.
- 6.14. The government supports efforts to ensure that the police workforce can understand and relate to communities in a modern, diverse and dynamic society. For example, the Metropolitan Police graduate scheme seed-funded by the Home Office, Police Now, (the policing equivalent of Teach First) has received over 1200 applications, of which just under half are from women, and just over 18% are from people from a Black or Minority Ethnic background. This is in contrast to current police statistics which show that 28% of police officers are women, and only 5% come from a Black or Minority Ethnic background.

## *Wellbeing*

- 6.15. Chief constables, working with directly elected police and crime commissioners, are responsible for managing the police workforce effectively and ensuring the welfare of all officers and staff. The proportion of officers absent on short/medium term and long term sick leave are published by HMIC in their Value for Money profiles. This data indicates that long term sickness has fallen significantly since 2011(2010 figures do not appear to be comparable) which could indicate better management of sickness and more appropriate levels of ill health retirements. Newly validated (unpublished) Home Office figures indicate that the proportion of available police hours lost to sickness has remained broadly stable since 2012/13<sup>19</sup>.
- 6.16. The College of Policing has a role in monitoring and improving police wellbeing and will continue to identify issues relating to the occupational health and safety of professionals working in forces, including in high risk roles, and will work with the national policing lead for workforce development to address them. The College is also developing a National People Plan which will have the health and wellbeing of officers and staff at its core.
- 6.17. The government takes police wellbeing seriously. As part of the government's Public Health Responsibility Deal, Dame Carol Black, the Department of Health's expert adviser on work and health, has had early conversations with senior police officers about the

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<sup>19</sup> 3.82% in 2013/14; 3.95% in 2012/13

development of a sector-specific pledge for the police as employers which would seek to improve the health, including the mental health, of their workforce.

### *Leadership and career pathways*

- 6.18. The government wants to open up policing to the brightest and best to create a more modern police force, more in touch with the people it serves, more transparent in its work, more flexible in its approach, and more suited to the demands of the 21st Century. A workforce model where most police officers are tied into a career of 30 to 35 years does not give forces the flexibility, officers the incentive or the public the service they need.
- 6.19. Police forces should welcome people with a range of talents, at various points in their careers, not all of whom will see policing as a long term career and some of whom might leave the police for a period to gain outside experience before returning. On 22 July the Home Secretary announced that the College of Policing was carrying out a fundamental review of police leadership. She set out three elements to this review: how we can go further and faster with direct entry; how we can encourage officers to gain experience outside policing before returning later in life; and how we can open up the senior ranks to candidates from different backgrounds. The College of Policing is expected to report in Spring 2015.
- 6.20. The Winsor Review recommended three direct entry schemes which included: a fast track to inspector for graduates and serving police officers and staff; direct entry at superintendent rank for those who have had successful careers in other sectors; and direct entry at chief constable rank for those who have equivalent experience from overseas. The College of Policing is responsible for implementing the schemes. This year, 42 graduates, former police staff and special constables started the first year of their training on the fast track to inspector scheme. Recruitment has begun for serving officers and those who are successful will join the 42 in the second year of the programme. Nine recruits have started their training to be a superintendent. The College are currently talking to forces about taking part in next year's process.
- 6.21. The three direct entry schemes will offer the opportunity to widen the talent pool from where we attract our police officers and will bring in people from a diverse range of backgrounds. The fast track to inspector and superintendent scheme will be aimed at those who have the potential to reach the highest ranks in the police and it could be argued that this therefore supports the aims of improving the diversity of experience and under-representation for the next generation of potential chief officers.
- 6.22. The College of Policing reported a total of 888 applications for 19 Direct Entry Superintendent posts across the seven forces taking part. This equates to around 47 applicants for every post.
- 6.23. The Government has amended primary legislation to allow those who have equivalent policing experience to be appointed as a chief constable; the Chief Officers of Police (Overseas Police Forces) Regulations 2014 set out which overseas police forces and ranks are eligible. These include forces from Australia, Canada, New Zealand and the USA as they have similar legal jurisdictions and policing practices.

## 7. Pay, earnings and total reward

- 7.1. Police earnings are set to recognise the unique role and status of officers and they receive a competitive pay and benefits package. Police officer pay and conditions are set out in legislation. Allowances cannot be paid except as provided for in the Regulations, or approved by the Home Secretary. Pay, allowances and conditions such as leave, entry requirements and duty are set out in the Police Regulations 2003.
- 7.2. Police officers are not employees and are therefore not subject to employment law. However, they do have access to many of the same protections under civil law. Equalities legislation applies to police forces and individual officers in the same way as the rest of the public sector. Working Time Regulations also apply to all police officers although some police activities may be exempt in some circumstances, for instance when dealing with civil unrest or terrorism. Senior police officers may also be exempt in some circumstances.
- 7.3. The government is keen that the Modern Workplaces agenda is reflected in police officer pay and conditions wherever possible. Members of the Police Negotiating Board agreed to take forward work to determine whether provisions of the Children and Families Act 2014 relating to arrangements for parental leave and adoption leave should be reflected in Police Regulations and determinations. We await a conclusion on the operational impact before consulting on draft legislation.
- 7.4. Further regulations covering police officers are set out in the Police (Promotion) Regulations 1996 and the Police (Performance) Regulations 2012.
- 7.5. A summary of pay and allowances applicable to chief constables under the Police Regulations 2003 and determinations is attached at **ANNEX A**.

### *Duty and responsibilities*

- 7.6. Under section 2 of the Police Reform and Social Responsibility Act 2011<sup>20</sup>, a police force, and the civilian staff of a police force, are directed and controlled by the chief constable of the force. Section 4 says the same for the Commissioner of the Metropolitan Police. The duties of the Commissioner of the City of London Police are set out under the provisions of the City of London Police Act 1839 and the Police Act 1996.
- 7.7. The generic responsibilities of a police officer are set out, by rank, in the Policing Professional Framework (PPF)<sup>21</sup>, although this is College of Policing guidance and is not a statutory requirement.
- 7.8. Regulation 20 of the Police Regulations 2003 requires that, “every member of a police force shall carry out all lawful orders and shall at all times punctually and promptly perform all appointed duties and attend to all matters within the scope of his office as a constable.”
- 7.9. A significant number of chief officers are ‘National Policing Leads’ (NPLs). National policing is conducted through national policing business areas (NBAs), each taking lead responsibility for a broad area of policing and headed by a serving chief officer. NBAs

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<sup>20</sup> <http://www.legislation.gov.uk/ukpga/2011/13/part/1/chapter/5/crossheading/chief-officers-of-police/enacted>

<sup>21</sup> Police Professional Framework (PPF) <http://www.skillsforjustice-ppf.com/>

lead the direction and development of policing in that area, working with government and external stakeholders. Under each business area sit portfolios, led by an individual chief officer who acts as the NPL for a specific issue. For example, Crime national policing business area draws together all aspects of crime including rape, domestic violence, knife crime, guns and gangs. When the need arises, NPLs will work with policing colleagues and relevant external stakeholders to develop professional practice.

- 7.10. NBAs are largely constructed by informal arrangements and goodwill. Current heads of NBAs are un-paid, voluntary positions taken on by chief constables in addition to their other duties. In addition, other chief officer ranks can become NPLs under the relevant NBA. This is also an un-paid, voluntary role.
- 7.11. NBAs are currently accountable to the College's Professional Committee for matters relating to policy and practice and to the Chief Constables' Council (NPCC from April 2015) for matters relating to employment and operations.

### *Flexible Working*

- 7.12. Police officers of any rank may make a request to work flexibly. The Flexible Working Regulations 2002 do not apply to police officers although officers are able to request a change in their working pattern at any time. There is no limit to the number of times a police officer may request flexible working; there is no minimum number of hours which a part-time officer must work; and there is no requirement for an officer to reduce hours from full-time in order to work flexibly.
- 7.13. Police officers who work reduced hours or flexibly remain subject to the requirements of Police Regulations and Determinations 2003 (as amended). Exigencies of duty may require police officers to be directed to work beyond their rostered duties, to re-roster their rest days or to work on their free days. They can be recalled to duty at any time.
- 7.14. A full-time officer who has changed their working hours to become a part-time officer has the right to return to full-time hours with a maximum four month period from the change to their working hours. However, they may be asked to change posts in order to do so. Those who joined part-time do not have the same entitlement to revert to full-time hours, but an application to do so should be considered by the force.

### *Changes to chief officer remuneration*

- 7.15. Prior to the reforms instigated by Tom Winsor's Independent Review of Police Officer and Staff Remuneration and Conditions, for senior police officers, basic pay was often boosted by bonuses, benefits-in-kind and expenses. Such payments typically represented a top-up on top of base salary of around 21% for chief constables and equivalents, with lower additions for deputy and assistant chief constables.
- 7.16. A pay freeze was introduced for all police officers (aside from ACCs and commanders) from 1 April 2012 for two years. ACCs and commanders commenced the pay freeze on 1 June 2012 due to delays in negotiations.
- 7.17. Chief officers' pay and reward packages are published by chief constables and PCCs in their annual statements of accounts. The College of Policing collates this information

and it is published on their website.<sup>22</sup> This information typically includes salaries, pension entitlements and other expenses paid (including bonuses, although these are no longer payable) and any benefit in kind (which relates mainly to vehicle provision, but extends in some cases to healthcare provision or any other similar benefit).

## Current pay and conditions for chief officers

### *Chief constables and deputy chief constables*

7.18. Since 1 September 2003, chief constables and deputy chief constables (and their Metropolitan Police Service equivalents) have received a rate of pay based on their ranks and the sizes of their forces, rather than paying these most senior officers on a time-served basis. These salaries were developed in 2002/03 using a range of policing measures and were agreed by the Police Negotiating Board. They are also based on the type of work with which the force deals namely<sup>23</sup>:

- call management;
- crime management;
- traffic management;
- public order management and public reassurance;
- community policing management;
- patrol management;
- security-related expenditure; and
- the sparsity of the population in the force area.

7.19. As these are spot rates, there is no progression scale. The spot rates increase by a percentage amount for cost of living, but the only ways an officer can increase his salary significantly are either to be promoted, or to move to a higher-paying force.

7.20. Winsor felt that chief constables and deputy chief constables therefore already have a pay system based on job evaluation, albeit a crude one. He added that, “unless and until a more advanced system is devised, it should remain as it is.”

7.21. The PCC of the police force is responsible for appointing the chief constable and holding him or her to account for the running of the force

7.22. A PCC may, on appointing a chief constable, set the chief constable’s salary at a rate up to ten per cent above or below the rate for the post. This decision is taken at the PCC’s discretion.

### *Metropolitan Police Service*

7.23. The Metropolitan Police Service has five ranks at chief officer level. In order of hierarchy the ranks are: commissioner; deputy commissioner; assistant commissioner; deputy assistant commissioner and commander.

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<sup>22</sup> <http://www.college.police.uk/en/20534.htm>

<sup>23</sup> Independent Review of Police Officer and Staff Remuneration and Conditions (Winsor Review): Part 2 Report, page 401.

<http://webarchive.nationalarchives.gov.uk/20130312170833/http://review.police.uk/publications/part-2-report/part-2-volume-2?view=Binary>

7.24. Similarly to chief constables and deputy chief constables in other police forces, the commissioner, the deputy commissioner and four assistant commissioners have up until 1 September 2014 received a rate of pay agreed by the Police Negotiating Board and based on the system which was developed in 2002/03. As these are spot rates, there is no progression scale.

### *City of London Police*

7.25. The City of London Police has three ranks at chief officer level, although these differ in title from other police forces. In order of hierarchy the ranks are: commissioner; assistant commissioner and commander.

7.26. Similarly to chief constables and deputy chief constables in other police forces, the commissioner and the deputy commissioner have up until 1 September 2014 received a rate of pay agreed by the Police Negotiating Board and based on the system which was developed in 2002/03. As these are spot rates, there is no progression scale.

### *Assistant Chief Constables and Commanders*

7.27. Unlike more senior chief officers, assistant chief constables and commanders are paid via a pay scale. Up until 1 September 2014, the rate of pay was agreed by the Police Negotiating Board.

7.28. With effect from 1 June 2014, the pay scale for ACCs was replaced with a three-point pay scale. Existing pay points 1, 3 and 5 were and will be removed on 1 June 2014, 1 June 2015 and 1 June 2016 respectively.

7.29. The decision to shorten pay scales for ACCs and Commanders came as a result of the Winsor review. Winsor found that pay scales were long and in most cases there was no appreciable link between pay and competence or the acquisition of new skills. He felt that a new approach was needed for both police officers and staff that replaced a culture of entitlement on the basis of time-service with one which recognises skills and professionalism. His rationale for this was that it would lead to a better service for the public and better value for taxpayers.<sup>24</sup>

7.30. These changes also introduced a larger pay gap between chief superintendent and ACC /commander ranks, to mark the significant change in responsibility in those promotions.

7.31. It is important to note that ACC/commander pay was frozen for two years from June 2012. This date differs from the implementation date of the pay freeze for other ranks, which had effect from April 2012 for two years.

### *Pensions*

7.32. There are currently two existing schemes for police officers. The Police Pension Scheme (PPS) came into force in 1987. There have been no new entrants to this scheme since 1st April 2006 when the New Police Pension Scheme (NPPS) was introduced.

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<sup>24</sup>Ibid. Page 325.

- 7.33. There is protection in place for officers closest to retirement, who will be entitled to remain in their current police pension scheme beyond 2015. This will apply to officers who, on 1st April 2012, were within 10 years of their normal pension age (age 55) in the NPPS or within 10 years of maximum pensionable service (30 years' service) for those in the PPS.
- 7.34. The framework for new police pension arrangements from 1st April 2015 was announced by the Home Secretary in September 2012. In line with wider public service pension reform, this will involve the introduction of career average pension arrangements and higher employee contribution rates, including for existing officers. Increases in employee contributions phased in between 2012 and 2014 are now delivering savings of £150m per year, resulting in a fairer balance between officers and other taxpayers.
- 7.35. The framework includes a normal pension age of 60. Police officers will continue to retire earlier than most public servants, who will have a normal pension age linked to state pension age (i.e. age 65 and likely to rise to 69 by late 2040s). The framework also includes continued flexibility for officers to be able to retire with an immediate pension from age 55.

## Severance

- 7.36. For the chief officer ranks, the power to require officers to retire or resign in the interests of efficiency or effectiveness is set out in primary legislation (sections 9E to 9G of the Police Act 1996 in respect of the Metropolitan Police and sections 11 to 12 of the same Act in relation to other forces). The appointment to chief officer ranks is for a fixed term, which is set out in regulations made under section 50.
- 7.37. The PCC has the power to suspend the chief constable or to call on him or her to retire or resign. The process is set out in Part 2 of Schedule 8 to the 2011 Act, as well as in Regulation 11A of the Police Regulations 2003. The PCC must notify the police and crime panel if he suspends the chief constable. If he or she wishes to remove a chief constable, he or she must give the chief constable a written explanation of the grounds. The chief constable can make written representations which the police and crime commissioner must consider. The PCC must also inform the Police and Crime Panel who must consider the matter at a hearing, which the chief constable can attend and where he or she can make representations. The panel must make a recommendation to the police and crime commissioner in relation to the proposed removal, which the commissioner must consider.
- 7.38. Regulation 11B of the Police Regulations 2003 provides for the removal of other senior police officers.

## Severance packages

- 7.39. Until 2004, a chief officer whose fixed term appointment (FTA) was not extended had no access to compensation, leaving them financially, as well as professionally disadvantaged. This was primarily because pension regulations for the Police Pension Scheme 1987 (PPS) provide that officers retiring with fewer than 30 years' pensionable service cannot receive the full, uncapped tax-free lump sum, which amounts to a quarter

of the value of their pensions. The vast majority of chief officers are members of the 1987 scheme. The 2004 arrangements provide that those officers now receive compensation depending on their ages and lengths of service.

- 7.40. A chief officer under 50 with fewer than 25 years' service whose contract is not renewed must wait until they are 60 for their pension, whatever their length of service. However, there is the discretion to pay them a lump sum of between 12 and 18 months' pensionable pay. This compensation is repayable in full if they rejoin a territorial police force within a year. If the chief officer rejoins within two years, half is repayable.
- 7.41. A chief officer over 50 with less than 25 years' service whose contract is not renewed receives an actuarially reduced pension (payable from age 55) and compensation of 6 months pensionable pay, or an unreduced pension from 60 and compensation of 12 months pay. The compensation payment is capped at half the amount the chief officer would have earned by the time they were 60.
- 7.42. An officer aged over 50 with 25 or more, but less than 30 years' service is eligible for an immediate pension though the tax-free lump sum is capped. These officers receive a taxable payment of a proportion of the difference between the lump sum they will receive and the lump sum they would have received at 30 years service. The proportion is on a sliding scale from a maximum of 95% with 29 1/2 years' service to 50% with 25 years' service.
- 7.43. A chief officer aged under 50 with 25 or more, but less than 30 years' service, is eligible for an ordinary pension payable from age 50. As above the tax-free lump sum is capped, so they will also receive, at age 50, a taxable payment of a proportion of the difference between the lump sum they will receive and the lump sum they would have received at 30 years service, calculated as above for officers over 50. There is also the discretion to give them a compensation payment of up to 12 months' pensionable pay. This payment is capped so that no chief officer would be able to receive a payment of more than half the amount they would have earned by the time they reached 50 years' of age.

### *Context of chief officer pay*

- 7.44. The Winsor Review (Part 1) found that in the absence of specific job evaluations, it is hard to make any direct comparisons between pay of senior police officers and other occupations such as very senior managers in the National Health Service (NHS) and Permanent Secretaries in the Civil Service.<sup>25</sup> However, it could be argued that senior police officers themselves would typically draw comparisons with the pay levels of senior appointments in local government, since senior police officer appointments are made at the local level
- 7.45. The Chief Secretary to the Treasury, Danny Alexander wrote to the SSRB on 29 July this year. He said that, "pay restraint remains a crucial part of the consolidation plans that are continuing to help put the United Kingdom back on to the path of fiscal sustainability – and continued restraint in relation to public sector pay will help to protect jobs in the public sector and support the quality of public services".

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<sup>25</sup> Independent Review of Police Officer and Staff Remuneration and Conditions (Winsor Review), 2011: Part 1 Report. Page 251.

7.46. The Chief Secretary added that, “the evidence so far is that, given the current labour market position, there are unlikely to be significant recruitment and retention issues for the majority of public sector workforces over the next year.”<sup>26</sup> This assertion is supported by the data cited under paragraph 5.5 of this document. The number of chief officers has remained steady over the last few years, which indicates that the pay freeze on chief officer pay for two years (ending 31 March 2014 for all chief officers except for ACCs and commanders, for whom the freeze ended on 31 May 2014) has had no negative impact on recruitment and retention.

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[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/340587/CST\\_to\\_Senior\\_Salaries\\_Review\\_Body.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/340587/CST_to_Senior_Salaries_Review_Body.pdf)

## 8. Pay Proposals

- 8.1. **In the context of the evidence set out above, SSRB are asked to consider holding chief officer pay at current rates for 2015/16, including London weighting where applicable.**
- 8.2. In the current economic climate of pay restraint and fiscal sustainability, it is important that the focus of any pay reward be targeted at those who are the lowest paid and on the frontline. Proposals outlined in this evidence, and that submitted to the Police Remuneration Review Body are in line with this.

## 9. Glossary

<b>ACPO</b>	Association of Chief Police Officers
<b>APCC</b>	Association of Police and Crime Commissioners; the body which assists police and crime commissioners in relation to matters of common concern and relevance to more than one police area
<b>Association of Chief Police Officers</b>	professional association of police officers of assistant chief constable rank and above, and their police staff equivalents, in England, Wales and Northern Ireland; leads and co-ordinates operational policing nationally; a company limited by guarantee and a statutory consultee; its president is a full-time post under the Police Reform Act 2002
<b>chief officer</b>	in police forces outside London: assistant chief constable, deputy chief constable and chief constable; in the Metropolitan Police Service: commander, deputy assistant commissioner, assistant commissioner, deputy commissioner and commissioner; in the City of London Police: commander, assistant commissioner and commissioner
<b>Chief Police Officers' Staff Association</b>	national staff association which represents the most senior ranks, of assistant chief constable, deputy chief constable, chief constable (and in the Metropolitan Police Service commander, deputy assistant commissioner, assistant commissioner, deputy commissioner and commissioner) –204 officers
<b>College of Policing</b>	professional body for policing in England and Wales, established to set standards of professional practice, accredit training providers, promote good practice based on evidence, provide support to police forces and others in connection with the protection of the public and the prevention of crime, and promote ethics, values and standards of integrity in policing; its powers to set standards have

	been conferred by the Police Act 1996 as amended by the Anti-social Behaviour, Crime and Policing Act 2014
<b>CPOSA</b>	Chief Police Officers' Staff Association
<b>Her Majesty's Inspectorate of Constabulary</b>	Her Majesty's Inspectorate of Constabulary (HMIC) has statutory responsibility for the inspection of police forces in England and Wales. HMIC is headed by the Chief Inspector of Constabulary and is independent of both the Government and the police.
<b>Independent Police Complaints Commission</b>	The Independent Police Complaints Commission (IPCC) oversees the police complaints system in England and Wales and sets the standards by which the police should handle complaints. It is independent, making its decisions entirely independently of the police and government. It is not part of the police.
<b>Independent Review of Police Officer and Staff Remuneration and Conditions</b>	A review of Police Officer and Staff Remuneration and Conditions conducted by Tom Winsor in response to a commission from the Home Secretary (also known as the 'Winsor Review'). The reports were published in two parts starting in March 2011. Part 1 of the review published in 2011, concentrated on short-term changes and financial savings. The Final Report (Part 2), published in 2012, concentrated on longer term reforms and management tools. The reports made a range of recommendations, many of which have been implemented, to modernise pay and conditions, help chief constables to manage their resources, and improve service to the public.

<b>IPCC</b>	Independent Police Complaints Commission.
<b>National Crime Agency</b>	The National Crime Agency (NCA) was established in October 2013 to lead the UK's fight to cut serious and organised crime. The agency has a stronger mandate to tackle serious and organised crime nationally than any organisation has had before.
<b>PCC</b>	police and crime commissioner
<b>PDR</b>	performance and development review
<b>performance development review</b>	assessment of an individual's work performance by his line manager, usually an officer or police staff manager of the immediately superior rank or grade
<b>police and crime commissioner</b>	elected entity for a police area, established under the Police Reform and Social Responsibility Act 2011, responsible for securing the maintenance of the police force for that area and securing that the police force is efficient and effective; holds the relevant chief constable to account for the policing of the area; establishes the budget and police and crime plan for the police force; appoints and may, after due process, remove the chief constable from office
<b>Police Federation</b>	national staff association established by the Police Act 1919 to represent the interests of police constables, sergeants and inspectors (including chief inspectors) in England and Wales
<b>spending review</b>	government process carried out by HM Treasury to set firm expenditure limits and, through public service agreements, establish the principal improvements that the public can expect from Government departments
<b>SPR</b>	Strategic Policing Requirement
<b>staff association</b>	association of employees or police officers that performs some of the functions of a trade union, such as representing its members in negotiations or other dealings with management on

	matters of pay, conditions of service or discipline, and that may have other social and professional purposes
<b>Strategic Policing Requirement</b>	document issued by the Home Secretary under section 37A of the Police Act 1996 which sets out what, in her view, are national threats, and the appropriate national policing capabilities to counter those national threats; national threats are threats (actual or prospective) which are threats to national security, public safety, public order or public confidence of such gravity as to be of national importance, or threats which can be countered effectively or efficiently only by national policing capabilities; the national threats currently specified are terrorism, organised crime, public disorder, civil emergencies and large-scale cyber incidents
<b>'Winsor Review'</b>	See 'Independent Review of Police Officer and Staff Remuneration and Conditions' above

## **Summary of pay and allowances applicable to chief constables under Police Regulations and determinations**

### a) Pay, leave and bonuses

#### i. Pay, leave and sickness

- CCs and DCCs receive a rate of pay based on their ranks and the sizes of their forces.
- A Police and Crime Commissioner may, on appointing a Chief Constable, set the Chief Constable's salary at a rate up to ten *per cent* above or below the rate for the post as set out in Annex F of the determinations.
- DCC salaries cannot be varied by the Police and Crime Commissioner.
- ACCs and Commanders remain on a pay scale. Progression up the pay scale is based on the officer's PDR rating.
- Other elements of pay, leave, sickness etc. are set out in the determinations of the Police Regulations 2003.

#### ii. Performance-related bonuses

- Up to 2012, bonuses could be awarded to chief officers at the discretion of police authorities (and, subsequently, Local Policing Bodies), based on performance at both national and local level. Chief constables could receive up to 15% of basic pay, deputy chiefs up to 12.5% and assistant chiefs 10% (in addition to the nationally mandated allowances set out in the Police Regulations 2003).
- The chief officer bonus scheme was abolished from April 2013, as recommended by Winsor. His argument, which the Government accepted, was that bonuses had not particularly had a positive impact and, in the face of widespread opposition in the police, were not healthy and harmed the public perception of the police. He recommended in their place a system of performance and contribution-related pay and progression.

#### iii. Performance Development Review (PDR)

- Since 2005, there is a PDR process in place for Chief Officers. PDR ratings are not currently linked to pay decisions for Chief Constables and Deputy Chief Constables.
- PDR ratings are currently only linked to pay progression for ACCs/Commanders and Superintending ranks. Progression is based on the officer's PDR ratings. Being evaluated as "exceptional" results in his rising up the scale by a double increment, an evaluation of "competent" results in his going up by a single increment, and those found "not yet competent" do not rise at all.
- We are planning to introduce the same for Sergeants, Inspectors and Chief Inspectors from April 2015.

## b) Allowances and related payments

### i. Replacement allowance

- Replacement allowance is only available to officers who were already members of the police on 31 August 1994. It was introduced in 2003 to replace rent and housing allowances, on their abolition.
- Those allowances supplemented the pay of police officers who did not occupy free housing provided by a Police Authority or police force. Their purpose was to put a police officer who provided his own accommodation in broadly the same position as one who was provided with free accommodation. They began at a time when police officers were required to live in houses provided by the Police Authority.
- Several other allowances depend on whether or not an officer receives replacement allowance.

### ii. London Weighting

- Pensionable payment, currently £2,325 per annum for officers in the City of London or metropolitan police force.

### iii. London Allowance

- Non-pensionable allowance, currently £1,011 per annum for officers in the City of London or metropolitan police force.
- The rate is determined by the Commissioner of the relevant force with regard to location and retention needs up to a maximum of:
  - £4,338 a year if appointed on or after 1 September 1994 and not receiving a replacement allowance under Schedule 3;
  - £1,011 a year, in other cases (provided that, in respect of any particular member, the total of the London allowance and replacement allowance payable to the member shall not exceed the London allowance that would be payable if the member were not receiving a replacement allowance).

### iv. London Transitional Supplement

- An allowance not exceeding £1000 per annum, paid to members of the City of London or metropolitan police force who joined before 1 September 1994 and who receive a replacement allowance.
- The total of the London transitional supplement, London allowance and replacement allowance payable to the member shall not exceed the London allowance that would be payable if the member were not receiving a replacement allowance.

### v. South East England Allowance

- A member of the Essex, Hertfordshire, Kent, Surrey or Thames Valley constabulary appointed on or after 1 September 1994 and not receiving a replacement allowance under Schedule 3 shall be paid an allowance at a rate determined by the Chief

Constable of the relevant force with regard to location and retention needs, following consultation with the joint branch board, and not exceeding £2,000 a year.

- A member of the Bedfordshire, Hampshire or Sussex constabulary appointed on or after 1 September 1994 and not receiving a replacement allowance under Schedule 3 shall be paid an allowance at a rate determined by the Chief Constable of the relevant force with regard to location and retention needs, following consultation with the joint branch board, and not exceeding £1,000 a year.

vi. South East England Transitional Supplement

- Applies to Hertfordshire, Kent or Surrey officers who joined the police service before 1 September 1994 and receive a replacement allowance payable at a rate less than the rate of the South East England Allowance that they would receive if not in receipt of a replacement allowance.
- They receive a supplementary allowance at the rate of the difference between that South East England Allowance and the replacement allowance that the member is receiving.

vii. Motor Vehicle Allowances

- For all officers, there is an option of paying a lump sum per annum plus mileage for duty travel, or a mileage rate for casual users (sums dependent on cylinder capacity of vehicle).
- There are often other 'benefit in kind' arrangements for chief officers in the form of a car pool or provision of a dedicated car (as below under 3. Expenses", paragraph vi)

c) Expenses

i. Reimbursement of medical charges

- Applies where the charges are incurred by reason of an injury received without his default in the execution of his duty as a constable.

ii. Removal expenses

- Paid where the member moves his home on joining the force in the rank of assistant chief constable or a higher rank.
- To qualify for reimbursement, an item of removal expenditure must be necessary, reasonable and backed by a receipt.

iii. Relocation expenses

- PCCs/Chief Officers are required to pay all reasonable costs arising from the sale and purchase of a chief officer's house, and should pay all tax liabilities arising from any relocation packages, so that, for the chief officer concerned, there is no personal financial disadvantage.
- This applies when the chief officer has been required to move home in the interests of the efficiency and effectiveness of the force.

iv. Food expenses

- Reimbursed expenses when an officer:
  - is necessarily prevented in the course of a tour of duty from obtaining a meal in his usual way (reimbursed the difference between the meal he then obtains and the meal he usually takes in the course of that tour of duty); or
  - is retained on duty beyond his normal daily period of duty (reimbursed the cost of any meal he then necessarily obtains).
- Reimbursement for reasonable expenditure, backed by a receipt.

v. Accommodation expenses

- Reimbursed accommodation expenses necessarily incurred in connection with duty away from his usual place of duty, or necessary because he has been retained on duty beyond his normal daily period of duty.
- Reimbursement for reasonable expenditure, backed by a receipt.

vi. Train travel expenses for certain ranks

- Superintending ranks and above who are required to travel by train in the execution of their duty are entitled to first-class travel.

vii. Travel expenses

- Reimbursement (within limits set by the local policing body) applies where a member of a police force is:
  - required to perform his normal daily period of duty in more than one tour of duty, or
  - recalled to duty between two tours of duty,and travels to and from his home between tours, or, as the case may be, in consequence of his recall (in this paragraph referred to as “relevant travelling”).
- Note: Travel expenses are paid up to limits set locally by the PCC, as set out in Annex V of the determinations. In addition, chief officers are often provided with a dedicated car at a cost decided by the PCC and this would fall under „Motor Vehicle Allowances“ in Annex U of the determinations. It is made explicit in terms and conditions that private journeys in dedicated cars are permissible (including use of the car by a partner), but that this would be taxable as a benefit in kind.

viii. Uniform

- It is the decision of the local policing body whether or not a chief officer receives free uniform.