

POLICE STAFF COUNCIL

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TRADE UNION SIDE

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SUBMISSION TO THE INDEPENDENT REVIEW OF POLICE OFFICERS' AND STAFF REMUNERATION AND CONDITIONS

1 Introduction

The Trade Union Side of the Police Staff Council comprises the following trade unions: UNISON, Unite and the GMB. Between us we negotiate on behalf of 77,500 police staff who are contractually bound to the Police Staff Council negotiating machinery.

We welcome the opportunity to make a submission to the Independent Review of Police Officers' and Staff Remuneration and Conditions. This submission concentrates on the following areas set out in the Review's 'Call for Evidence' dated 10 October 2010:

- Pay Machinery
- Pay Structures: covering in particular – equality, pay progression and incentivising high performance

The Trade Union Side believes that the Police Staff Council is a successful collective bargaining body which operates a partnership approach to employee relations in the police service. We set out the basis for this view below, together with some recommendations for improving the work of the Council.

In relation to police staff pay, the Trade Union Side has long held the view that only a national police staff pay and grading system will overcome the discrimination inherent in individual police force pay arrangements. Such a national pay and grading system would provide the framework for all parties at the Police Staff Council to raise their negotiating objectives for the future of police staff pay and reward.

2 Pay Machinery

2.1 History and set up

The Police Staff Council was set up in 1996 as a result of the transfer of police staff from the employment of local authorities to the newly incorporated police

authorities. The Council, initially called the Police Support Staff Council, was made up of the following constituents:

Employers' Side:

Association of Police Authorities: 4 seats

Association of Chief Police Officers: 2 seats

Trade Union Side

UNISON: 5 seats

Unite and GMB: 1 seat

The Secretariat of the Council was split between the Local Government Employers' Organisation (now the LGE) acting as Employers' Side Secretary and UNISON as Trade Union Side Secretary. The Council received no dedicated funding at set up and this position obtains to this day; a problem we will return to later.

The Police Support Staff Council (PSSC) developed a Handbook of Terms and Conditions and a new police staff national pay spine. It also took over responsibility for negotiating annual pay reviews and changes to the PSSC Handbook. The majority of the terms and conditions in the PSSC Handbook were taken from the Local Authority APT & C Handbook – otherwise known as the 'Purple Book'. The terms and conditions set out in the Handbook were adopted by forces in England and Wales by means of incorporation into force level police staff contracts. This meant that the terms and conditions were legally enforceable, and not, as some implied, a set of recommendations which forces were free to adopt or reject at will. The PSSC Handbook was designed to be a framework agreement, in which the major terms and conditions (shift pay, sick pay etc) were set out, but with the proviso that local negotiations would fill in the gaps between national provisions.

The following forces in England and Wales remained outside the remit of the PSSC: Metropolitan Police, City of London Police, Surrey Police and Kent Police. The Met Police, until the Met Police Authority was created, employed police staff on civil service terms and conditions for historical reasons. Surrey and Kent Police chose not to join the PSSC for local political reasons. These four forces remain outside the Police Staff Council to this day, although there is a wish on the part of the UNISON police branches in Kent and Surrey to join.

The Council went on to develop and publish two job evaluation schemes: the PSSC 9 factor scheme (based on the LGMB scheme) and the PSSC 13 factor scheme (based on the NJC for Local Government single status JE scheme). Forces were encouraged to adopt job evaluation as a means of arriving at equality proofed pay and grading systems. In 1996 most forces had simply adopted the grading schemes which had previously been in use in the local authorities from which they drew their police staff employees. As we indicate

later in this response, very little has changed in this respect over the intervening 14 years.

In 2002, the Home Office applied to join the Employers' Side of the Police Staff Council, having previously taken no apparent interest in police staff matters. The Trade Union Side supported the application of the Home Office to join the machinery and welcomed the engagement of Ministers and officials in the work of the Council. We agreed to the Home Office joining the Council on the condition that this would lead to a review of the resourcing of the Council. In 2009 the Council subsequently submitted a business case for dedicated funding for its work to the Home Office. This application has not been successful and the Council remains without dedicated government funding.

2.2 Review and Modernisation

2.2.1 Handbook Review

In 2002 the PSSC embarked on a process of reviewing the original PSSC Handbook which had been agreed in 1996. The original Handbook was not well laid out and had suffered from difficulties in interpretation and application. Following nearly two years of detailed negotiations a revised Handbook was agreed in 2004 – known as the 'Police Staff Council Handbook'. The change in the Council's name reflected workforce modernisation and the fact that police staff were no longer in predominantly supporting roles, but were taking on more operational tasks. PCSOs were part of this trend.

As part of the review, the Council consciously sought to take on a wider remit than just pay and conditions. The revised Handbook therefore enshrined changes to the Council's role to:

- Advise the Secretary of State on general questions affecting police staff in England and Wales
- Draft regulations which affect police staff
- Consider any matter referred to it by the Secretary of State or any of its constituent organisations

From the Trade Union Side's perspective, the revised Handbook was an altogether stronger national agreement, which removed some of the ambiguities in the predecessor document, reintroduced an unsocial hours working allowance, harmonised short notice changes compensation with that of police officers and brought employment law references up to date. The Home Office paid for the revised Handbook to be produced with high production values.

2.2.2 Police Staff Council Pay and Reward Review

Also in 2002 the Police Staff Council set up a Pay and Reward Working Party with terms of reference to look at:

- Recruitment and retention
- Annual leave
- Performance
- The extent of low pay in the PSSC structure
- The nature and extent of the gender pay gap in the workforce
- Training and development
- Work Life balance

Both Trade Union and Employers' Side made submissions to the review. The Trade Union Side's submission concentrated on our assessment of the equal pay gap in the police workforce and the continuing problem with inequality in relation to annual leave entitlement across the forces in the Council. The Police Staff Council undertook two pay and numbers surveys of the police staff workforce in 2003 and 2005 to help support the Working Party. With Home Office funding, the Working Party also commissioned work to update the PSC 13 factor Job Evaluation Scheme and provide a range of technical guidance to forces undertaking job evaluation or equal pay audits. The revised JE scheme was launched in 2006. Unfortunately, its use remains limited, despite the resources put into its development.

Despite some of its achievements, the Pay and Reward Working Party was not able to conclude its work. This coincided with delays in 2007 to a Home Office initiative on 'Professionalising the Workforce', which seemed to hold back the Employers' Side from arriving at a definitive position on the future of police staff pay and reward. The Working Party was subsequently revived in the context of the 2008 - 2010 PSC 3 year pay deal. This multi- year agreement committed both sides of the Council to '...explore ways to achieve a more strategic approach to terms and conditions including pay and grading.' The terms of reference for this work included:

- Flexibilities for workforce modernisation
- Better development, deployment and leadership
- Progress to date on job evaluation and pay and grading reviews
- The nature and extent of the gender pay gap in the police staff workforce
- Approaches to pay and grading for police staff in England and Wales

This most recent work is still underway and we will refer to some of its findings later in this report.

2.3 How effective is the Police Staff Council?

The Police Staff Council is an effective and successful collective bargaining body. It has delivered stable industrial relations for the police service since its creation in 1996. It has a track record in avoiding dispute and operates on the basis of partnership. The only national industrial action in the police service since 1996 was a single day's strike action in 2008 over pensions; a matter which did not come within the scope of the Police Staff Council.

The Council's achievements include:

- Creation of a single status pay and conditions agreement in 1996
- Revision and modernisation of the Police Staff Council Handbook in 2004, also introducing a wider, more strategic role for the machinery
- Collective agreements on annual pay revalorisation for every year since 1996, with the exception of an ACAS brokered deal in 2000
- Employers' Side expanded in 2002 to encompass the Home Office, with the express agreement of both Sides of the Council
- Partnership approach to collective bargaining, reiterated in the 2005 PSC Joint Working Agreement
- Updating of the PSC 13 Factor Job Evaluation Scheme, plus issuing of good practice guidance on job evaluation and equal pay audits
- Publication of a national police staff Code of Professional Standards
- Police Staff Council Joint Survey of Job Evaluation and Equal Pay in 2010.

2.4 The Future for the Police Staff Council

The Trade Union Side remains concerned at the continuing absence from the machinery of Kent and Surrey Police. Their refusal to join the Council deprives our members in those forces of the protection of national collective bargaining. It also makes impossible the development of any truly national solution to the problems with pay and grading which we will identify in the next section. The police staff workforce is a national as well as a local workforce. If Government aspires to drive consistency, efficiency and effectiveness in the delivery of policing in England and Wales, then it needs to be able to deal with the police staff workforce as a whole, not as 43 different components. Matters such as training and development, workforce modernisation, conduct, discipline, equality and diversity all demand a consistent approach across forces. The separate bargaining machinery for the Met Police and City of London Police also present as barriers to a single national approach to police staff pay and reward and strategic management of the police service as a whole.

In addition, the continuing lack of dedicated funding for the Police Staff Council from the Home Office means that the Council has no ability to properly plan its future workload.

The Trade Union Side makes clear that we are committed to the continuation of free collective bargaining for police staff pay and conditions at national level in England and Wales. We can see no credible arguments for devolving national negotiations to regional or local level. Indeed, we agree with the Government's view, set out in its consultation paper 'Policing in the 21st Century' that '...there are some things that need to be done just once, nationally' in the Police Service, and include bargaining on pay and conditions in this definition. We wonder how, in a time of public sector austerity, it could be argued to the taxpayer that forces should employ more staff than at present to set up local pay bargaining, rather than deliver front line policing? We are also totally opposed to any pay review body option, which would replace effective partnership arrangements with a remote, arms-length machinery. The Police Staff Council is a successful collective bargaining body and we wish to build on its achievements in the future. We would like to see an expanded Police Staff Council representing all forces in England and Wales, including those currently outside the machinery. Dedicated funding for the Council is necessary for it to continue to deliver its services to the Police Service.

3 Pay Structures

3.1 Overview

In 2004, the Police Staff Council agreed to set up a Pay and Reward Review to examine the existing state of police staff pay. Both Employers' and Trade Union Sides made formal submissions to the Review.

This submission from the Trade Union Side develops a number of the themes set out in our initial submission to the review. It also acknowledges developments in respect of police workforce modernisation which have taken place since 2004.

Arising out of this further reflection, the Trade Union Side submits that police staff in England and Wales should migrate to a national pay and grading structure based on the application of a national job evaluation scheme.

This proposal sets out the background, arguments for and suggested outcomes of, such a single national grading system.

3.2 Synopsis

This proposal is split into the following sections:

- Reasons to consider a national pay and grading system
- Workforce Modernisation and Pay

- Skills, Competence and Pay
- Equal Pay
- Proposed Project Plan

3.3 Reasons to consider a national grading system

The Trade Union Side believes that the time is right to open a debate on a national grading system for police staff in the new strategic forces. We believe this because:

- 3.3.1 Police workforce modernisation points in the direction of a more coherent, nationally led approach to police staff pay
- 3.3.2 A national approach to police staff pay and grading would provide the Police Staff Council with the tools to address major policy and negotiating issues in a consistent way across all forces at a time of financial restraint and continuing workforce modernisation
- 3.3.3 Collaborating or merging police forces will need new pay arrangements to harmonise the pay systems of precursor forces
- 3.3.4 The revised Police Staff Council 13 factor JE scheme provides a jointly agreed method of assessing the weight of police staff jobs in a way that commands the confidence of unions, employers and police staff. The Trade Union Side believes that the revised scheme provides a suitable platform on which to build a single national pay and grading system. The adoption of the 13 factor scheme by forces was a recommendation of the 2004 HMIC Workforce Modernisation Thematic¹
- 3.3.5 The link which the employers wish to establish between pay and skills could be delivered far more effectively and successfully in the context of a single national grading system. The Trade Union Side is prepared to enter into constructive talks on the above link, on the understanding that it takes shape in the context of a national grading system.
- 3.3.6 A national pay and grading system could interface far more effectively with Skills for Justice Integrated People Management Model than a multiplicity of local pay and grading systems.
- 3.3.7 The cost to the public purse of sustaining 43 different pay and grading systems in a service which is striving for efficiency and effectiveness is unsustainable.
- 3.3.8 Existing police staff grading systems have their origins in an historic local government settlement. These pay systems are neither modern, nor forward looking. They are blunt instruments for delivering workforce modernisation, or efficiency and effectiveness.

¹ "Modernising the Police Service" HMIC 2004 p.108 (6.42)

3.3.9 The 2004 HMIC Thematic into Workforce Modernisation noted that: "... the differences in pay suggested by this survey raise a number of issues about the need for greater standardisation of pay across the county"².

3.3.10 In summary, the Independent Review of Police Officers' and Staff Remuneration and Conditions presents an unmissable opportunity to develop a coherent workforce modernisation driven approach to police staff pay and reward.

4. Workforce Modernisation and Pay

In the conclusion to its 2004 submission to the Police Staff Council Pay and Reward Review, the Trade Union Side set out the following vision for linking pay and police reform:

"For the Police Staff Council, this Pay and Reward Review represents a strategic opportunity to align police staff pay and conditions with the current police reform process. It is perhaps a once in 10 or 15 year opportunity, and we need to be bold in seizing it."

The vision that we articulated had five main objectives:

- improving police performance
- aligning pay and conditions with police reform targets
- removing pay discrimination
- creating a level playing field in police staff pay and conditions
- incentivising the workforce

If we get the job done right, these objectives should link together in a virtuous circle that creates the right environment for the police service to deliver on the public's high expectations.

In 'Policing the 21st Century', the Government put on record its commitment to:

- a national framework for efficient local policing
- ensuring that there '...are some things that need to be done just once, nationally.'
- Making sure that '...the entire police workforce is more available than currently and more productive'.

² "Modernising the Police Service" HMIC 2004 p.107 (6.41)

What is clear to the Trade Union Side is that the Government's ambitions for a more efficient use of resources and the workforce demand a new approach to pay systems in the police service.

The Trade Union Side submits that the above workforce modernisation strands could be most effectively woven together in a Police Staff Council national pay and grading structure which could:

- reflect the business needs of a reforming police service
- link pay to occupational standards and the Integrated Competency Framework
- mainstream PDR in the reward structure
- provide a platform for assessing the relativities between police staff and police officer pay
- ensure a diverse workforce by rooting out pay discrimination, whether relating to gender, race, age or disability
- attract and retain the brightest talents for the police staff workforce
- enable staff to move flexibly both vertically and laterally within the workforce

4.1 PCSOs and the Case for a National Grading system

The role of the Police Community Support Officer is one which could obviously benefit from the introduction of a national pay and grading system. In 2005, Accenture were asked by the Home Office to assess whether locally-set PCSO pay and conditions were 'fit-for-purpose' for the major expansion in PCSO numbers. Accenture were asked to consider the case for a national framework of terms and conditions.

What Accenture found was that:

- the variation in PCSO pay and conditions across forces could not be explained by difference in role or powers (i.e. job weight)
- notwithstanding the variation in salaries, 75% of forces' minimum and maximum PCSO salaries fell within 10% of the median salary figures

Accenture did not recommend a stand-alone national pay grade for PCSOs because they recognised the impossibility of creating a national pay grade for PCSOs whilst leaving all other police staff on locally determined salary structures. Accenture argued instead that:

"... any changes to PCSO terms and conditions should be made as part of a coherent programme of pay and conditions reform for all police employees and one that aligns with the workforce modernisation/WFM/vision".

In their final overall assessment and recommendations, Accenture remark that:

“There are a number of good opportunities to improve the way PCSO and other police staff progress both in terms of career and rewards. It would be advantageous to include these in any newly negotiated national framework of terms and conditions”.

The Trade Union Side endorse the above Accenture recommendations and believe that they support the concept of a national pay and grading structure set out in this submission. With its national role profile, standard powers, national recruitment and training package, the PCSO role demands a national pay grade. With the development of similar ICF-driven role profiles for other key police staff jobs, the case for a national pay and grading system is considerably strengthened.

4.2. Skills, Performance and Pay

The Employers' Side of the Police Staff Council has previously indicated that it wished to align pay and development systems in order to reward and incentivise the workforce to acquire and use professional skills. The Trade Union Side is prepared to explore these links in the context of a national pay and grading system.

In our original submission to the PSC Pay and Reward Review we stated:

“The Trade Union Side believes that the Skills for Justice Integrated People Management System could provide the framework within which an improvement agenda for police staff skills and competencies could begin to take place.”

We now suggest that the missing component from the Integrated People Management System is Pay and Reward. In the same way that the ICF, National Occupational Standards, Professional Registers and the Qualifications Framework are nationally managed, so the pay system which could link to these elements should also be nationally negotiated, jointly owned and managed.

The Trade Union Side is totally opposed to the concept and practice of performance related pay. Policing relies on a strong teamwork ethic and the idea that individuals should be singled out for particular reward fails to recognise this most basic of facts about the Service. In addition, there is no evidence whatsoever that performance related pay actually works.

4.3 Equal Pay

The Trade Union Side believes strongly that a national pay and grading structure can provide the necessary guarantee that police staff pay is free from gender discrimination and bias.

The work that the PSC has already undertaken in the review of the Police Staff Council 13 factor JE scheme has produced a modern, fit-for-purpose, equality proofed means of measuring job weight

The revised 13 factor scheme provides the consistent basis for the design of a national pay and grading scheme. Such a national pay structure would not only encompass basic pay, in the form of nationally agreed pay grades, but also deal fairly and transparently with the other major components of police staff reward e.g.

- location allowances
- market premia
- premium pay
- link to skills and competence

The design of a national pay structure would provide the Police Staff Council with the opportunity to mainstream equalities in the pay system from the outset. The most recent survey undertaken by the Police Staff Council in 2010 found that:

- 3 forces have never undertaken an analytical job evaluation exercise
- 33% of forces which have undertaken job evaluation have not covered their whole workforce in the process
- 40% of forces which have undertaken job evaluation have not subsequently used the JE results to conduct a pay and grading exercise
- 49% of forces have not conducted an equal pay audit of their pay and conditions

The Trade Union Side contends that these figures reflect badly on the Police Service and indicate that most forces are still working with the same pay and grading systems which they inherited from local government in 1996. Not only does this leave forces open to equal pay challenge, but it also indicates that forces have not spent much time or effort in considering the link between their pay systems and productivity, skills or staff development.

The advantages of our approach for individual forces and trade union sides would be as follows:

- a jointly agreed, equality proofed pay and grading system pay system expertly linked to the Police Staff Council 13 factor JE scheme
- dispenses with the need for local pay modelling on the back of JE
- major saving in time and design costs for new forces
- provides protection against future equal pay challenge

- enables forces and unions to build a link between pay and skills to produce a more productive and available workforce

8. Conclusion

The Police Staff Council is currently engaged in a major Pay and Reward Review. Financial considerations are inevitably impacting upon the Review.

We therefore have the opportunity to take a strategic look at police staff pay in the round. The Trade Union Side firmly believes that collaborations/merger and workforce modernisation point us towards a more coherent and nationally consistent approach to police staff pay and reward.

If we want efficiency, not fragmentation; if we want fairness not inequality and if we want a set of tools to align pay with workforce modernisation, skills and workforce productivity, the Trade Union Side submits that the Police Staff Council initiates work to develop a national pay and grading system for all police staff in England and Wales.