



Ministry of Defence

Report on the likely effect of Section 10 of the Public Service Pensions Act 2013 on members of the Defence Fire and Rescue Service and the Ministry of Defence Police

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Report presented to Parliament pursuant to Section 36 of the Public Service Pensions Act 2013.

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THE DEFENCE FIRE AND RESCUE SERVICE

Background

1. The responsibility for fire safety on the MOD estate lies with the Secretary of State for Defence who delegates this responsibility to Top Level Budget (TLB) Holders. The Defence Fire and Risk Management Organisation (DFRMO) support TLB holders in this task and ensure that correctly trained and qualified personnel discharge all matters relating to fire safety properly. The MOD has further statutory Safety, Health, and Environmental Protection responsibilities for providing an Enforcement Authority for fire safety legislation, presently falling under the Regulatory Reform (Fire Safety) Order 2005 that encompasses all fire safety legislation and regulations. These are delegated from the Secretary of State ¹ to the Chief Fire Officer (CFO) as the Head of Service and Head of Profession for all MOD fire services.

2. The role of the MOD Fire Service is to deliver cost effective and sustainable fire risk management to the Department in peace and conflict to protect the MOD estate, assets, and personnel, and to provide an operational fire and rescue capability in support of military operations worldwide. As MOD self-insures its assets, the DFRMO provides a robust and consistent system of fire risk assessments of Defence infrastructure and critical military assets.

3. DFRMO's Command and administrative tasks are defined in the letter of delegation from the Permanent Secretary as follows:

Priority	Task
1	Provision of the Defence operational fire and rescue capability
1	Provision of Fire Risk Management (including fire prevention and protection) in UK and overseas
2	Deliver fire safety policy, standards and procedures
2	Deliver operational policy, standards and procedures
3	Provision of services to non-MoD organisations
3	Fire Safety contribution to MoD environmental Policy
3	Managing DFRMO business & developing specialist human resources to the DFRS & DFRS Locally Employed Civilians (LECs)

¹ Through the Permanent Secretary and the Defence Safety and Environment Authority under reference DSEA-CPA-07-01-DA-19-12 dated 10 Jul 12.

4. Responsibility for delivery of these tasks is delegated from the Chief of the General Staff, through the Adjutant General (AG), as the 3* owner of DFRMO, to the Chief Fire Officer (CFO) as the Head of DFRMO.

The Defence Fire and Rescue Service (DFRS)

5. MOD fire services are delivered by mixed a workforce comprising military (RAF Trade Group 8 & shore-based RN aircraft handlers), civilian (DFRS civil servants and locally employed civilians) and a number of contractor operated fire and rescue services. Under the Fire Study 2000 Implementation, these forces were brought together into the Defence Fire and Risk Management Organisation (DFRMO). This is a single, integrated, and regionally based organisation responsible for delivery of fire and risk management services across the Department and in support of the Defence mission. Although functional and operational control for all DFRMO resources rests with the CFO, the RAF and RN have retained operational command for fire services on their sites, including contracted-out services. Commander Joint Operations also has operational command of fire services in the Permanent Joint Operating Bases.

6. The implications of section 10 are limited to DFRS civil servants and as such, all references to DFRS personnel within this report refer to the civil servant component of the MOD fire and rescue services and therefore excludes locally employed civilians as well as military personnel. As at the end of September 2013, the DFRS comprised some 891 personnel, of which the operational group (firefighters, crew managers, and watch managers directly engaged on front line duties) totalled some 771 staff. Other DFRS personnel (fire officers primarily engaged on management roles) will attend incidents as appropriate, but predominantly in command and control, and liaison roles. The current composition of the DFRS is shown in Table 1 below.

Table 1 – DFRS Personnel by Age and Roles (as at Sep 13)

	Management*	% of total workforce	Operational**	% of total workforce
16-24	0		0	
25-29	0		10	1.1%
30-34	0		46	5.2%
35-39	1	0.1%	60	6.7%
40-44	10	1.1%	159	17.9%
45-49	31	3.1%	222	24.9%
50-54	37	4.1%	168	18.9%
55-59	34	3.8%	90	10.1%
60+	7	0.8%	16	1.8%
Totals	120	13.5%	771	86.5%

*Comprises: Station, Group & Area Managers, Assistant Brigade Manager, and CFO

** Comprises: Firefighters, Crew Managers and Watch Managers

7. DFRS currently have 352 (39.5%) personnel over the age of 50. In respect of the operational group directly engaged on front line duties, there are 274 (35.5%) personnel over the age of 50.

8. As civil servants, the majority of DFRS Terms and Conditions of Service, including pension arrangements are the same as other civil servants. However, the DFRS operates to national standards and practices², augmented to meet the demands of the Defence environment. This both assures an appropriate level of DFRS competence and facilitates joint working with Local Authority Fire and Rescue Services (LAFRS) for example via SJC (UK) in preparation and implementation of Military Aid to Civil Authorities or through local agreements with LAFRS. It also enables the DFRS to contribute to overall National resilience, a current example being the ongoing Op FODIENT (contingency planning and support to manage the consequences of nationwide industrial action (IA) by the Fire Brigades Union). In recognition of the similarity between LAFRS and DFRS operations, DFRS are analogued to LAFRS for pay rather than their wider MoD civil service colleagues.

Wider Changes Affecting DFRS

9. DFRMO is subject to rigorous modernisation and efficiency initiatives, including the examination of opportunities for greater private sector involvement through the Defence

² The Skills for Justice National Occupational Standards for operational competence owned by the Department of Communities and Local Government, and the Civil Aviation Authority equivalents.

Fire and Rescue Project (DFRP), which is currently in its Assessment Stage following Initial Gate Approval in September 2013. In order to ensure a value for money service is provided and contribute to wider Departmental efficiency targets, the CFO is, amongst other things, bearing-down on manpower and operating at minimal manning levels. As a result, DFRS are currently carrying a number of vacancies against their establishment. This has put some short-term stresses and strains on the organisation and reduced overall resilience, although not to a level that compromises their ability to meet operational requirements.

Comparison with Local Authority Fire Brigades

10. Being focused on specific Defence assets and activities, the MOD fire and rescue services, attend fewer incidents than their LAFRS counter-parts however, they maintain a comparable level of competence and readiness to deliver their command and operational tasks. The requirement to train to meet site specific needs e.g. Nuclear, Explosive, Maritime, Aero, Rail, which LAFRS would not routinely have to train for means that many defence fire and rescue personnel have a broader level of competence than their LAFRS counterparts. Details of the numbers and types of incidents attended by DFRMO are at Table 2 below.

Table 2 – Number and type of incidents to which DFRMO responded Sep 12 – Sep 13

Month	Fires	As %	Special Services ³	As %	False Alarm	As %	Total
Sep 12	58	8	150	22	460	68	668
Oct 12	58	7	201	26	506	66	765
Nov 12	37	6	156	25	424	68	617
Dec 12	29	5	123	24	361	70	513
Jan 13	40	8	101	20	362	71	503
Feb 13	27	6	110	23	333	70	470
Mar 13	56	11	118	23	350	66	524
Apr 13	101	18	97	17	367	65	565
May 13	108	17	117	18	427	65	652
Jun 13	100	16	107	17	422	67	629
Jul 13	104	13	148	19	526	68	778
Aug 13	62	8	116	16	562	76	740
Sep 13	84	11	113	15	550	74	740
Running total	749	12	1177	18	4448	70	6374

³ Special Services include: Road Traffic Collisions, Flood, Spills, Emergency Co-Response, Effect Entry, Animal Rescues etc

11. The Department for Communities and Local Government's report - *Fire Statistics Monitor: England March 2012 to April 2013* - reported that the total number of incidents handled by the 46 LAFRS was 519,700 comprised of: 154,000 (30%) fires; 134,700 (26%) special services, and 231,000 (44%) false alarms. However, comparisons between LAFRS and DFRMO incident statistics must be treated with caution because of the intrinsic differences between the services provided and the populations they serve. For example, the LAFRS numbers include the seven Metropolitan Authorities, which account for a disproportionate number of incidents. The figures for London alone being fires (20,329); special services (32,135), and; false alarms (52,312). In common with LAFRS, the number of incidents has reduced due to the successful emphasis on *prevention* measures including on-going advice to TLBs and comprehensive fire risk assessments. Prevention activities are not included in either DFRMO or LAFRS incident statistics.

Occupational Health

12. The average number of calendar days lost per year because of sickness absence in the DFRS is around 12 days per person. Although the average working days lost for personnel over 60 is double this, at around 24 days per person, as reported there is no statistical correlation between incidence of sick absence and age. For example, the percentage sick absence for the 50-54 group is broadly similar to that of the 35-39 group and 40-44 group has a lower sick absence than the 30-34 group. In addition, the small population sizes, especially for the 60+ and below 40 groupings means that it is possible for the data for these groups to be skewed by a single individual with a significant period of sick absence. Table 3 below provides an overview of overall sickness absence in the DFRS as at September 2013.

Table 3 – DFRS Total Sick Absence (based on 24 month rolling period)

Age Range	Total DFRS as at Sep 13 plus Exits during previous year	Total Working Days Lost to Sick Absence	Average Working Days Sick Absence per person per year
25-29	10	145	7.3
30-34	47	873	9.3
35-39	64	1366	10.7
40-44	174	2971	8.5
45-49	265	6782	12.8
50-54	213	4646	10.9

55-59	133	3717	14.0
60+	38	1754	23.1
Total	944	22109	11.7

13. 68% of the overall sickness absences for the past 24 months to September 2013 were attributed to personnel on long-term sickness (LTS) absence⁴. Table 4 below provides a breakdown of LTS absence in the DFRS during this period. Although the highest average LTS per person is in the 60+ age band, as reported there is no statistical correlation between incidence of LTS and age. For example, average LTS in the 40-44 age range is lower than that for the 30-34 and 35-39 age ranges. Likewise, LTS for the 50-54 group is lower than that in the 45-49 group. However, the small population sizes, especially for the 60+ and below 40 groupings means that it is possible for the data for these groups to be skewed by a single individual with a significant period of LTS.

Table 4 – DFRS Long-Term Sick Absence (based on 24 month rolling period)

Age Range	Total Personnel as at Sep 13 plus Exits during previous year	Total Working Days Lost to LTS	Average Working Days LTS per person per year
25-29	10	55	2.8
30-34	47	560	6.0
35-39	64	747	5.8
40-44	174	1459	4.2
45-49	265	5037	9.5
50-54	213	3086	7.2
55-59	133	2854	10.7
60+	38	1412	18.6
Total	944	15210	8.1

14. The total number of DFRS personnel who left the service for ill health reasons over the last 12 months to September 2013 is 16 as shown in Table 5 below. Ill Health Retirement is where an individual is assessed as meeting the pension scheme Ill Health Retirement (IHR) criteria by the pension scheme medical advisor. When an individual is unable to undertake the duties for which they are employed, but do not meet the IHR criteria they will be dismissed on *capability* (competence and or qualification) grounds. The instances of DFRS personnel leaving for ill health reasons are too small to be judged statistically relevant, even when viewed as % of staff within each age range

⁴ Long Term Sickness is defined within the HR IS system as continuous absence in excess of 28 Working Days.

Table 5 - DFRS exits linked to ill health over last 12 months (to Sep 13)

Age	Ill Health Retirement	Dismissed Capability	Total	Total as % of staff in age range
25-29	0	0	0	0
30-34	0	0	0	0
35-39	2	0	2	3
40-44	0	0	0	0
45-49	3	2	5	2
50-54	4	1	5	2.4
55-59	4	0	4	3.2
60+	0	0	0	0
Totals	13	3	16	1.8

Fitness Standards

15. All firefighters, crew managers, and watch managers are classed as operational personnel and must be physically fit and competent for the role they fulfil. The physical demands required of the role are high and they are required to be able to go from a state of rest to 100 percent alertness and high physical exertion in a matter of minutes. The tasks required include:

- a. to drive to incidents through varying traffic conditions under “blue light conditions”⁵ ;
- b. to carry heavy equipment such as charged hose lines (100 Kg per 23 m length of 70 mm hose), handle hydraulic cutting equipment, often at awkward angles (cutter tool weighs 19 Kg), Fire Service ladders (102 Kg), portable pumping equipment (120 Kg) and other fire service equipment;
- c. to utilise full Personal Protective Equipment (16 Kg), including Breathing Apparatus (18 Kg) when entering situations where there is an irrespirable atmosphere and extremes of temperature (gas temperatures reach in excess of 500 °C within the compartment);
- d. to search for and rescue casualties from varying situations;

⁵ Although most incidents are "within the wire" of the MoD estate, DFRS can be called on to attend on public roads for defence incidents outside of the wire, for example crash/rescue; and civil incidents by agreement with LAFRS and under Military Aid to Civil Authorities.

e. to work at Hazardous Materials Incidents, including radiological incidents using gas tight chemical protection suits, work in confined spaces, at heights or in water.

16. Senior personnel - station managers and above - are not routinely required to act as a crew member on the operational fire appliances. However, station managers are required to undertake such duties on a temporary basis in order to maintain safe crewing numbers and therefore they must also maintain a high level of physical fitness and strength to cater for this requirement. Personnel at group manager and above are less likely to have to undertake an operational role. However, there are circumstances when they are required to provide a “duty of care” to non-specialist firefighters, such as during periods of national fire strikes, and therefore they are required to maintain their fitness levels to enable them to undertake these duties.

Current Method to Confirm Compliance with the Physical Requirements

17. In order to confirm that personnel have the required level of physical fitness to undertake their role, all DFRS personnel are required to undertake periodic Operational Fitness Assessments (OFA) in accordance with the DFRS Medical Standards⁶. Although the UK Fire and Rescue Services do not currently have a clearly defined and universally agreed fitness standard, the DFRS Medical Standards are based upon the guidance provided to the LAFRS by Department of Communities and Local Government⁷. In common with a number of LAFRS, the DFRS OFA includes an aerobic fitness standard that estimates a firefighter’s maximum rate of oxygen uptake (VO2 Max), a universally recognised measure of aerobic fitness.

18. To be able to evaluate an individual’s fitness level they are required to undertake a step test. To minimise risk to the individual, the step test used is a “sub maximal” test (80% of maximum) and the results are then extrapolated to determine their fitness level. The frequency of the DFRS OFA is based upon risk and is undertaken either every three years (up to the age of 45), every two years (45 to 55) and annually (over the age of 55). Individuals are required to meet a minimum criterion as defined within the medical standards, which currently requires individuals to achieve a VO2 Max of 40 millilitres of

⁶ Medical Standards for Civilian Fire and Rescue Services Employed on the MoD Estate

⁷ Medical and Occupational Evidence for Recruitment and Retention in the Fire and Rescue Service

oxygen per kilogram (ml/kg/min) of body weight per minute⁸. The standard of VO2 max of 40 is for all ages through-life. Failures between 35 and 39 VO2 Max are left on duty but must regain the necessary level; below 35 VO2 Max, they are removed from operational duty. The decreasing time between assessments with greater age reflects the increasing difficulty of maintaining fitness as individuals get older.

Current DFRS Pension Arrangements

19. DFRS personnel are members of the Principal Civil Service Pension Scheme (PCSPS) comprising the Classic, Premium, Nuvos and Partnership sections. Table 6 below provides details.

Table 6 – Current pension provision of the DFRS as at July 2013

Role	Classic	Premium	Nuvos	Total Nos ⁹
Firefighter	389	108	50	547
Crew Manager	143	7	1	151
Watch Manager	78	5	1	84
Station Manager	42			42
Group Manager	43	4		47
Area Manager	20	6		26
Assistant Brigade Manager	4			4
Brigade Manager	1			1
	720	130	52	902
	79%	15%	6%	

There are only two members of the Partnership Pension Scheme.

DFRS Compulsory Retirement Age

20. The normal pension age under current schemes is 60 or 65 depending on the date that members joined the DFRS. Many of those with a normal pension age of 60 leave at that point, but some exercise their right to work on to DFRS' Compulsory Retirement Age of 65. There are currently 23 DFRS personnel over the age of 60 and none aged 65 or

⁸ Other elements of the OFAs include: hearing, sight, BMI, blood pressure &c.

⁹ The Total is at Jul 13 - qv para 6 and the later overall personnel total of 891 as at Sep 13

over. The current CRA of 65 aims to ensure that personnel are provided who are capable, fit and healthy enough to carry out the duties expected of them. The DFRMO case¹⁰ put forward in April 2012 that a CRA of 65 remained a *Proportionate Means* to achieve the *Legitimate Aim* of providing personnel who are capable, fit, and healthy enough to carry out the duties required of the DFRS was agreed with both MOD and the Trades Unions.

21. The case for a CRA was drawn from the best medical evidence available at the time and based, in large part, on concerns that the likelihood of an individual suffering either a heart attack or stroke increased with age and that this risk was particularly high for firefighters due to the nature of their role. As there was only limited statistical data available for firefighters in the UK, the report drew heavily on analysis of firefighter deaths in the United States where fatalities, including those due to heart attack or cerebrovascular accidents, are well documented. A CRA of 65 therefore balances the operational and health risks, whilst minimising the impact on current DFRS personnel who would have had an NPA of 65 or below at the time the case was presented. As more precise evidence on the health risks to UK firefighters emerges¹¹, the balance of risk will be re-assessed and the current CRA reviewed to ensure that it remains a proportionate means to achieve a legitimate aim. This will be done by early 2015.

Future Pension Arrangements

22. As part of the reforms to public sector pensions, in April 2015 a new Principal Civil Service Pension Scheme, will be introduced. The House of Commons and House of Lords reached agreement on the wording of the Public Service Pension Bill on 24 April 2013, with Royal Assent granted the following day. The Act makes provision for new public service pension schemes to be established in England, Wales, and Scotland and legislates for many of the recommendations of the Independent Public Services Pensions Commission's review of Public service pension provision that reported in 2011.

23. Existing members within ten years of their normal retirement age as at 1 April 2012 will remain in their current scheme under "*transitional protection*" when the new scheme begins in 2015; otherwise existing members and all future DFRS employees will join the

¹⁰ Retention of a Compulsory Retirement Age for Personnel employed within the DFRS - DFRMO HQ/HRDLTD/13/3/1 dated 20 Apr 12

¹¹ "*Establishing and ensuring the health, fitness and operational performance of UK Fire and Rescue Service personnel*" a Chief Fire Officers Association and the Firefit Steering Group initiative with the University of Bath which reports in Apr 14, and other on-going studies

new 2015 scheme. There is a taper to the protection such that members who are slightly more than ten years away from their normal retirement age have the option to join the new scheme later than April 2015 and remain in their current scheme until then. There are a number of areas where the final design of the 2015 benefits is not yet known, including the terms for IHR and the level of actuarial reductions for early retirement. However, the key feature of the new scheme to be considered in the context of the DFRS is that the normal pension age, which will in future be linked to the State Pension Age (SPA), whereas for Classic and Premium it is currently 60, and Nuvos 65.

24. In contrast, LAFRS employees are currently members of the Firefighters Pension Scheme (FPS) or the New Firefighters Pension Scheme (NFPS). A new scheme will be introduced from April 2015 with some current and all new LAFRS employees joining this scheme. As with the new PCSPS scheme, transitional and taper protection will apply. The NPA of the new scheme will be 60, an increase from the current NPA of 55 for members of the FPS. The NPA for the NFPS is already 60.

25. Based on the pension scheme membership as at July 2013 it is estimated 34% of DFRS personnel will remain in their current pension scheme and therefore retain their current NPA, and a further 11% will see some transitional protection. 55% of personnel will therefore move to the new PCSPS pension arrangements with effect from Apr 2015 and be subject to an increase to their current NPA for service accrued after April 2015. Of these, members of Nuvos (currently 6%), will be subject to an increase from their current NPA of 65.

Likely effect of section 10 on health and well being of DFRS members:

26. Although DFRS members joining since 2006 have had an NPA of 65, the small numbers (approx 6% of workforce) and the relatively short time since implementation means that there is insufficient data to assess the impact of this NPA on the health and well-being of DFRS members. Likewise, the likely effect of a further increase to NPA under section 10 has also been difficult to substantiate through a lack of precise evidence. However, a recent major review into the Normal Pension Age for LAFRS Firefighters¹² for the Firefighters' Pension Committee reviewed evidence of how capabilities change with age. In view of the similarities between LAFRS and DFRS roles, the review provides a

¹² Dr Williams et al - dated Dec 12.

credible source of medical research to assess the likely effect of section 10 on the health and well-being of DFRS personnel. The review confirms that there is an increased risk of firefighters being able to maintain operational fitness standards until the revised NPA noting that:

a. Although there is no evidence that UK firefighters have significantly more acute cardio-vascular events than the general population¹³ there is evidence to link acute events with an episode of high physical demand¹⁴. Studies¹⁵ also suggest that firefighters who have an acute ischaemic cardiac event while firefighting were going to have such an event at some point, but that the intense physical exertion on duty precipitated this event. The review assessed that for individuals with a VO2 Max of below 42 ml/kg/min, the risk of sudden catastrophic cardiac events while undergoing high levels of physical exertion increases and for those below the level of 35 ml/kg /min the increased risk is significant. DFRS individuals who fail to meet a VO2 Max of 35 m/kg/min will continue to be removed from operational duties to mitigate this risk.

b. As they age, a number of firefighters could become unfit for duty. The review estimated that the number of firefighters likely to become unfit for duty ranged from:

i. 15% of firefighters who maintain their physical activity levels and body mass index as they age would be unfit for duty at 55 years, increasing to 23% at 60 years;

ii. 85% of firefighters who follow the normal population changes in physical activity levels and body mass index with ageing would be unfit for duty at 55 years, increasing to 92% at 60 years.

The review also notes, that the probability of this risk occurring, is higher for individuals making certain lifestyle choices and those starting from a lower level of fitness. For example, the review asserts that firefighters who would fall below the

¹³ Friel and Stones, 1992, Musk et al., 1978, Sardinas et al., 1986, Wagner et al., 2006,

¹⁴ Kales et al., 2003, Holder et al., 2006

¹⁵ Mittleman and Mostofsky, 2011, Smith et al., 2012a

fitness standard at ages 55 and 60 years were likely to have been close to a VO2 max of 42 ml/kg/min when joining their FRS.

27. In recognition of the risk, that unless they maintain their fitness levels a number of firefighters could become unfit for duty as they age, the MOD intends to investigate, and where appropriate implement, the following mitigation actions:

- a. Refinements to the present fitness regime to ensure that it remains compliant with our employer obligations¹⁶ and fit for purpose if there are more older firefighters working to a greater age than at present, including support to through-life fitness.
- b. Review, and where necessary, adjust health and fitness standards at entry and during service. This review will be informed by the findings of an ongoing, major collaborative research project¹⁷ due to report in April 2014.
- c. Collection and review of management information to provide regular, evidenced based assessments of both the risk of firefighters being unable to maintain operational fitness standards until the revised NPA, and the effectiveness of mitigation actions.

Likely Effect of Section 10 on Ability of DFRS to Continue to Meet Operational Requirements

28. The changes introduced under Section 10 of the Public Service Pension Act 2013 will mean that in normal circumstances DFRS personnel will be unable to retire prior to the SPA without an actuarially reduced pension. It is therefore to be expected that personnel will not leave before the SPA leading to a greater number of older personnel in operational firefighting roles than at present.

29. As noted above it is accepted that there is an increased risk of DFRS firefighters being able to maintain operational fitness standards until the revised NPA and that as a

¹⁶ Including employer duties under the Management of Health and Safety at Work regulations, 1999 and the Health and Safety at Work act, 1974

¹⁷ "Establishing and ensuring the health, fitness and operational performance of UK Fire and Rescue Service personnel" a Chief Fire Officers Association and the Firefit Steering Group initiative with the University of Bath.

consequence, an increased number of firefighters may be withdrawn from operational duties either temporarily whilst they regain fitness, or permanently if that is not possible. Reduced numbers of operationally fit firefighters represents an increased risk to the ability of DFRS to meet operational requirements. To mitigate this risk, the MOD intends to:

- a. Review organisational resilience, including manning levels and shift patterns, to ensure outputs can be maintained without placing an undue burden on operational staff
- b. Investigate opportunities to reduce the time taken for individuals assessed as unfit for duty to return to operational duties or to be assessed as being unable to return including, the agility of the current process and decision-making, as well as the effectiveness of Occupational Health support.
- c. Continue to review the fire risk facing the MOD and the optimum approach for mitigating identified risks. For example through investment in improved fire suppression systems that could reduce the need for dedicated operational firefighters.
- d. Learn from the experience of other service providers. This action will be informed by the Defence Fire and Rescue Project which is currently examining opportunities for greater private sector involvement in the delivery of Defence fire services.

30. The loss of fitness with age and increasing risk to health means that raising the NPA will increase the risk that some firefighters will be unable to remain operational until an age when they can take their pension without a financial penalty. Starting a career you may be unable to complete before you are able to take an immediate, unreduced pension, may be a disincentive to join the DFRS and adversely affect future recruitment. Limited recruitment since 2006 when the NPA was raised to 65 means that insufficient data exists to adequately assess this risk.

31. Additionally, although difficult to quantify or objectively to assess, the staff side retain a sense of unfairness as to why people undertaking very similar activities have a

different NPA. This may affect the moral component of firefighting capability, which may in turn have a detrimental operational effect.

32. In addition to the mitigation actions identified at Para 28, the MOD intends to ensure appropriate management information is available to provide an evidence-based assessment of the risk to operational requirements, and the effectiveness of identified mitigation actions.

Extent to Which Members of the DFRS are Likely to Take Early Retirement in Consequence of Section 10 and the Consequences of Taking Early Retirement for Individuals and the Taxpayer

33. During the period 1 January 2008 and 31 December 2012 a total of 236 DFRS personnel exited the MOD. Table 7 below shows that retirement at pension age and resignation before pension age were the most common reasons for departure with only 7% of total exits categorised as actuarially reduced retirement. It should be noted that this, along with other exit categories, may be understated due to staff taking advantage of the MOD's recent Voluntary Early Release Schemes (VERS).

Table 7 - DFRS Exits Jan 08 – Dec 12

	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60+	Totals	% of Exits
Retirement at Pension Age								63	63	27%
Resignation before Pension Age	4	8	11	11	19	5			58	25%
Ill Health Retirement			3	4	6	13	7	1	34	14%
VERS - Early Release				1	2	4	11	6	24	10%
Other ¹⁸		2	1	4	5	5	4	3	24	10%
TUPE Transfer		1	2	8	2	4			17	7%
Actuarially Reduced Retirement						5	10	1	16	7%
Totals	4	14	16	34	38	31	28	69	236	

34. As decisions on retirement are influenced by a variety of factors and no data is held on the reasons for departure, the extent to which DFRS personnel are likely to take

¹⁸ Includes Dismissals and Death in Service

early/actuarially reduced retirement because of a change to their NPA in unknown. As the full details of the PCSPS 2105 scheme have yet to be finalised it is not possible to quantify the precise financial impact on individuals or the taxpayer of DFRS personnel taking early/actuarially reduced retirement. Management information will be developed to ensure that any changes to DFRS exits because of the change to the NPA are identified and the operational and/or financial implications are addressed. In addition to the mitigation actions identified above, to mitigate this risk, the MOD will consider whether appropriate exit strategies exist, that do not incentivise the wrong behaviours but provide support for those unable to remain on operational duties, including equitable transfer to roles outside of DFRMO.

Conclusion

35. Whilst there are risks to DFRS associated with Section 10, in the absence of compelling medical evidence there is currently, no operational reason why the MOD would not continue with its introduction as planned in April 2015. However, the MOD will regularly review risks to both DFRS members and operational outputs of a higher NPA to confirm the effectiveness of mitigation actions, and risk assessments will continue to be informed by research and experience from the wider FRS environment and similar workforces.

THE MINISTRY OF DEFENCE POLICE

About the Ministry of Defence Police (MDP)

1. The Ministry of Defence Police (MDP) is a national civilian police force that was established under the Ministry of Defence Police Act 1987, which authorises the Secretary of State for Defence to establish a police force that is led by a Chief Constable.

2. The MDP sits within the MOD's Head Office and Corporate Services Top Level Budget and provides a range of specialist and dedicated policing services that help to counter the main security and crime risks faced by the MOD. In particular, MDP officers are deployed in an armed role in support of the security arrangements at Defence nuclear sites. The Force also provides specialist policing services to several non-MOD customers, most notably in support of the security arrangements at a small number of critical national infrastructure sites.

3. Within the jurisdiction defined by the Ministry of Defence Police Act 1987 (as amended by the Anti-Terrorist Crime & Security Act 2001), MDP officers have the full powers and privileges of constables, identical to other civil police officers in the UK. However, MDP officers are also MOD civil servants for the purposes of their employment and are therefore covered by the Civil Service Pension arrangements (as opposed to the Police Pension Scheme). The annual budget for the MDP is currently around £135M.

Table 1 - Breakdown of the MDP organisation by rank and gender as at 31 October 2013

Rank	Male	Female	Total
Chief Constable	1	0	1
Deputy Chief Constable	1	0	1
Assistant Chief Constable	2	0	2
Chief Superintendent	5	0	5
Superintendent	13	1	14

Chief Inspector	46	4	50
Inspector	109	9	118
Sergeant	350	46	396
Constable	1782	200	1982
Totals	2309	260	2569

Table 2 - MDP Rates of Pay as at 1 September 2013

Rank	Pay Scale Minimum	Pay Scale Maximum
Constable	£21,496	£33,750
Sergeant	£33,750 or £34,903	£37,928
Inspector – Outside London	£43,523	£47,209
Inspector – London	£45,432	£49,132
Chief Inspector – Outside London	£48,176	£50,157
Chief Inspector – London	£50,096	£52,074
Superintendent – Range 1	£57,951	£67,519
Superintendent – Range 2	£66,353	£70,611
Chief Superintendent	£69,202	£73,148
Assistant Chief Constable	£84,669	£98,462

It should be noted that in 2012/13, circa 2400 MDP officers were paid for working overtime. Total overtime payments to MDP officers in that year were around £14M.

The Ministry of Defence requirement for the MDP

4. The MOD requirement for the MDP is detailed in the “Departmental Mandate and Statement of Requirement for the Ministry of Defence Police” that was published in August 2012. A copy of this document is available in the Library of the House (Reference: DEP 2012/1609 6 November 2012).

5. In order to meet the MOD requirement, the MDP is required to maintain the following Core Capabilities:

- Core Capability 1: Armed Nuclear Security.
- Core Capability 2: Territorial Policing & Security.
- Core Capability 3: Intelligence gathering and analysis to support the efficient and effective deployment of MDP resources.

- Core Capability 4: The prevention, investigation and detection of fraud, corruption and the theft of or criminal damage to key Defence equipment and assets.
- Core Capability 5: To provide specialist civil policing support to Defence and other international policing commitments in support of UK Government policy.
- Core Capability 6: To maintain specialist policing capabilities that can be deployed at short notice as part of the response to unforeseen requirements at Defence establishments in the UK.

6. The Departmental Mandate and Statement of Requirement for the Ministry of Defence Police requires the Chief Constable of the MDP to generate a police workforce that is fit for purpose and capable of delivering the MOD requirement for the Force. The MDP currently comprises around 2600 officers (from a previous level of around 3500). The main output of the Force is the provision of specialist armed policing services and capabilities at a number of sensitive locations in the UK. Around 90% of MDP officers are required to carry firearms. The majority of officers who are deployed in an armed role are engaged in defensive armed guarding/patrolling duties that support the protective security arrangements that are in place at some key Defence establishments in the UK, and at a small number of non-MOD sites. Some specialist groups within the MDP are trained to the highest levels of armed response, but these officers represent less than 10% of the total MDP workforce. An armed MDP response would occur only in the event of an armed attack.

7. Most of the MDP's tasks involve providing armed policing 24 hours a day throughout the year. Officers can be deployed for long periods in protective equipment. The nature of the equipment carried and worn by MDP officers varies between roles, and ranges from around 15 Kilograms to more than 30 Kilograms for officers trained in high-end capabilities.

Future roles and Responsibilities of the MDP

8. The MDP is currently implementing changes to the structure of the Force that have been agreed by MOD Ministers to reflect changes in the Department's requirement for the policing services and capabilities provided by the MDP. On current planning assumptions it is envisaged that the Force will remain at, or around 2600 officers over the next few years. However, the Department keeps the security arrangements at its establishments under regular review and as such changes to the requirement for MDP services are regularly considered.

Comparison with Home Department Police Forces

9. The difference in the policing role of the MDP and Home Department Police Forces (HDPFs) was examined in 1979 by the Wright Committee who conducted an inquiry into the pay and conditions of service of the non-Home Department Police Forces at the time (the MDP; British Transport Police; Atomic Energy Authority Constabulary; Port, Dock and Harbour Forces; Northern Ireland Airports constabulary; Royal Parks Constabularies, and Royal Botanic Gardens Constabularies). The Wright Report identified that the prime function of the MDP was the maintenance of the security of Defence and other establishments and the protection of the property within them. This work was essentially routine, involving a high proportion of static duty; largely because of the high degree of security, incidents were rare; appreciable problems of public order did not occur on a regular basis; crime was not a major problem and was limited mainly to minor theft; duties were carried out in an environment that was regulated and largely predictable. MDP officers dealt with people who were, for the most part, orderly and disciplined. Moreover, during silent hours, establishments were generally unpopulated and highly secure. MDP officers did not, therefore, face the daily pressures experienced by officers in HDPFs, nor the same risks of injury or assault. For this reason, Wright recommended that the pay of MDP officers be set at 95% of that of the HDPFs.

10. The comparability between the policing roles of the MDP and HDPFs was re-examined in 1994 in a study led by Sir John Blelloch. He reviewed the future role, aims and objectives of the MDP. Blelloch recognised that there had been a significant change in the MDP's role since the Wright Report, in that since 1989 there had been a requirement for all MDP officers to be firearms trained. Blelloch recommended further changes in the MDP's role to reduce their involvement in routine unarmed guarding and noted that the MDP had faced an increased public order threat, although this was balanced by the fact that HDPFs had also seen increasing levels of public order offences. Blelloch found that incidents of violence against MDP officers remained very rare because of the nature of the MDP's tasks and the environment in which those tasks were carried out. In addition, the level of crime dealt with by the MDP was far lower than that faced by the average HDPF.

11. A further review of how the comparative roles of the MDP and HDPFs have changed since the Blelloch Report and the terms and conditions of service of the MDP is currently in progress and due to report in 2014.

12. There are significant differences in the armed policing duties undertaken by officers in HDPFs. Less than 10% of officers in HDPFs (compared to 90% in the MDP) will be trained in the use of firearms, but the majority of HDPF Authorised Firearms Officers (AFOs) routinely respond to emergency situations that require an immediate armed policing response. The number of incidents requiring an armed response clearly varies between forces, but the deployment of armed police officers in HDPFs occurs on a daily basis.

13. It is worth noting that the MDP have since their establishment in 1987 always had a normal pension age that is higher than their colleagues in HDPFs. The Police Pension Scheme 1987 specified that the earliest date that a pension could generally be paid was at age 50, but individuals were allowed to retire with an immediate pension after 30 years service. The New Police Pension Scheme that was introduced in 2006 specified that the earliest date that a pension could be paid was age 55, with 35 years' service needed

for a maximum pension. The Public Sector Pensions Act 2013 specifies that the normal pension age for members of the Police Pension Scheme will be age 60 in the future, i.e. an increase of 5 years.

Occupational Health within the MDP

14. Table 3 below shows the number of days lost due to sickness absence for the period between 1 September 2012 and 31 August 2013. The table shows no correlation between days lost due to sickness and increasing age. Indeed the highest number of sickness days is recorded in the 40-44 age group. From age 45 on, sickness absence reduced steadily with increasing age, with officers in the 60-64 age group having the second lowest number of average days sickness. Caution has to be exercised with the data for those in the 65+ age groups as there are very few officers.

Table 3 – MDP sickness between 1 September 2012 and 31 August 2013

Age Band	Total number of officers in age band	Total calendar days lost through sickness	Average sickness days per officer
25-29	109	1659	15.22
30-34	232	3241	13.97
35-39	167	2449	14.66
40-44	273	4637	16.99
45-49	688	10186	14.81
50-54	645	9516	14.75
55-59	396	5719	14.44
60-64	120	1713	14.28
65+	5	5	1.00
Totals	2635	39,125*	14.85

* Of the total number of sickness days reported between 1 September 2012 and 31 August 2013, around 26,000 days were attributed to officers on Long Term Sickness (LTS) absence. Long Term Sickness is defined as a period of absence of 28 calendar days or more.

15. Table 4 below provides a breakdown by age of the sickness absence data reported above which is attributable to long term absence. The proportion of officers who were long term sick was again highest in the 40-44 age group.

Table 4 – MDP Long Term Sickness absence between 1 September 2012 and 31 August 2013

Age Band	Total number of officers in age band	Total calendar days lost through LTS	Number of officers in age band who were LTS	% of officers in age band who were LTS	Average number of days lost per officer
25-29	109	887	14	12.84%	63.36
30-34	232	1751	24	10.34%	72.96
35-39	167	1406	20	11.98%	70.30
40-44	273	3131	39	14.29%	80.28
45-49	688	6761	80	11.63%	84.51
50-54	645	6893	73	11.32%	94.42
55-59	396	3786	51	12.88%	74.24
60-64	120	1226	17	14.17%	72.12
65+	5	0	0	0	0

16. Table 5 below shows the number of MDP officers who were assessed as being unable to undertake the full range of duties for a variety of reasons for the foreseeable future as at September 2013. 59 officers have been medically assessed as being unable to complete Firearms Training and/or Officer Safety Training as a result of a known health medical condition and the Force has followed its statutory obligations to make reasonable adjustments in order to find alternative posts for these officers. A further 26 officers have been given a long term medical disqualification from completing Firearms Training and/or Officer Safety Training at management discretion. The remaining officers have known medical conditions that prevent them from completing Officer Safety Training and are employed in non-operational posts. The figures show an increase in the proportion of officers on restricted duties after age 50, and a significantly higher proportion after age 65, although the number of officers in this age band is low (0.18% of the total) and the percentages must be viewed in this context.

Table 5 – MDP officers unable to undertake the full range of duties as at September 2013

Age Band	Total number of officers in age band	Number of officers in age band on limited duties	% of officers in age band on limited duties
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		duties	
25-29	109	0	0
30-34	232	6	2.59%
35-39	167	5	2.99%
40-44	273	5	1.83%
45-49	688	19	2.76%
50-54	645	22	3.41%
55-59	396	24	6.06%
60-64	120	12	10%
65+	5	3	60%
Total	2635	96	3.64%

17. Tables 6 to 10 below detail the number of MDP officers who left the Force due to ill health retirement during the period 1 January 2009 and 30 September 2013. Beyond the observation that numbers are generally higher in the 40+ age group there is no discernable age-related trend. Numbers in all age groups retiring early due to ill health represented a very small proportion of total numbers.

Table 6 – MDP exits due to ill health and/or attendance in 2009

Age Band	Total number of officers in age band at 31 Dec 09	Ill Health exits	% of officers in age band
20-24	118	0	0
25-29	275	0	0
30-34	219	0	0
35-39	246	0	0
40-44	598	3	0.50%
45-49	819	6	0.73%
50-54	687	3	0.43%
55-59	440	4	0.91%
60-64	127	1	0.79%
Totals	3529	17	0.46%

Table 7 – MDP exits due to ill health and/or attendance in 2010

Age Band	Total number of officers in age band at 31 Dec	Ill Health exits	% of officers in age band
-----------------	---	-------------------------	----------------------------------

	10		
20-24	61	0	0
25-29	252	0	0
30-34	220	0	0
35-39	223	0	0
40-44	498	1	0.20%
45-49	804	3	0.37%
50-54	704	6	0.85%
55-59	464	13	2.80%
60-64	159	4	2.52%

Totals	3385	27	0.80%
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Table 8 – MDP exits due to ill health and/or attendance in 2011

Age Band	Total number of officers in age band at 31 Dec 11	Ill Health exits	% of officers in age band
20-24	29	0	0
25-29	199	0	0
30-34	229	0	0
35-39	192	0	0
40-44	399	2	0.50%
45-49	801	1	0.12%
50-54	667	9	1.35%
55-59	448	6	1.34%
60-64	150	2	1.33%

Totals	3114	20	0.64%
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Table 9 – MDP exits due to ill health and/or attendance in 2012

Age Band	Total number of officers in age band at 31 Dec 12	Ill Health exits	% of officers in age band
20-24	12	0	0
25-29	141	1	0.71%
30-34	235	1	0.42%
35-39	179	0	0
40-44	315	1	0.32%
45-49	748	2	0.27%

50-54	641	9	1.40%
55-59	371	4	1.08%
60-64	128	0	0
65+	8	0	0

Totals	2778	18	0.65%
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Table 10 – MDP exits due to ill health and/or attendance in 2013

Age Band	Total number of officers in age band at 30 Sep 13	Ill Health exits	% of officers in age band
20-24	2	0	0
25-29	100	0	0
30-34	232	0	0
35-39	164	0	0
40-44	271	3	1.11%
45-49	681	7	1.03%
50-54	645	8	1.24%
55-59	403	2	0.50%
60-64	118	0	0
65+	5	0	0

Totals	2621	20	0.76%
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Weight of Equipment

18. Weight of equipment increases the risk of muscle and bone related medical conditions among MDP officers and is the single largest reason for Long Term Sickness absence in the Force. Table 5 below details sickness absence in the MDP as a result of muscle and bone related medical conditions during the period from 1 October 2012 to 30 September 2013.

19. As can be seen from Table 11 below, there is a significantly higher rate of sickness absence as a result of muscle and bone related medical conditions in MDP officers in all age groups than in the MOD civilian workforce as a whole. There is, however, no evidence of a correlation between muscle and bone related conditions and age in the MDP, and in fact

the data shows a slight decrease in sickness absence from its peak in age group 45-49 as officers age.

Table 11 – MDP sickness due to Muscle and Bone related conditions between 1 October 2012 and 30 September 2013

Age Band	Total number of officers in age band	Total calendar days lost period	Number of officers in age band who were absent due to muscle & bone conditions	% of officers in age band who were absent due to muscle & bone conditions	Comparable % for other civilian staff in MOD
25-29	100	348	27	27%	6%
30-34	232	955	63	27%	7%
35-39	164	879	37	23%	8%
40-44	271	675	49	18%	10%
45-49	681	3283	158	23%	10%
50-54	645	3147	129	20%	10%
55-59	403	1850	90	22%	10%
60-64	118	295	20	17%	10%
65+	5	0	0	0	7%

20. In recognition of the physical demands associated with the wearing of the personal protective equipment required for firearms roles in the MDP, and in accordance with his duties under Part 1, Section 2 of the Health and Safety at Work Act 1974, the Chief Constable of the MDP has initiated a programme of work to look at the issues associated with weight of equipment. This work is due to report during 2014 and has been given the specific aim of looking at ways of reducing the weight of the personal protective equipment that is issued to armed MDP officers. A reduction in the weight of equipment carried would be expected to reduce the stress on the muscular-skeletal system. This in turn may have a positive impact on the ability of MDP officers to conduct the full range of duties for longer.

MDP Fitness Standards

21. In common with HDPFs, while the MDP conducts fitness testing at the point of recruitment, it does not currently conduct mandatory fitness testing during service. However, it is currently reviewing its fitness testing policy

following a report by the Independent Review of Police Officer and Staff Remuneration and Conditions (the Winsor Review) which was commissioned by the Home Secretary to review the remuneration and conditions of service of police officers and staff in the Home Department Police Forces of England and Wales. In the light of this report, the Home Secretary has accepted a recommendation by the Police Advisory Board for England and Wales that all police officers who are required to undertake personal safety training should be required to attain level 5:4 on a 15 metre shuttle run. The College of Policing has recommended that all Authorised Firearms Officers should be required to achieve the higher standard of 7:6.

22. The MDP Chief Constable is committed to the introduction of compulsory in-service fitness testing in the MDP. He has recently introduced a programme of voluntary testing using the shuttle run system to gauge the current fitness levels of the police officers under his command. This will form part of a wider health awareness and fitness education campaign. In parallel with this, the MDP has commissioned the Institute of Naval Medicine to provide advice on job related fitness tests geared specifically to the operational roles carried out by the MDP, which differ in a number of respects from the role of the HDPFs. The MDP will also closely follow developments on fitness testing in the HDPFs in reaching its decision on the compulsory job-related fitness requirement which will follow on from the current voluntary fitness testing.

24. It is to be expected that as the MDP introduces fitness standards and testing, levels of health as well as fitness will increase. Improved levels of health and fitness should have a beneficial effect on the ability of MDP officers to carry out the full range of duties for longer.

MDP Current Pension Arrangements

25. The MDP currently comprises around 2600 officers, of which over 1100 officers are aged over 50. On the basis of the MDP strength at 30 September 2013, 958 officers will have preserved rights to draw their full pension

entitlement at age 60 and will therefore be unaffected by Section 10 of the Public Service Pensions Act 2013. It is also worth noting that the MDP has just re-started recruitment into the Force, which will help to reduce its age profile in the coming years. New recruits into the Force in 2014 will be members of the Nuvos Civil Service Pension Scheme and will therefore have a normal pension age of 65.

26. As members of the Civil Service pension arrangements, MDP officers currently have a normal pension age of 65 – although the closed sections have a normal pension age of 60. The majority of MDP officers in the closed sections (who have a normal pension age of 60) leave the Force at this point, but some exercise their legal right to continue in employment beyond this point and the Force currently has in excess of 100 serving officers who are aged over 60.

27. Members of the MDP who joined the Force before 30 July 2007 and who are therefore members of the closed sections of the PCSPS and have a normal pension age of 60, account for around 2400 (or 92%) of the current MDP workforce. Officers who joined the Force after 1 August 2007 are members of the PCSPS Nuvos Pension Scheme that has a pension age of 65. It is estimated that around 200 (or 8%) existing MDP officers are members of the PCSPS Nuvos scheme. The position post 2015 will be as follows:

- MDP officers who as at 1 April 2012 had 10 years or less to their current normal pension age will experience no change and are not affected by Section 10. They have reserved rights to membership of their current pension schemes and can draw their pension entitlement at age 60. This accounts for 958 existing MDP officers.
- MDP officers who as at 1 April 2012 were less than 3½ years outside the group who have full protected rights will have an additional degree of protection in the form of further accrual in their existing pension scheme and will transfer into the 2015 scheme for civil servants and

others in a phased manner after 1 April 2015. This will account for 560 existing MDP officers.

- All other serving MDP officers will move into the 2015 scheme for civil servants and others on 1 April 2015 and will have a pension age that is linked to the State pension age (currently 65, increasing to 66 between December 2018 and 2020, with a further increase to 67 to be implemented by 2028). This will account for 1100 existing MDP officers.
- New entrants to the MDP after April 2015 will become members of the 2015 scheme for civil servants and others. They will have a normal pension age of 65 (currently the normal pension age of PCSPS Nuvos members) and this will rise in line with state pension age.

The likely effect of Section 10 of the Public Service Pensions Act 2013 on the health and wellbeing of members of the MDP

28. There is little evidence relating to MDP, HDPF or any analogous police force concerning the effects of a higher normal pension age. There is therefore insufficient evidence to enable the Department to draw a definitive conclusion on the likely effect of Section 10 on the health and wellbeing of members of the MDP. However it is possible to draw some inferences from the information shown in Tables 3 and 4 above. They both indicate that sickness absence – both short and long term do not increase with age. Sickness absence rates are highest in the 40-44 age group and decline steadily with age after that point. This clearly illustrates that there is no correlation between the level of absence and increasing age. Table 7 shows that there is no correlation between the proportion of sickness absence which is due to muscle and bone related conditions, which might have been expected to result from the nature of duties undertaken and weight of equipment carried, and increasing age. Table 6 shows that although the proportion of officers who left on ill health retirement was at its highest in the 55-59 age group, it reduced in the 60-64 age group.

29. Paragraph 5.1.53 of the Final Report of the Winsor Review stated:

“Fitter people can work longer, harder and with less fatigue than people who are less fit. This is because they will be operating at a lower percentage of their physical capacity. Fitter people are also better able to cope with stress”

The Winsor Report also found that there were likely to be indirect benefits from requiring a certain level of aerobic fitness, which is the basis of the shuttle run test it recommended, noting that aerobic fitness was the most important aspect of fitness, particularly when reducing the risk of disease and improving health. Winsor noted that the Royal Air Force’s experience suggested that more physically active personnel were less likely to suffer from illness and premature death. An individual’s aerobic fitness also predicted his risk of injury. Winsor concluded that a fitness test would result in a general improvement in police workforce wellbeing, and therefore its effectiveness.

30. The introduction of fitness testing in the MDP, combined with occupational health support to support officers in maintaining the required levels, will provide an incentive to maintain high levels of fitness throughout a career. This, together with the reduction in the weight of equipment carried by officers, is expected to have a positive impact on the health and wellbeing of all MDP officers and will help to offset the normal physical degradation associated with age.

The likely effect of Section 10 on the ability of the MDP to continue to meet its operational requirements

31. As noted above, there is little evidence relating to MDP, HDPF or any analogous police force concerning the effects of a higher normal pension age. There is therefore insufficient evidence to enable the Department to draw a definitive conclusion on the likely effect of section 10 on the ability of the MDP to continue to meet its operational requirements.

32. A risk to the MDP's ability to continue to meet its operational requirements might arise if levels of sickness absence increased with age. The data reported above, however, indicates that there is no correlation between levels of sickness absence and increasing age, or between age and the proportion of absence related to muscle and bone related conditions, which might have been expected to result from the nature of duties and weight of equipment carried by each officer.

33. Table 5 shows that there may be a risk that the proportion of officers who are unable to undertake the full range of duties may increase with an increase in retirement age above 65. Although the numbers are very small, this could lead to an operational risk, as no officer who was not fully operationally capable, and had not passed an annual firearms test, would be deployed on armed policing duties. This will need to be closely monitored by management. The MDP's complementing processes will ensure that sufficient fully capable officers are available to carry out armed policing tasks.

34. This also needs to be considered in the context of fitness. As noted above, the MDP has not hitherto had a fitness policy. Officers have thus not been required to maintain any specified level of fitness during their service, have not undergone any testing to establish their levels of fitness, and have not been subject to any incentive to remain fit. The fitness initiatives described above are intended to increase levels of fitness in the MDP, enabling officers to continue to undertake the full range of duties at higher ages.

The extent to which members of the MDP are likely to take early retirement in consequence of Section 10 (and on the consequences of taking early retirement for the persons taking it and for the taxpayer)

35. If a current or future MDP officer cannot be retained by the Force and is unfit to perform the duties of the job, the Civil Service Pension Scheme section of which they are a member will make provision for early retirement on the grounds of ill health. This would result in payment of accrued pension

rights with immediate effect from the date of medical retirement and without any reduction to take account of early payment. Table 6 shows that a total of 102 MDP officers left the Force on ill health retirement terms during the past 5 years, which represents a very small percentage of the total MDP workforce during that period (i.e. less than 1%). The figures shown in Table 6 do not demonstrate a significant increase in the number of medical retirements among MDP officers in the age 60 to 65 age band. The highest incidence of ill health retirement is seen in the 55-59 age band.

36. Table 12 below shows that less than 7% of total exits were categorised as actuarially reduced retirement. The personal reasons for these decisions are not recorded, but were not classified as ill health retirement. Although the number of officers aged over 60 will inevitably increase in the longer term as a result of Section 10, there is insufficient information at this stage to indicate that an MDP normal pension age of 66 or 67 will see a significant increase in the number of MDP officers leaving the organisation on medical retirement terms in the future, and it is therefore not possible to predict the extent to which officers are likely to take early retirement. As the full details of the 2015 scheme for civil servants and others have yet to be finalised it is also not possible to quantify the precise financial impact on individuals or the taxpayer should MDP personnel take early/actuarially reduced retirement. As stated above, the occupational health information that will be generated as a result of the introduction of in-service fitness assessments within the MDP will help to inform our future thinking in this area.

Table 12 – MDP exits between 1 January 2008 and 31 December 2012:

Reason for Exit	Total
Resignation	319
VERS	403
Actuarially Reduced Retirement/Approved Early Retirement	61
Age Retirement/Resignation with Pension	139
Total	922

Conclusion

37. This report provides the best assessment which can be made on the basis of the available occupational health data of the effects of the Public Sector Pensions Act on the health and wellbeing of officers of the MDP and the ability of the MDP to continue to meet its operational requirements. It demonstrates that there is no correlation between increasing age and sickness days per officer, with the highest rate of sickness absence being in the 40-44 age group. Nor is there any correlation between increasing age and long term sickness, with the highest incidence of long term sickness being again in the 40-44 age group. MDP officers are required to carry weights of personal equipment, which might have been expected to lead to an increase in muscle and bone related conditions, but this is not the case. The highest rates of muscle and bone related conditions are observed in the 25-34 age group. The highest rate of ill health retirements was in the 55-59 age group. The rate in the 50-54 and 60-64 age groups were the same. The proportion of officers on restricted duties rose after age 50 and was significantly higher in the 65+ age group, but the numbers are small and must be seen in that context. Officers on restricted duties are not deployed operationally and the MDP's complementing processes ensure that sufficient fully capable officers are available to carry out armed policing tasks.

38. The data in this report covers the period before the introduction of a fitness policy for the MDP and fitness testing, which is now being introduced. The introduction of job related fitness standards together with occupational health support to assist officers in reaching the required standards and in-service fitness testing is expected to improve the ability of officers at all ages to provide the required operational capability and to continue to undertake the full range of duties at all ages.



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