



Independent Review of Police Officer and Staff Remuneration and Conditions

Part 1 Report

March 2011



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Part 1 Report

Presented to Parliament
by the Secretary of State for the Home Department
by Command of Her Majesty

March 2011

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Independent Review of Police Officer and Staff Remuneration and Conditions

The review was commissioned on 1 October 2010
by instrument of appointment given by the Home Secretary,
containing the Terms of Reference specified in Appendix 10

The reviewer is—

Thomas P Winsor

The advisers to the review are—

Sir Edward Crew QPM DL
Chief Constable for the West Midlands, 1996 – 2002

Professor Richard Disney
Professor of Labour Economics, Faculty of Social Sciences,
University of Nottingham

Independent Review of Police Officer and Staff Remuneration and Conditions

To: The Right Honourable Theresa May MP
Secretary of State for the Home Department

Dear Home Secretary

I was appointed by you on 1 October 2010 to review the remuneration and conditions of service of police officers and staff in England and Wales, and to make recommendations which will enable the police service to manage its resources to serve the public more cost effectively, taking account of the current state of the public finances.

In particular, I was directed to make recommendations as to:

- the use of remuneration and conditions of service to maximise officer and staff deployment to frontline roles where their powers and skills are required;
- the establishment of remuneration and conditions of service which are fair to and reasonable for both the taxpayer and police officers and staff; and
- the means of facilitating the introduction and use of modern management practices in the police in line with practices elsewhere in the public sector and the wider economy.

Your terms of reference directed me to cost my recommendations in sufficient detail to enable effective implementation.

As directed, I have given my attention first to those reforms which may be implemented in the short term. I have pleasure in submitting to you my report on them.

My second report will deal with reforms of a longer-term nature.

Yours faithfully,

Tom Winsor (sgd.)

THOMAS P WINSOR

March 2011

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Foreword and principles

- 1 The first duty of the institutions of the state is the protection and safety of the people. The police and security services, together with the armed forces, are the most important instruments by which this objective is attained. In the internal affairs of the state, the lack of efficient and effective policing – visible and otherwise – would deny public safety, and anarchy or something dangerously close to it would prevail. The police are therefore one of the most essential of our public services.
- 2 It follows that the resources of the police, and the uses to which they are put, are of the highest importance. Those resources are, predominantly, the service's human capital. In most police forces in England and Wales, more than 80% of expenditure is on pay. It is therefore of the greatest importance that, especially at a time of considerable national financial restraint, the police service secures the most efficient and effective policing.
- 3 The terms of reference of this review require me to make recommendations in two parts. The first set of recommendations concern reforms which deal with the need to establish an improved system of pay and conditions for police officers and police staff when the present three-year pay settlement ends in September 2011. This report contains those recommendations. My second report will deal with reforms of a longer-term nature.
- 4 In my view, these sets of reforms, if implemented, will materially and beneficially affect the police service – and so the public interest – for many years to come. They will affect the types and calibre of people who wish to join the police, the structures and rewards of their careers, and the efficiency and effectiveness of policing. They should endure because they will equip police forces to take the steps necessary to provide the highest possible quality of public protection using the resources provided by taxpayers, and in so doing provide a system of remuneration and conditions for police officers and staff which fully respect and value the unique nature of policing and the commitment, risks, demands and sacrifices which it entails.
- 5 The last two major inquiries into police pay which have been implemented led to very significant increases for officers. They were the Royal Commission on the Police in 1960 (interim report) and 1962 (final report), chaired by the Rt Hon Sir Henry Willink QC, and the Committee of Inquiry on the Police in 1978, chaired by the Rt Hon Lord Edmund-Davies, a Lord of Appeal in Ordinary. The Royal Commission's proposals were for a 40 *per cent* increase in pay, whilst Edmund-Davies recommended a rise of 45 *per cent*. However, these were inquiries which took place against – and indeed were largely prompted by – a background of police pay at levels which were disgracefully low, and which had caused severe problems with recruitment and retention of police officers.
- 6 In 1993, Sir Patrick Sheehy – an industrialist – chaired the Inquiry into Police Responsibilities and Rewards. He produced proposals which provoked such severe opposition from police officers that the Government at the time decided that, since its higher priority was the reduction of crime, the most controversial of Sheehy's recommendations should not be implemented, although a number of important changes did follow.
- 7 Since the Edmund-Davies report, police pay has not only kept pace with average rates of pay in the wider economy, but has moved ahead faster. Police officers are now, in relative terms, paid perhaps the best they have ever been. Overall, the calibre of police officers is also probably at its highest point. This review has taken considerable steps to ensure that nothing is recommended which could jeopardise the quality of policing, and indeed that it should be improved by directing resources to police officers and police staff who do the most onerous jobs and employ the most valuable and highest skills.
- 8 Having recommended reforms which can be implemented from September 2011, some of which are interim measures, Part 2 of the review will continue consideration of matters such as the means of evaluating the relative weights of jobs, and paying accordingly, and the case in the longer-term for attaching remuneration to the performance of an individual and a team. I shall welcome representations on these and all other matters which are within the scope of my terms of reference.

- 9 There are many material differences between this review and the others which have preceded it. I have mentioned the 1960 and 1978 reviews, which were provoked by low pay and undermanning. The Sheehy recommendations in 1993 were of a different character, and demonstrated a lack of sensitivity to and understanding of modern policing, the motivation and professionalism of police officers, and the world they faced. The Sheehy report appeared not to have a sound appreciation, or to give proper weight to the importance, of the office of constable, which is an essential feature and safeguard of the independence of the police. Sheehy also insisted upon a move to a system of remuneration and conditions for which the police were then quite unprepared and which could not have been implemented without considerable risk.
- 10 In contrast, the reforms I have proposed begin at a very different point, of relatively high police pay, considerable national financial pressures, and a system of remuneration and conditions which was designed for a police service and a society neither of which any longer exists.
- 11 In carrying out this part of the review, I have been greatly assisted by the extensive discussions I have held with very many police officers and police staff throughout the country, who have told me of their frustrations with a system which is fit for a different era of policing, and with the inefficiencies and blockages of a criminal justice system which is in need of considerable reform if it is to be properly and fully effective.
- 12 The most difficult thing to do in management is to change the culture of an organisation. In the police, some things should change, and some must not.
- 13 The culture of the police has many great strengths. It is a culture of determination, courage, hard work and achievement, of facing any challenge or danger and confronting it in full measure. There is a considerable degree of goodwill in the police, in making sacrifices – personal and otherwise – to protect the public, deter crime, disrupt criminal networks, apprehend criminals and so make communities safer. Nothing should be done which might jeopardise that. There are many rewards in policing; indeed I believe it may be one of the occupations with the highest potential for job satisfaction of any. Not only is the variety of work in policing exciting and stimulating, but most people can only imagine the reward of securing the conviction of a person who has committed a crime of a serious nature, or someone who presents a great threat to children, or a person who has made life almost unbearable for the members of a community. And so must be the knowledge that a threat of a catastrophic nature has been averted and those who presented the greatest danger to innocent people have been taken out of society. These are not satisfactions which are available in most other kinds of work.
- 14 There are aspects of police culture which are less worthy of admiration. Weaknesses in the ways in which police officers and police staff are managed need to be corrected. More professional and objective appraisal and assessment processes would be of considerable benefit to the effectiveness of police forces and to the people who are subject to them. The notion that every police officer does work of equal value, irrespective of his hours of work and the duties he performs, is unsustainable and should be discarded. For the greatest part, police officers are not motivated by money, but they do want to be treated fairly, with full respect and acknowledgement of their hard work and professionalism.
- 15 That is why my recommendations provide not only for a proper recognition of the most demanding jobs and the more highly skilled and harder workers, but also for a phased introduction of a system which will more fully provide them with a career structure and a system of remuneration which embeds a culture of contribution, professionalism, team-working and high achievement. The police may not be ready for such a system in full measure in the immediate future. That is why I intend to develop a system under which these more far-reaching reforms can be introduced over time, with substantial checks and balances which ensure that any new regime comes into effect only to the extent that and at the times which will ensure its successful implementation without the risks associated with inadequate preparation or training of management.
- 16 Police staff play essential roles in modern police forces. Despite this, in too many respects they consider themselves to be undervalued and unjustly treated. Their system of pay and

conditions is quite different from that of police officers, and, for the reasons given in this report, is in need of substantially less reform. However, it is desirable that, over time, the status and value of police staff are acknowledged to be equal to those of police officers, whilst recognising the different nature and risks of the jobs they do. As far as possible, in time police forces should operate as single organisations with a single culture. The present conditions of financial restraint and the rigidities of the system of unique conditions which apply to police officers place the burden of job losses unduly on police staff. The reforms proposed in this report are designed to alleviate, although they cannot in the short term remove, that inequity.

- 17 The history of police pay reform is a long one, usually provoked by crises and sometimes marred by hesitation. The reforms I have proposed in this part of the review, together with the reforms which will be considered in its second part, are and will be designed to put the systems of police officer and staff pay and conditions on a sound basis, fit for the modern conditions of policing and public protection, and so ensure that the efficiency and effectiveness of police forces are enhanced.
- 18 In concluding this introduction, I desire to express my sense of the deep obligation I am under to my adviser Sir Edward Crew, whose wise and generous advice in relation to the nature and work of the police, the dynamics of policing, and every other aspect of the work of the review has been of the highest order and the greatest value.
- 19 I also owe a great debt of gratitude to Professor Richard Disney for his outstanding work on the labour market dimension of the report, which has proved invaluable in so many respects, particularly in understanding the relative positions of police officers in the pay markets of the British economy.
- 20 I wish to record also my obligation to the Secretary to the review, Mr Paul Wylie of the Home Office, without whose industry and conspicuous ability it would have been impossible for me to have issued this report. My great thanks also go to the Deputy Secretary to the review, Ms Elizabeth Allen, the review secretariat Dr Elizabeth Wright, Mr Cameron Styles, Miss Joanne Keefe, Ms Zoe Paxton and Mrs Raksha Savla, all of the Home Office, Mr David Williams of PriceWaterhouseCoopers, who assisted with technical advice to the review, and Mr Gordon McAllister and Miss Anna Bryant of White & Case LLP who helped in the preparation of the report for the press.
- 21 I should also place on record my appreciation of the allowances and latitudes afforded to me by my partners at White & Case LLP in relation to the considerable amount of time which this work has taken.
- 22 Finally, I wish to thank all of the police officers and members of police staff who gave so generously of their time during my visits to police forces in England, Wales, Scotland and Northern Ireland. I found these visits, and the opportunity to spend so much time speaking to police officers and police staff, of very considerable assistance in understanding policing and in formulating my recommendations.

Summary

Context

- 1 The last fully implemented review of police pay was carried out by a Committee of Inquiry chaired by Lord Edmund-Davies in 1978, against a background of chronic under-payment of police officers and significant and rapid rises in the cost of living. The Edmund-Davies committee agreed that police officers were significantly underpaid, and recommended a basic pay increase of up to 45% for police constables¹. To ensure that their level of pay did not drop to unacceptable levels in the future, Edmund-Davies recommended that police pay should be annually updated in accordance with an index of private sector non-manual worker pay.
- 2 Thanks to the Edmund-Davies reforms, police officers in 2011 are no longer underpaid in comparison with average private sector or public sector workers. Indeed, their pay scale rates are typically 10 to 15% higher than some other public sector workers², and, in some regions of England and Wales, police officers are paid approximately 60% more than the median local earnings³.
- 3 In 2011, police officer pay remains based on a scheme devised 33 years ago. In the period since 1978, the society in which police forces operate and from which they draw their personnel has changed dramatically, as has the nature of policing, and the way it is performed:
 - **Workforce** – in 1978, over 93% of police officers were men, few having undertaken higher education⁴. By 2010, 31% of new recruits were women and 27% were graduates. Black and minority ethnic officers now account for 4.6% of the police service, and efforts continue to make forces more reflective of the society they serve. Furthermore, in the 1970s police staff – members of the workforce who are not police officers – were an insignificant minority; today, they make up 36% of all police forces, and in some individual forces the proportion is as high as 50%. Such a significant proportion of police forces made up of police staff of course enables more warranted police officers to carry out more frontline roles that require the skills and powers which only they have. It also allows forces quickly to bring in specialisms when needed, such as in forensics, crime scene investigation, human resources and finance. The introduction in 2002 of approximately 16,000 Police Community Support Officers (PCSOs), who patrol alongside, or in support of, dedicated neighbourhood policing officers, has also made an appreciable positive difference to the internal dynamics of the police force, and the efficiency and effectiveness of the service;
 - **Greater scrutiny** – a significant proportion of British society has become appreciably less deferential to authority over the past 30 years, and drunkenness and antisocial behaviour have continued to contribute significantly to disorder and crime. The public also demands more of their public services than ever before. Since Edmund-Davies, Parliament has passed very significant amounts of new, highly prescriptive and complex criminal legislation with which police officers need to be familiar. Police officers face much higher levels of public scrutiny of their actions, in particular from the Independent Police Complaints Commission, Her Majesty's Inspectorate of Constabulary, the courts and other tribunals, and the media;

1 Edmund-Davies, report II, pages 31 and 76. Based on a 15 year service provincial police constable

2 Appendix 4

3 Appendix 4

4 Edmund-Davies, report II, page 94

- **Unsocial hours** – in 1978, almost all police officers worked and were expected to work unsociable hours; in that respect, a 9% shift allowance was incorporated into the basic pay of all Federated officers⁵. In 2011, in sharp contrast, data indicate that only 57% of the Federated ranks now regularly work unsociable hours, even though their basic pay still contains a significant element which compensates them for the disruption which working regular unsocial hours causes to their health and family life;
- **Increasing specialisation** – the 21st century has also seen a huge expansion in the role of policing. The numbers of specialist roles which focus on particular crimes, such as counter-terrorism, serious and organised crime, domestic violence, public protection and fraud have significantly increased. For example, Kent Constabulary now recognises 529 different police officer roles⁶. By comparison, what much of the public would still consider to be core policing, namely the more visible 24-hour response and neighbourhood policing, accounts for only 43% of the police officer workforce.

4 These changes in policing have coincided with, and contributed to, some significant achievements. For example, the British Crime Survey indicates that crime has fallen by 50% since 1995⁷. The aim of this review is to ensure that the pay structures of the police service facilitate and assist in, rather than hinder, the continuation of this success in circumstances which are radically different to those of the 1970s and 1980s.

The challenge

5 The police service has enjoyed a sustained period of increased funding since 2001. This will not continue. The United Kingdom faces a severe economic crisis and the Government has announced a reduction in overall public spending, which will bring it back down to the 2007 percentage of Gross Domestic Product by 2014.

6 The ability of the police service to absorb these savings without reducing its effectiveness, in particular in frontline services, is a major challenge facing Chief Constables and Police Authorities. Over 80% of police force budgets is spent on pay, which means that the ability of forces to achieve further efficiency savings from infrastructure reform and collaboration between police forces has its limits. Figure S1 demonstrates that the police service has already delivered significant efficiency savings over the past eight years. Whilst there are clearly savings still to be made, not least in much-needed improvements in information technology and how it is used, and reforms to the efficiency of the criminal justice system and the processes which the police service follow, the police service must take immediate and substantial steps to reduce its biggest category of cost, namely pay.

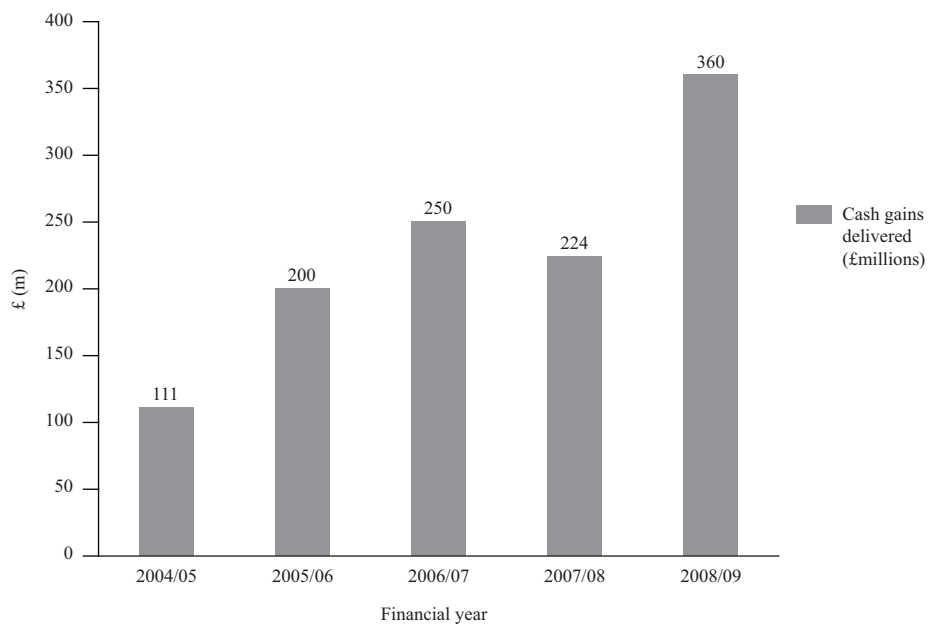
5 'Federated officers' include constables, sergeants, inspectors and chief inspectors.

6 Figures correct as of 18 November 2010.

7 *Crime in England and Wales 2009/10*, Home Office Statistical Bulletin 12/10, Ed. J. Flatley, C. Kershaw, K. Smith, R. Chaplin & D. Moon, London, Home Office, July 2010

Figure S1

Police service cash gains delivered in-year, 2004/05 to 2008/09

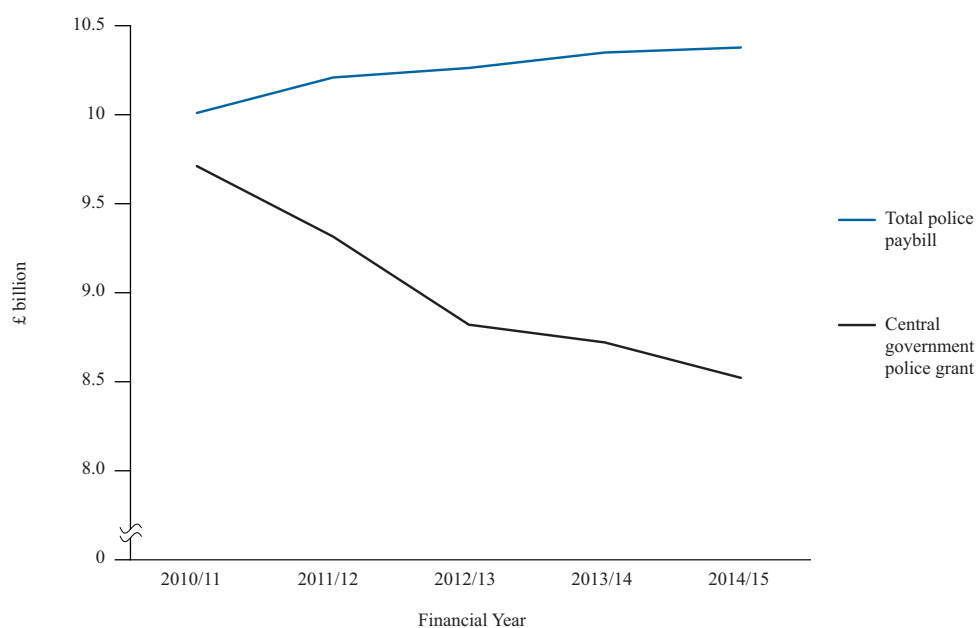


Source: Home Office 2009 Annual Report & Home Office Analysis of Policing And Community Safety national data 2008/09

- 7 On 22 June 2010, the Government announced a two-year public sector pay freeze, with the expectation that police officers and staff will not receive increases in their pay from September 2011 to September 2013 (although a final decision has not yet been taken, pending any recommendation of the Police Negotiating Board). However, this does not mean that total wage costs are frozen for this period. Figure S2 shows that despite the pay freeze, costs will continue to rise at a time when total police budgets are falling.

Figure S2

Total police paybill and central Government allocations to Police Authorities 2010/11 to 2014/15



Source: Home Office Written Ministerial Statement on allocations of grant to Police Authorities in England and Wales, 13 December 2010. Projected police officer basic pay including employer national insurance and pension contributions, 2009/10 CIPFA police staff expenditure and projected staff progression costs. CIPFA data and projected values may not be comparable

- 8 Total pay costs will continue to rise because each year police officers and some police staff automatically progress up the pay scale for their particular ranks or posts. For example, if pay progression were to continue, a police constable with seven years' service would cumulatively receive an additional £4,143 between September 2011 and 2013, irrespective of the pay freeze⁸. It is estimated that this factor alone would cost the police service approximately £257m from September 2011 to 2013. As Figure S2 demonstrates, this continued increase in the pay bill would make it even more difficult for police forces to find the necessary savings, and increase the likelihood that jobs will be lost.
- 9 Given that such a high proportion of their budgets is spent on pay, it is striking that Chief Constables and Police Authorities do not possess some of the most important instruments of management control and intervention which are almost invariably available in other organisations in relation to their workforces.

The review

- 10 Most of the police pay reviews which took place in the 20th century were prompted by crises in the recruitment and retention of police officers, or severe discontent and unrest within the police service in relation to what was usually disgracefully low levels of remuneration. In several cases, both reasons applied. This review, by contrast, has been initiated not only because of the present necessity for the Government to reduce the national budget deficit, but also because police pay and conditions have developed a degree of rigidity and a distance from modern management instruments and practices. These inhibit the ability of the police service to adapt to the changing needs of the public and the demands properly made of the police.
- 11 If the objectives of the Government had been to reduce pay for police officers and staff, it would have been a simple matter for that to be achieved using administrative means, without an independent reviewer making recommendations after detailed enquiry. The terms of reference of this review make it clear that what is needed is far greater, and the objective is to establish a system of pay and conditions for police officers and police staff which will endure, and which will be sufficient to enable the police service efficiently, economically and effectively to do its job.
- 12 My terms of reference required this review to make recommendations as to the means by which the police service might acquire the necessary management flexibility to structure, incentivise and remunerate their workforce in a way which will ensure the greatest efficiency, economy and effectiveness, providing value for money for the taxpayer. After extensive discussion within and outside the police service, and based on the review's own research, I devised the following principles which have been applied in the development of my recommendations:
- **Fairness is an essential part of any new system of pay and conditions** – in procedure and conduct of this review, in its analysis and in arriving at its recommendations, the overriding consideration has been fairness, to the public, to police officers and police staff, and to the police service in its short-, medium- and long-term interests;
 - **Office of constable is the bedrock of British policing** – the office of constable, whereby a police officer has an original and not a delegated jurisdiction, and is himself directly answerable to the law for his actions, is far from an historical adornment; it is a fundamental part of what makes British policing an essential and extremely powerful protection of the citizen in his relationship with the state and its agencies, and ensures that our country could never become a police state. A system under which senior police officers and management make decisions as to the efficient and effective deployment of police officers, and evaluate those officers in the ways in which they work and the jobs they do so as to ensure they always meet the needs of the public they serve, is entirely consistent with the integrity of the office of constable;

⁸ Police constable on rates commencing September 2010: £32,703 for seven years' service, rising to £33,753 in year eight and £35,796 in year nine.

- **The demands of policing** – full and proper weight must be given to the particular and onerous demands which their occupation places on police officers and their families and the ways in which they live their lives, including the risks of personal injury and death, and public responsibility and scrutiny if things go wrong. The need to work unsocial hours and the absence of the ability of police officers in a disciplined service to withdraw their labour or to refuse to work to meet the exigencies of the service must also be taken into account;
- **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** – the structure and diversity of tasks and expertise in the modern police service is now very different from how it used to be. All police officers have a set of core skills, but the omni-competent constable no longer exists. Specialist skills and more demanding posts should be recognised;
- **People should be paid for how well they work** – progression up national or local pay scales based purely on length of service is unfair. High performers should be paid more than those who perform adequately, and higher again than those who perform poorly;
- **A single police service** – distinctions in pay and other conditions of service between police officers and police staff should be objectively justified having regard to the conditions which exist today, not on the basis of history or tradition; on that basis, the two systems should be brought into an appropriate degree of harmony;
- **Simple to implement and administer** – the review’s recommendations should not unjustifiably add to the bureaucratic burden on individuals and police forces;
- **Phased introduction** – some reforms should be introduced over time, so that police officers and police staff do not feel threatened and the system has time to adjust. Cultural and historical blockages need to be dissolved, management needs time to learn and demonstrate its ability to operate new systems before they are brought fully into effect; people need to have confidence that the system will treat them fairly.

13 These principles apply to both my short- and long-term recommendations. This report focuses on the short-term measures which I recommend the police service implements quickly to ensure that it can manage its reduced budget, whilst being fair to both officers and police staff. Part 2 of the review considers matters of a longer-term nature and importance.

General findings

14 This review makes recommendations which, if implemented, will concentrate the highest pay on the front line and more demanding roles in the police service. They concern the abolition of malfunctioning and discredited allowances and supplements, and the reduction of police pay budgets which will enable police forces to avoid job losses which would otherwise take place, and the focus of resources in areas where they will have the greatest effect in the interests of the public which they serve.

15 Accordingly, these recommendations are directed towards the concentration of pay on frontline shift workers, and police officers who acquire and use professional skills of a high order. These changes, if implemented, will affect police officers in different ways, depending on the work they presently do, and the changes they may make in their roles and how they work.

16 In short, some skilled police officers working unsocial shifts in response roles will receive up to approximately £2,000 more in cash terms per year than at present, whereas those in what are sometimes called middle- and back-office roles will not receive any additional pay and may experience a reduction of up to £3,000 in their allowances. Case studies which illustrate the effects of these recommendations are included in Chapter 8. One of the consequences of these changes should be the encouragement of long-serving, experienced officers back to the front line of policing. Although some officers remain in response teams or neighbourhood policing for a substantial part of, or even their entire, careers, most move relatively quickly to specialist or middle- or back-office roles. The public have a right to expect the best and most experienced officers on the front line.

- 17 If accepted, my recommendations will enable the police service to live within its reduced means for the short-term, whilst introducing some important reforms for the longer term. The overall savings are estimated to be £217m by April 2014. A full breakdown of the costs and savings from these recommendations can be found in Chapter 8.
- 18 The review covers both police officers and police staff. In the longer term, there is a strong case for bringing the two groups closer together, whilst retaining the office of constable. However, over the next few years, police staff will be disproportionately adversely affected by the need to make compulsory redundancies, since police officers cannot be made redundant, and Police Community Support Officers have had their central funding ringfenced until 2012. This factor, along with their lower basic pay, has tempered my approach to police staff in the short-term.

Deployment

- 19 In 1978, the report of the Edmund-Davies' Committee report stated that:

“At present, police pay is complicated by the fact that there is an element additional to basic pay. This is called ‘supplementary pay’ and was originally paid in September 1974 in recognition of the unsocial hours worked by police officers. Currently this is almost 9 per cent of total pay on September 1977 scales for the constable. ... The amount does not reckon for overtime. There is an unquantified element for unsocial hours in the basic pay of superintendents and chief superintendents, which are not overtime grades. ... We think supplementary pay should be consolidated into the basic pay of the Federated ranks, and we recommend accordingly. ... Although consolidation does remove from pay a specific identifiable element for working unsocial hours, it should not be forgotten in the future that police pay does contain such an element⁹.”

- 20 Thirty-three years later, that fact *has* been forgotten by most police officers and some of their staff associations. The review's consultations with police officers and police staff have conspicuously demonstrated significant resentments within police forces between those who work 24-hour shifts in all weathers, and those who can perform their tasks in offices, during normal office hours, sometimes without any interaction with the public. Data returns from forces indicate 43% of the Federated ranks of officer are in that latter category. The logical – but quite brutal – step would therefore be to cut basic pay by 9% to remove the supplementary pay component from those police officers not working regular shifts. This would result in:
- a long serving, back-office police constable's salary reduced by **£3,286** per year (falling from £36,519 to £33,232); and
 - across England and Wales, a saving of approximately **£410m**.
- 21 Such a radical reform would have the effect of re-introducing a shift allowance, as only those who work regular unsocial hours would be unaffected. Throughout this part of the review, I have become acutely aware that police officers and police staff have, in good faith, built their lives and made their financial arrangements on the basis of a particular level of basic pay which, through disuse or neglect, has gradually ceased to be recognised as making that distinction. Indeed the current generation of police officers are quite unaware that 9% of their basic pay constitutes an unsocial hours allowance. For these reasons I believe it would be wrong for such a large proportion of basic pay to be removed without a substantial amount of time allowed for police officers to adapt. I therefore do not recommend the removal of the Edmund-Davies 9% component from officers who do not work shifts.
- 22 However, I believe it is appropriate to recognise that officers working unsocial hours, whether occasionally, or on a regular basis, are doing something which is more onerous – for themselves and their families – than those who work normal office hours. It is therefore recommended that officers in the Federated ranks (that is, including inspectors and chief

9 Edmund-Davies report II, page 29

inspectors) who work unsocial hours receive a 10% supplement on their basic pay for those hours falling between 8:00pm and 6:00am on any day of the week.

- 23 Chapter 2 also deals with the use of shift arrangements, shift disturbance, overtime and special payments for officers who are required to work away from their home force areas (under an arrangement called 'mutual aid' between forces). In principle, officers and police staff should be paid for the time they work. Accordingly, the existing regime involving payment for a specified minimum number of hours, irrespective of the actual hours worked, should be brought to an end. Furthermore, in a disciplined and essential service, the deployment of police officers should be a decision for senior officers in the command structure, not one in which any staff association should have a veto.
- 24 Overtime is a valuable and efficient instrument of management, if correctly calibrated and properly used. I do not recommend its abolition.
- 25 The principal recommendations concerning deployment include:
- Recommendation 2 – Police constables, sergeants, inspectors and chief inspectors should receive an additional 10% of their basic pay, on an hourly basis, for hours worked between 8:00pm and 6:00am (non-pensionable).
 - Recommendation 3 – Police staff should not receive additional shift premium (time and a half or double time) for weekend day working if it is part of their normal contracted hours. The rate for routinely working a public holiday should be reduced to double time only. This should be agreed in the Police Staff Council and incorporated into individual contracts of employment using the established mechanisms for doing so. In the case of police forces outside the PSC arrangements, these changes should be agreed in the usual manner with the relevant unions.
 - Recommendation 4 – Determination Annex E, made under Regulation 22 of the Police Regulations 2003, should be amended to require the chief officer to consult, rather than agree, with the local joint branch board and individual officers in connection with the bringing into operation of a variable shift arrangement. That consultation should take place over a period of at least 30 days. Before making his decision, the chief officer should be required to consult the affected officers and take full account of their individual circumstances, including the likely effects of the new arrangement on their personal circumstances. New shift arrangements should not be brought into effect earlier than 30 days after the communication of the decision of the chief officer.
 - Recommendation 5 – Determination Annex G, made under Regulation 25 of the Police Regulations 2003, should be amended to replace time and a third premium pay for casual overtime with plain time. Also the minimum hours for being recalled between duty should be abolished and instead paid at plain time for the hours worked, with travelling time.
 - Recommendation 6 – Determination Annex H, made under Regulation 26 of the Police Regulations 2003, should be amended to remove double time premium pay and the notice period of five days for working on a rostered rest day. Therefore time and a half premium pay is applicable for working on a rostered rest day with fewer than 15 days' notice.
 - Recommendation 7 – Determination Annex H, made under Regulation 26 of the Police Regulations 2003, should be amended to allow double time for 25 December and seven other days chosen by the officer before 31 January for the next financial year. Cancellation with fewer than 15 days' notice needs ACC authority
 - Recommendation 14 – The Special Constables (Amendment) Regulations 2002 should continue to be used in connection with the provision of financial rewards for special constables, where police forces consider that they will be effective and represent value for money, but the role of the Home Secretary in approving those schemes should be removed.

Rewarding contribution

- 26 In the 2003 pay negotiations, performance-related pay was reintroduced to some parts of the police service. Provision was made for the payment of bonuses of up to 15% of chief police officers' pensionable pay. A system was established under which superintendents could move up their pay scales more quickly, if their performance was considered to warrant it. A regime was introduced under which police constables who have been at the top of their pay scale for at least a year, and who can demonstrate higher professional competence, can be paid an additional £1,212 per annum (an amount called the 'Competence Related Threshold Payment').
- 27 In too many respects, the police service has not been successful in establishing and operating a sound, non-bureaucratic, objective and fair system of appraisal of the performance of individual police officers. Properly defining and measuring police productivity has never been easy, and the target culture of recent years has, in an appreciable number of respects, tended to distort rather than facilitate sound assessments. In the case of the Competence Related Threshold Payment, for example, at the time of its introduction it was expected that 75% of those eligible would receive it¹⁰. In reality, approximately 98% of constables who have applied for it have been successful. In my view, such a high acceptance rate is unlikely to be a reliable reflection of the almost universal outstanding competence of police officers, and is more likely to be a reflection of a degree of management timidity or neglect in the assessment of performance. With the exception of the superintendents' pay increments (which appear to have been operating reasonably satisfactorily), these attempts at the establishment of a sound performance-related pay system have not been sufficiently successful to justify their continuation. In the interests also of economy, I have recommended that they should be terminated in the short-term.
- 28 As noted above, the police service's pay bill will continue to rise despite the two-year public sector pay freeze because, under the existing regime, police officers and police staff automatically progress up their pay scales each year. In the case of constables, there are ten points on the scale, ranging from £23,259 to £36,519. Automatic annual pay progression for the police was introduced in 1919 and has not been materially disturbed since then. Such a long progression span, involving a pay differential within a single rank of over £13,000, creates distortions and resentments which are not justifiable. There are better, fairer and more sophisticated ways of recognising the acquisition and use of additional professional skills in policing.
- 29 My conclusion is that the system of pay within ranks, or job categories for police staff, is in need of fundamental reform. In the short-term, I recommend that police officers and police staff should remain on their present increments for the next two years. After that, a new system of determining differential pay within a single rank, or job category, should be established and introduced. This suspension of the operation of the system of automatic annual progression will have the material benefit of going a significant way towards enabling police forces to keep police officers and police staff who might otherwise have been compelled to leave police forces. This approach to preserve employment has been used, with some success, in many private sector companies over the past three years. In cash terms, the suspension will ensure that officers and police staff will not have their present levels of basic pay reduced, although it should be noted that police officers at the tops of their pay scales, who have been in receipt of a Competence Related Threshold Payment and who do not work unsocial hours, will sustain a reduction in their pensionable take-home pay.
- 30 My Part 2 report in this review will make recommendations in connection with the possible introduction of entirely different, shorter pay scales, with pay increments that can go down as well as up.

10 PNB Circular 2/17

- 31 The principal recommendations concerning the recognition and reward of contribution include:
- Recommendation 20 – Police officers and all members of police staff below the top of their pay scale should be frozen at that increment for a two-year period commencing September 2011.
 - Recommendation 23 – The chief officer bonus scheme should be suspended for a two-year period commencing September 2011.
 - Recommendation 25 – The bonus scheme for superintendents and chief superintendents should be suspended for a two-year period commencing September 2011.
 - Recommendation 27 – Competence Related Threshold Payments should be abolished from 31 August 2011 and all outstanding CRTP payments up to that date should be paid on a pro-rated basis.
 - Recommendation 29 – Chief officers should recognise whole teams, both officers and staff, with a Team Recognition Award payment of £50 to £100 each for outstandingly demanding, unpleasant or important work, or outstanding work for the public.
 - Recommendation 30 – ACPO and the Police Federation of England and Wales, along with other interested parties, should convene a working group to establish a series of new national policing awards.

Allowances, Posts and Skills

- 32 The system of pay in the police service contains a number of additional non-pensionable allowances to compensate officers and police staff for particular expenses and to retain skills. These range from the housing replacement allowance (between £1,777.66 per officer in Northumbria and £5,126.70 in the Metropolitan Police) to minor payments such as allowances for meals taken at unusual times.
- 33 The most recent addition to this range of additional payments has been the Special Priority Payment introduced in 2003. Special Priority Payments can be as high as £5,000 per annum for a police officer, and cost approximately £84m in England and Wales. They are to be targeted at between 20% and 40% of police officer posts, which must be one which carries significantly higher responsibility than normal for the rank, present particular difficulties in recruitment and retention, or have specially demanding working conditions or working environments. The system was to be focused on front-line operational posts in particular.
- 34 Since its introduction, the Special Priority Payments regime has been controversial. Both the Police Federation and ACPO have criticised it for being divisive, since at least 60% of posts must be ruled ineligible for the payment, creating resentment on the part of some police officers who disagree with the decision of senior officers as to the determination of which posts should qualify for the payment. In addition, it is apparent that the variable and sometimes inadequately explained criteria for the application and operation of the regime have led to the discredit of the system. Since the payments are attached to posts rather than individual officers, and in relative terms the individual cost is high, there has been a tendency for them to be paid to small, specialised teams, rather than police officers in the types of job on which the system was designed to concentrate. This is certainly the case with 24-hour response officers.
- 35 The significant shortcomings of the Special Priority Payments regime do not mean that a system of paying more to the holders of especially demanding posts, or those with higher responsibilities is wrong. The contrary is the case. A properly designed, competently operated system of that kind is to be desired. Accordingly, I have recommended the abolition of the Special Priority Payments regime, and its replacement with a new payment which recognises the acquisition, and use, of advanced professional skills in policing. This would be an interim allowance, pending the establishment of a more developed regime under which the relative weight, including responsibility and professional demands, of a role can be assessed and

valued. The interim expertise and professional accreditation allowance should be paid at the rate of £1,200 per annum.

36 I recommend that the particular skills which should attract this allowance over the next few years are:

- investigation (police officers who have attained Level 2 of the Professionalising Investigation Programme);
- public order (police officers who have attained Level 2 public order accreditation);
- special operations (firearms); and
- neighbourhood policing, where an officer has remained in a neighbourhood policing team in the same community for more than three years (in the absence of any established system of professional accreditation in this area).

37 The principal recommendations concerning allowances, posts and skills include:

- Recommendation 31 – Special Priority Payments should be abolished from 31 August 2011 and all outstanding SPPs up to that date should be paid on a pro-rated basis.
- Recommendation 32 – An interim Expertise and Professional Accreditation Allowance of £1,200 per annum should be introduced from September 2011 for officers meeting the skills or length of service criteria in the four stated priority functions. It should be paid monthly and pro-rated where an officer works part-time. It should be removed when an officer leaves the role where it is required.
- Recommendation 33 – the Expertise Professional Accreditation Allowance should be expanded or replaced when a more sophisticated system of job banding or professional accreditation is established and has been introduced.
- Recommendation 37 – Chief officers should provide receipts for all expenses and information as to expenses above £50 paid to chief officers should be published quarterly on the Police Authority's website.
- Recommendation 42 – A national on-call allowance for the Federated ranks should be introduced from September 2011. The amount of the allowance should be £15 for each occasion of on-call after the officer in question has undertaken 12 on-call sessions in the year beginning on 1 September. An on-call occasion should be defined as the requirement to be on-call within any 24-hour period related to the start-of-the-police-day.
- Recommendation 44 – The link between the Motor Vehicle Allowance for police officers and that for local authorities should be re-established from September 2011.
- Recommendation 46 – Officers' maternity entitlement should increase from 13 weeks at full pay to 18 weeks at full pay, with officers having the option, with the agreement of their chief officer, to spread the final five weeks of maternity pay over 10 weeks at reduced rate.

Managing the workforce and exit routes

38 The police service lacks some of the most important instruments which every organisation with a workforce needs to manage its people. In particular, it has no right analogous to compulsory redundancy, under which it could require a police officer with fewer than 30 years' service to leave the force on the grounds of the needs of the service and the efficiency of the force.

39 Although police officers are not employees, there is no inconsistency between the office of constable and a police force having the right to require a police officer to leave because the workforce has to be reduced, for example for budgetary reasons. Indeed, just such a regime applies to police officers with over 30 years' service. Although for many years the police service has been increasing in size, and therefore there has been no need for a right analogous to redundancy, the present conditions of national financial pressure mean that police forces are having to contemplate reductions in their sizes.

- 40 In the short term, I do not believe that Chief Constables would wish to use a power analogous to compulsory redundancy for police officers, even if it were available, if they are able to reduce costs in other ways. For example, there are substantial savings to be obtained by the suspension of automatic annual pay progression, the abolition of Competence Related Threshold Payments and the suspension of bonus payments for superintendents and chief officers. In the circumstances, I believe it is likely that the most that is necessary, at least in the short term, is the ability of a police force to devise a voluntary exit scheme for police officers, under which they could retire from the police force on payment of a lump sum by way of compensation. If such a system were established and used, it should result in fewer police staff members being made compulsorily redundant, as police forces will be able to change the mix of people in their early exit scheme. As for the longer term, in Part 2 of this review I shall consult on the creation of a new career model for police officers and staff which better matches the needs of the public and the police service.
- 41 The principal recommendations concerning the management of the workforce and ill-health include:
- Recommendation 52 – The Police (Performance) Regulations 2008 should be amended to provide that if a police officer has had two or more adverse determinations made against him, on substantive (rather than procedural) grounds, in concluded UPP proceedings within the past five years, subsequent UPP proceedings should begin at Stage 3.
 - Recommendation 55 – The criteria for the use of the powers in Regulation A19 should be amended, with service-critical skills and performance being explicit considerations.
 - Recommendation 56 – As quickly as possible, police forces should be provided with the ability to offer voluntary exit terms to police officers, substantially on the terms contained in the Civil Service Compensation Scheme 2010.

Next steps

- 42 If accepted, most of my recommendations will require referral by the Home Secretary to the Police Negotiating Board and the Police Staff Council, as well as those forces that negotiate police staff pay and conditions separately from the PSC arrangements.
- 43 The following issues will be examined and expanded upon in Part 2 of the review:
- entry routes into the police service;
 - the career of officers and police staff – including the future of pay scales, progression increments and performance appraisal; and
 - the pay negotiating mechanisms themselves.

Glossary and abbreviations

accelerated progression	the case where a police officer or police staff member moves up the applicable pay scale faster than one increment each year
ACPO	Association of Chief Police Officers
Association of Chief Police Officers	the body which collectively represents the chief police officers of England, Wales and Northern Ireland in relation to policy and national functions; ACPO has no statutory provenance, but is mentioned in legislation as a body with which certain consultations should take place
ACPO ranks	in county police forces: Assistant Chief Constable, Deputy Chief Constable and Chief Constable; in the Metropolitan Police: Commander, Deputy Assistant Commissioner, Assistant Commissioner, Deputy Commissioner and Commissioner; in the City of London Police: Commander, Assistant Commissioner, Commissioner
APA	Association of Police Authorities
Association of Police Authorities	the body which collectively represents the Police Authorities of England and Wales, as well as the Northern Ireland Policing Board; the APA has no statutory provenance, but is mentioned in legislation as a body with which certain consultations should take place
bonus	a payment additional to salary, usually awarded for the achievement of objectives beyond those ordinarily required of the rank or post of the recipient
branch board; joint branch board	a board consisting of elected representatives of the members of a branch of the Police Federation holding the relevant rank; there is a constables', a sergeants' and an inspectors' branch board for each branch; the three branch boards sit together as a joint branch board to discuss matters of common interest; in the Metropolitan Police there is no joint branch board, but each branch board establishes an executive committee and the three committees sit together as the Joint Executive Committee
chief officer	the holder of an ACPO rank
CPOSA	Chief Police Officers' Staff Association
Chief Police Officers' Staff Association	the representative body of chief officers, concerned with pay and conditions

Desborough	the Committee on the Police Service of England, Wales and Scotland, under the chairmanship of Lord Desborough, set up in March 1919 in response to severe discontent amongst police officers at their rates of pay and conditions of service, and their ability to make representations on these subjects; police pay had not kept up with the rise in the cost of living, which had doubled during the 1914-18 war, and tensions were very high; the Desborough report was published in two parts, on 1 July 1919 and 1 January 1920, and recommended rises of the order of 230% in constables' pay, and the establishment of the Police Federation as a representative body and the Police Council as a consultative body; it also recommended that it be made a criminal offence for a police officer to join a trade union or to strike
determination	a decision of the Home Secretary on a matter provided for in police regulations; the regulations give the Home Secretary the power to determine various matters, such as rates of pay; the detail of these matters is set out in the determinations rather than in the regulations themselves; the determinations are set out in the form of Annexes entitled AA to W
differential	the gap between the salary of one rank or post and the next
double accrual	in relation to police pensions, over a 30-year period the rate of accrual in the last ten years which is twice the rate in the first 20 years
double increment	the case where a superintendent or chief superintendent moves up two annual increments of his pay scale in a single year, as a result of being rated as exceptional in his PDR
Edmund-Davies	the Committee of Inquiry on the Police under the chairmanship of Lord Edmund-Davies; it was established in conditions of considerable tension involving the police, whose pay in the 1970s had fallen significantly behind comparable occupations; it reported in July 1978 (Cmnd 7283) recommending a substantial increase (of the order of 45%) in police pay, and also a pay formula which would increase police pay in accordance with a combination of changes in the index of average earnings and changes elsewhere in the community in subsequent years
Federated ranks	the police ranks represented by the Police Federation, namely constable, sergeant, inspector and chief inspector

Federation	the Police Federation of England and Wales, the statutory body established by the Police Act 1919 on the recommendation of Desborough to represent police officers in all matters affecting their welfare and efficiency except for questions of promotion or discipline affecting individuals; in 2011, the Police Federation had approximately 140,000 members; it is part of the staff side of the Police Negotiating Board
he / him / his	she / her
housing allowance	see replacement allowance
ill-health retirement	early retirement on the ground that the police officer in question is permanently disabled in relation to the performance of duty
increment	a point on a pay scale, through which a police officer or police staff member moves by means of progression
job evaluation	a system of assessing the weight of a particular job, including the skills and abilities required for it, for the purposes of determining what is the appropriate remuneration for it
London allowance	an allowance payable to all officers of the Metropolitan Police and City of London Police; the rate of the allowance in 2011 varies depending on when the officer joined the police in London
London weighting	an uplift to the pay of all officers of the Metropolitan Police and City of London Police; in 2010/11, its value is £2,277 <i>p.a.</i>
Metropolitan Police	the police force for Greater London; it is by far the largest police force in the UK, with 52,190 officers and police staff members (including PCSOs) in March 2010
mutual aid	the provision of police officers or other assistance by one police force to another for the purpose of meeting any special demand, either on the application of the chief officer of the force receiving the assistance, or at the direction of the Home Secretary; the system was recommended by Desborough
National Policing Improvement Agency	a body corporate established under the Police and Justice Act 2006; it replaced the Central Police Training and Development Authority and the Police Information Technology Organisation; its objects include the promotion of good practice in policing, the provision to police forces of expert advice and assistance in connection with operational and policing matters, the identification of opportunities for and threats to police forces, assistance with information technology and procurement and training and personnel matters
NPIA	National Policing Improvement Agency

new police pension scheme	the pension scheme for police officers provided for in the Police Pensions Regulations 2006; the scheme has been open to new entrants since 6 April 2006; it allows officers to earn a pension equal to one 70th of final salary for each year's service, over 35 years; it provides a target pension of half final salary; officers also earn four 70ths of final salary for each year's service over 35 years, to provide a target lump sum of twice final salary; officers in the NPPS currently pay contributions of 9.5% of their pensionable pay; Police Authorities pay the employer contribution of 24.2%; the normal minimum pension age under the NPPS is 55; the scheme also provides a range of benefits, including survivor pensions for nominated unmarried partners
Oaksey	an independent inquiry into police pay, pensions, promotions, methods of representation and negotiation, and other conditions of service, set up in 1948 under the chairmanship of Lord Oaksey, in response to considerable discontent with the levels of police pay after the 1939-45 war and a severe manpower shortage; Oaksey recommended a 15% increase in police pay with effect from 1 July 1949
Official Side	one of the two sides of the Police Negotiating Board (the other being the Staff Side), consisting of representatives of Police Authorities, chief officers and the Home Office
old police pension scheme	the Police Pension Scheme 1987; it allows officers to earn one 60th of final salary for each of the first 20 years' service, and two 60ths of final salary for each of the subsequent 10 years' service; this provides a target pension of two-thirds of final salary; no lump sum is automatically payable, but an officer can elect to take a lump sum in exchange for a lower pension; this typically leaves the officer with a pension of half final salary; officers in the PPS currently pay contributions of 11% of their pensionable pay; Police Authorities pay the employer contribution of 24.2%; because many officers began their police service at age 18½, some become entitled to draw their pensions as early as age 48½; the scheme was closed to new members with effect from 6 April 2006
overtime	payment for work which is additional to the normal working hours of a police officer or police staff member; in the case of police officers, the rates and conditions vary according to the amount of notice which is given; overtime is explained more fully in Chapter 2
pay scale	a scale of pay rising by (usually) annual increments
pay spine	pay scale
PDR	Performance & Development Review; an assessment of an officer's performance by his line manager, usually an officer of the immediately superior rank

performance-related pay	a system of pay which links part of a worker's remuneration to his performance, usually after appraisal by a line manager as part of the PDR process
Police Advisory Board for England and Wales	a statutory body established under the Police Act 1996 to advise the Home Secretary on general questions affecting the police
Police Arbitration Tribunal	the tribunal which resolves a failure of the two sides of the Police Negotiating Board to agree on a recommendation to be made to the Home Secretary; a decision of the Tribunal has effect as an agreed recommendation of the Board and must be taken into consideration by the Home Secretary before making police regulations, or a determination under them; provision for the Tribunal is made in the constitution of the Board
Police Authority	a body corporate established for every police area in England and Wales; each Police Authority has a statutory duty to secure the maintenance of an efficient and effective police force for its area; however, it is prohibited from giving directions to chief officers or members of police forces concerning the exercise of their powers or discretions by virtue of their offices
Police Negotiating Board	a statutory body originally established under the Police Negotiating Board Act 1980 and maintained under the Police Act 1996; it is concerned with questions relating to hours of duty, leave, pay and allowances, pensions and connected matters; before making regulations under the Police Act 1996 in these areas, the Home Secretary is required to take into consideration the Board's recommendations and give the Board a draft of the regulations; the same requirements apply to the making by the Home Secretary of a determination under the regulations
police regulations	regulations made by the Home Secretary under the Police Act 1996 as to the government, administration and conditions of service of police forces; regulations may make provision with respect to ranks, promotion, probation, voluntary retirement, the conduct, efficiency and effectiveness of police officers and the maintenance of discipline, the suspension of police officers, and the duties, hours of work, leave, pay and allowances of police officers
Police Regulations 2003	regulations made under the Police Act 1996 concerning matters such as police officers' duty, pay, leave, allowances and expenses, the reckoning of their service, and their uniform and equipment
police staff	a person employed by a police force and who is not a police officer; a description of some of the roles carried out by police staff is in Appendix 3

Police Staff Council	the Police Staff Council negotiates national agreements on pay and conditions of service for 75,000 police staff and PCSOs in England and Wales, excluding the Metropolitan Police
post-related allowance	a non-pensionable allowance for chief superintendents to reflect particularly onerous responsibilities
PRA	post-related allowance
progression	the usually automatic movement of the pay of a police officer or police staff member up a pay scale (by annual increments)
rent allowance	see replacement allowance
replacement allowance	an allowance 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; replacement allowance is only available to officers who were already in the service on 31 August 1994; as an allowance, it is not part of police pay
restricted duties	duties assigned to a police officer of a nature which place on him physical demands which are lower than those required for the full duties of a police officer; the decision to place an officer on restricted duties is taken after an assessment of the officer's condition by a medical practitioner or an occupational health professional
Royal Commission	the Royal Commission on the Police, chaired by Sir Henry Willink QC; set up to consider primarily the accountability of the police and the constitutional position of the police in the state; its terms of reference included a review of police pay; the Royal Commission published its interim report in November 1960 (Cmnd 1222) and its final report in May 1962 (Cmnd 1728); it recommended a 30% rise in the maximum of the constable's pay, with two long-service supplements taking the increase to 40%

Sheehy	the report of the Inquiry into Police Responsibilities and Rewards under the chairmanship of Sir Patrick Sheehy; published in June 1993 (Cmnd 2280), it made very wide-ranging and radical recommendations, including the abolition of certain ranks, the abolition of police regulations concerning pay in favour of a new pay matrix reliant on the scope of a role, the responsibilities attaching to it and its scale, and specialist requirements, the nature of the policing environment, the experience and skills of an individual and his performance in the role; it also recommended a change to a lower index for police pay, the abolition of casual overtime, and the end of secure tenure for police officers; it made proposals for radical reform of police pensions; many of the Sheehy reforms were not implemented
south-east allowance	an allowance payable to police officers in forces in the south-east of England; for police officers in the Essex, Hertfordshire, Kent, Surrey and Thames Valley forces, its rate in 2010 was £2,000 <i>p.a.</i> ; in the case of the Bedfordshire, Hampshire and Sussex forces, the rate is £1,000 <i>p.a.</i>
Staff Side	one of the two sides of the Police Negotiating Board (the other being the Official Side), consisting of representatives of the police officer staff associations
Superintendents' Association	Police Superintendents' Association of England and Wales, the staff association for police officers at superintendent and chief superintendent ranks
Unison	the largest of the trade unions representing police staff in England, Scotland and Wales; Unison has approximately 44,000 police staff members
UPP regulations	unsatisfactory performance procedure regulations made under the Police Act 1996 containing procedures for dealing with unsatisfactory performance by police officers between the ranks of constable and chief superintendent (but not probationary constables)
variable shift arrangement	an arrangement made by a chief officer, with the agreement of the local joint branch board of the Police Federation, for all or a particular class of officers in the force to work shifts of a different length to the normal eight-hour tour of duty

Attention is drawn particularly to the use of the male gender when both sexes are or either sex is meant. This approach has been used only to simplify the drafting of this report. The review is of course conscious of the significant numbers of police officers and police staff who are female; they are, as explained above, included in every such reference.

In this report, a number of documents are frequently cited. For ease of reference, those citations have been abbreviated as follows:

ACPO submission	<i>ACPO Submission: Independent Review of Police Officers and Staff Remuneration and Conditions</i> , Association of Chief Police Officers, October 2010
APA submission	<i>APA Response to the Review of Remuneration and Conditions of Service for Police Officers and Staff</i> , Association of Police Authorities, November 2010
CPOSA submission (1)	<i>Chief Police Officers' Staff Association Initial Submission to the Independent Review of Police Officers' and Staff Remuneration and Conditions</i> Chief Police Officers' Staff Association, November 2010
CPOSA submission (2)	<i>CPOSA Supplementary Submission to the Independent Review of Police Officers' and Staff Remuneration and Conditions</i> , Chief Police Officers' Staff Association, December 2010
Deployment seminar	<i>Transcript of the pay review seminar on deployment</i> , review.police.uk, 9 November 2010
Desborough report	<i>Report of the Committee on the Police Service of England, Wales and Scotland</i> (Chairman: Lord Desborough), HMSO, London, July 1919 and January 1920
Edmund-Davies report	<i>Report of the Committee of Inquiry on the Police</i> (Chairman: Lord Edmund-Davies), Cmnd 7283, July 1978
Exits and pensions seminar	<i>Transcript of the pay review seminar on exits and pensions</i> , review.police.uk, 10 November 2010
Police Federation submission (1)	<i>PFEW Submission to the Independent Review of Police Officers' and Staff Remuneration and Conditions</i> , Police Federation of England and Wales, November 2010
Police Federation submission (2)	<i>PFEW Supplementary Submission to the Independent Review of Police Officers' and Staff Remuneration and Conditions</i> , Police Federation of England and Wales, December 2010
Police Superintendents' Association submission (1)	<i>Submission: Review of Remuneration and Conditions of Service for Police Officers and Staff</i> , the Police Superintendents' Association of England and Wales, November 2010
Police Superintendents' Association submission (2)	<i>Police Superintendents' Association of England and Wales: Critique of Submissions to Winsor Review of Other Interested Parties</i> , Police Superintendents' Association of England and Wales, December 2010
Post and performance-related pay seminar	<i>Transcript of the pay review seminar on post and performance-related pay</i> , review.police.uk 11 November 2010

Royal Commission report

Interim Report of the Royal Commission on the Police
(Chairman: Sir Henry Willink QC), Cmnd 1222,
November 1960

Unison submission

*Unison Pay and Conditions Strategy to Improve Police
Performance – Unison Submission to the Independent
Review of Police Officers' and Staff Remuneration and
Conditions*, Unison, November 2010

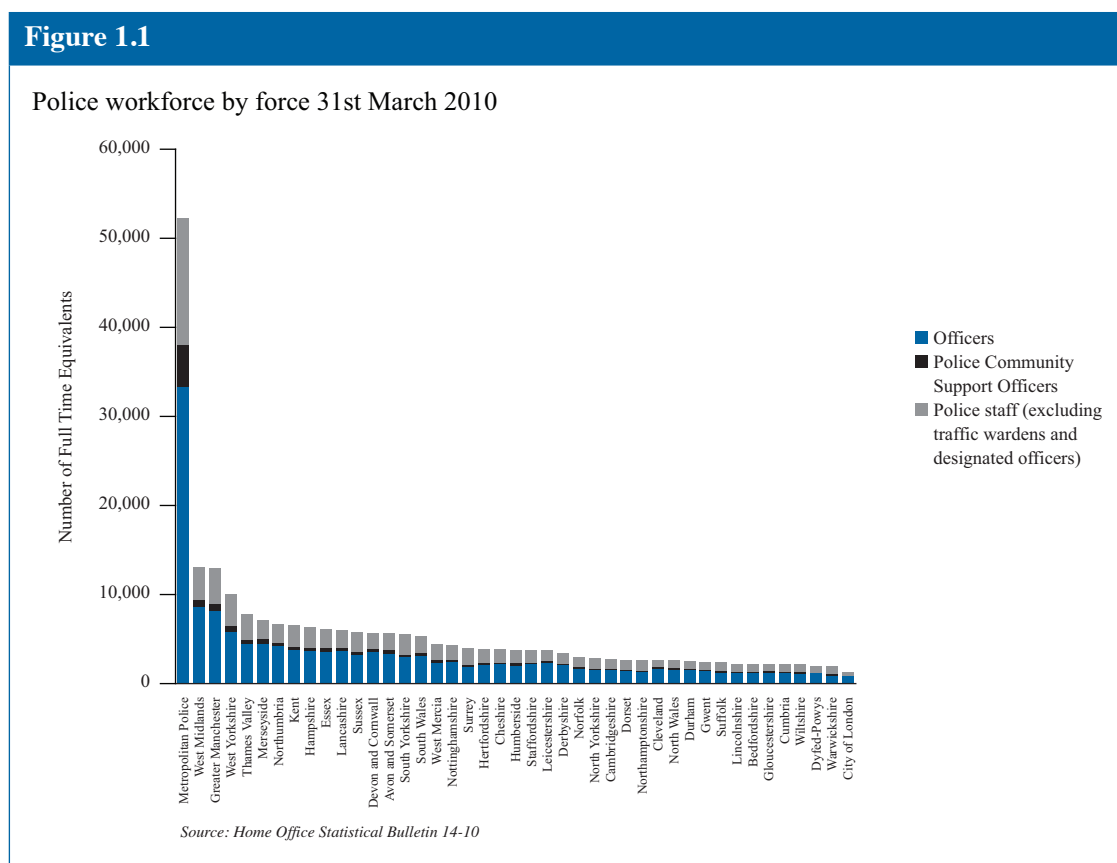
The documents in question and the transcripts of the seminars are available on the review's website.

1 Context

- 1.0.1 The police service has changed very significantly since the Committee of Inquiry into the Police, chaired by Lord Edmund-Davies, published its report on police pay in 1978. The composition of the workforce, the variety of different jobs – including highly specialised ones – which police officers now do, and the level of public scrutiny they receive is markedly different. This Chapter discusses each of these areas to provide a contextual background to the recommendations in this report. It also considers how total police officer and staff pay compare with pay in other occupations, including the variance in regional employment markets.

Workforce changes

- 1.0.2 Since 1978, the size of the police service increased by an additional 35,500 police officers to a total of 143,734 in March 2010. These officers have also received increasing support from police staff, who have more than doubled in numbers in this period, to a total of 77,900 and a further 16,915 Police Community Support Officers¹. Indeed, the only reduction in resources has occurred in the special constabulary (volunteer police officers), which has reduced from 16,952 officers in 1978 to 15,555 in March 2010, although it should be noted that recruitment and retention of special constables has been increasing in recent years.
- 1.0.3 These national figures must be considered with an appreciation of the very substantial variation in the sizes of the workforces of the 43 territorial police forces in England and Wales. These range from 52,190 police officers and staff (including PCSOs) in the Metropolitan Police Service, to 1,214 officers and staff in the City of London Police and 1,876 in Warwickshire Police. Figure 1.1 shows the range in size of officer and staff workforces in England and Wales.

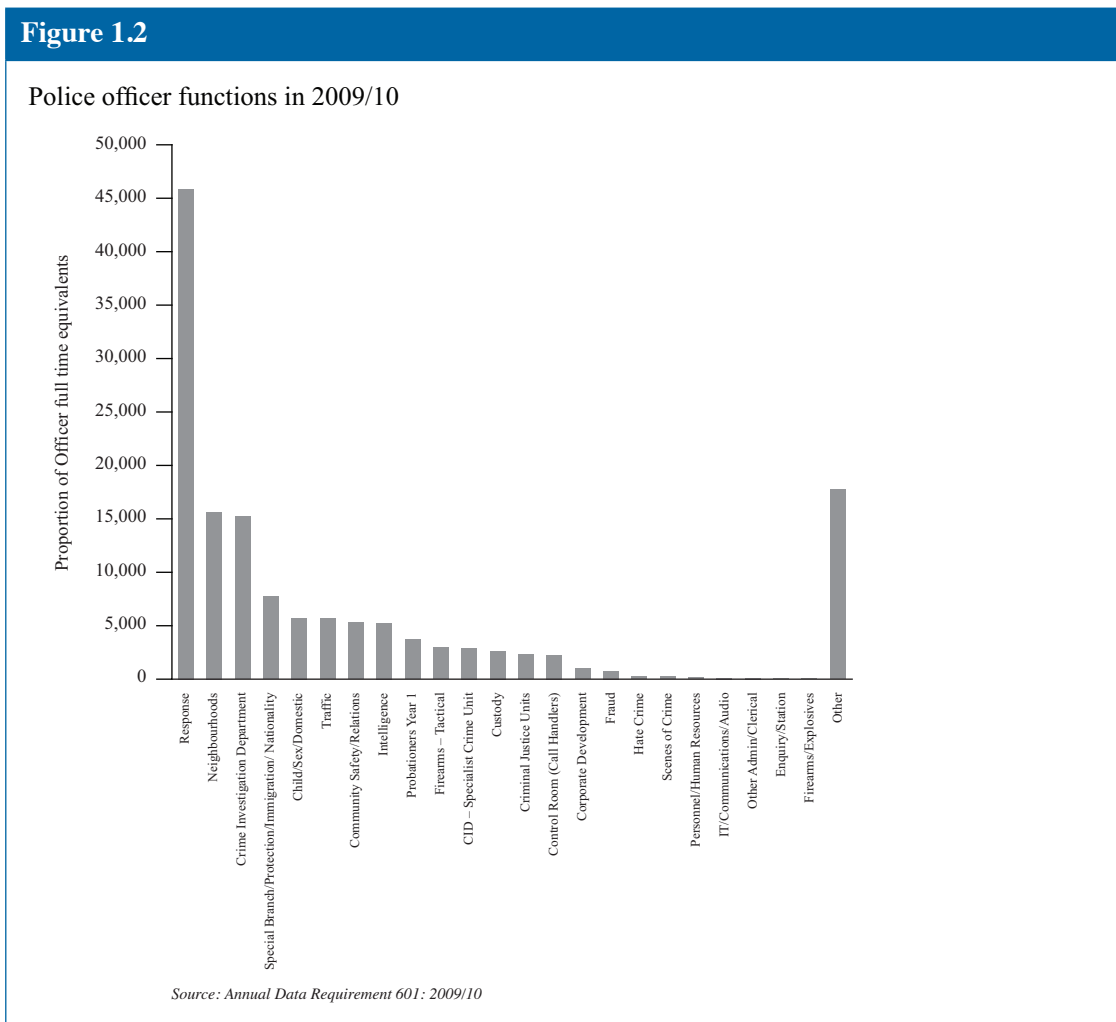


- 1.0.4 These recruits have contributed to a significant change in the composition of the police workforce. In 1978, over 93% of police officers were male; female officers now comprise 26%

¹ Home Office Statistical Bulletin 1410: Supplementary tables, Home Office, 31 March 2010

of all police officers. There has been an increase in the number of black and minority ethnic officers, who now make up 4.6% of the service². There are now many more people joining the police service with higher-level educational qualifications; 27% of new recruits possess a first degree or higher. Sixty-four *per cent* of police staff (including PCSOs) are female and 7% are black or from minority ethnic backgrounds, which demonstrates that the police service has an increasingly mixed workforce³.

- 1.0.5 The nature of policing has also changed since the Edmund-Davies report, with the police service becoming increasingly specialised in terms of roles and skills. For example, Kent Police has 529 different police officer roles and 752 different police staff roles⁴. Several policing-specific accreditation schemes have also been introduced, particularly the Professionalising Investigation Programme (PIP) which has marked out detectives as carrying out an even more specialised role. The largest proportion of police officers still remain in 24-hour response and neighbourhood policing roles. Figure 1.2 demonstrates the variety of specialist functions in the police.



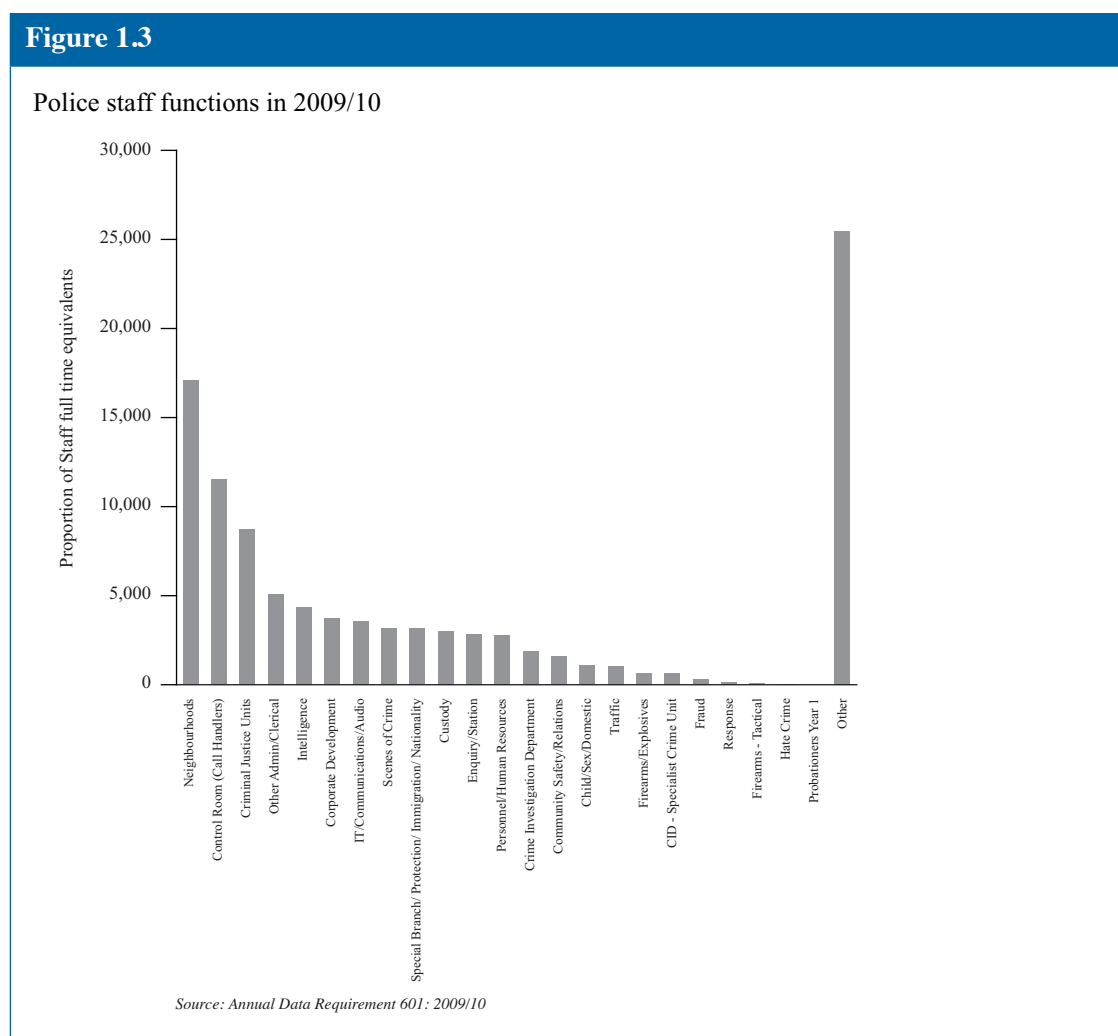
- 1.0.6 In relation to police staff, the largest proportion is in neighbourhood policing (predominantly PCSOs), call-handling and criminal justice units. However, there are a number of more specialised roles for police staff, including in intelligence and scenes of crime, and as detention officers in custody suites. In these cases, police staff members contribute significantly to the police service, not only through their specialist skills and experience, but also by freeing up

² *ibid.*

³ *ibid.*

⁴ Data provided by Kent Police in November 2010

police officers to perform duties which require the power of search and arrest. Figure 1.3 illustrates the variety of police staff functions.



- 1.0.7 The police service has also had to respond and adapt to a number of different external changes in this period. Society has become less respectful of and deferential to authority, and the public expect and demand much more from their public services. In particular, there has been an increase in the statutory scrutiny of policing functions, most notably under the Police and Criminal Evidence Act 1984, the Freedom of Information Act 2000, the Police Reform Act 2002 (which created the Independent Police Complaints Commission) and the Police (Health and Safety) Act 1997 which applies relevant health and safety legislation to the police.

1.1 Policing in the wider labour market

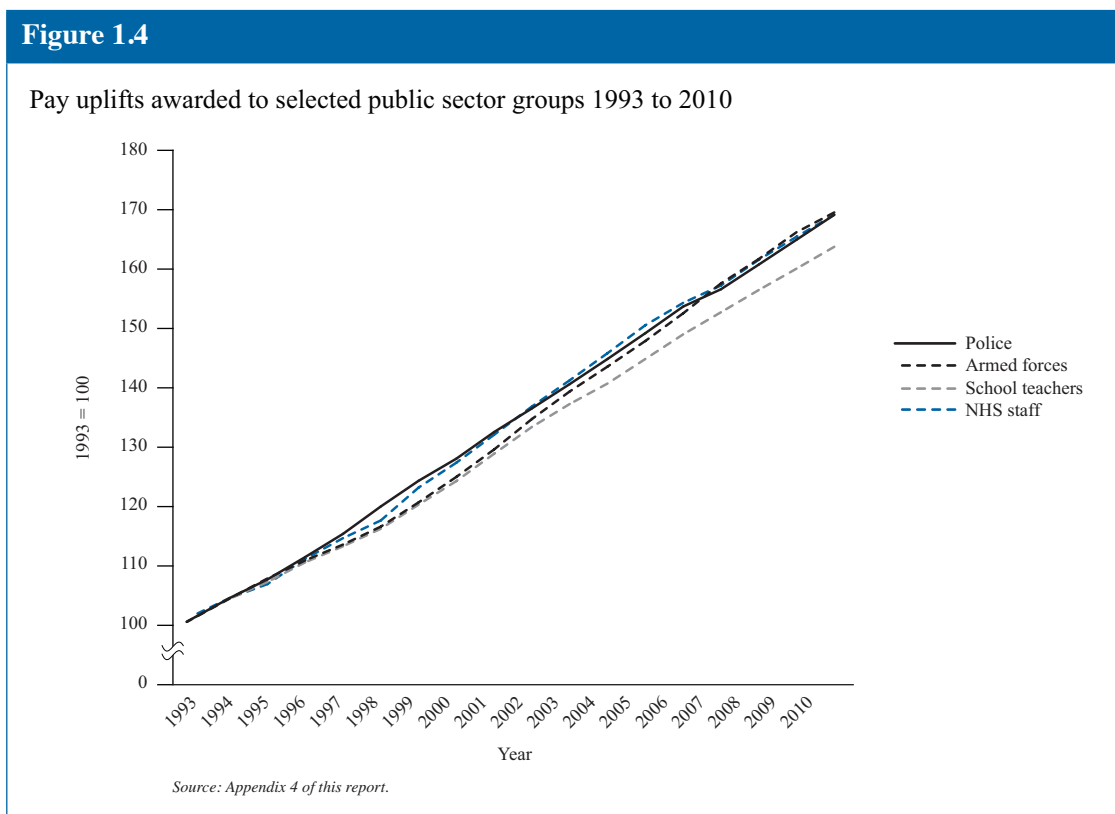
- 1.1.1 Police officer pay increases have been closely linked to pay movements in the wider labour market since the 1960s. The Royal Commission on the Police in 1960 recommended an updating system based on the wages of some skilled manual workers, although this was not implemented⁵. Instead, police officer pay continued to be related to the wages of manual workers. By 1978, Lord Edmund-Davies' committee found that police officers were significantly underpaid, and recommended a basic pay increase for all police officers; for a long-service police constable this led to a rise of approximately 45%⁶. To ensure that police officer pay was kept up to date, his review recommended linking police pay with an index of

⁵ Royal Commission

⁶ Edmund-Davies, *Report II*, pages 31 and 76; based on a 15-year service provincial police constable

the average earnings of all employees during the previous 12 months⁷. Police pay would therefore rise in line with pay movements in the wider employment market. This figure was derived from the average monthly earnings of all employees using the ‘New Earnings Survey’ (which has since become the Annual Survey of Hours and Earnings or ‘ASHE’). In doing so, the Edmund-Davies committee sought to ensure that police officers should neither financially benefit nor suffer, in comparison with the community that they police.

- 1.1.2 The index was changed in 1994 to replace average earnings with average settlements in the private sector. Average earnings take account of all aspects of changes in pay, such as overtime and allowances, whereas average settlements refer only to the annual uplift of the pay scales⁸. However, Professor Richard Disney found that this did not have a material effect on police officer pay settlements, in comparison with other public services. Taking 1993 as a base, Figure 1.4 shows that police officers broadly kept pace with NHS staff and the armed forces during this period, with school teachers lagging slightly behind by 2010.



- 1.1.3 Professor Disney provides a caveat to these findings when he states that the comparison is only based on annual pay uplifts and does not take into account wider changes in pay over this period, such as the NHS’s ‘Agenda for Change’ reforms, which put all NHS staff onto a single national pay banding system. However, such an analysis on its own does not establish whether police officers are paid too much or too little in comparison with other workers. For that reason, Professor Disney also compared the pay scale rates of police constables and sergeants with paramedics in the NHS, fire officers and members of the armed forces. His findings in this respect are summarised in Table 1.1.

⁷ Edmund-Davies, *Report II*, page 65 (para 261)

⁸ *The difference between pay settlements and earnings growth*, S. Miller, Incomes Data Services, 2005, page 2

Table 1.1: Comparison with other scale rates in selected public sector occupations							
Police	Ambulance		Firefighters		Armed Forces		
Sept 2010 scale rates	Agenda for Change scale rates: April 2010		July 2009 scale rates		2010-11 scale rates including 'x-factor'		
Police constable	Band 5: paramedic		Firefighter		Range 1 e.g. Private/Able rating/ Aircraftman		
0 £23,259	16	£21,176	Trainee	£21,157	1	£17,015	
1 £25,962	17	£21,798	Development	£22,038	2 min/max	£17,486	£18,432
2 £27,471	18	£22,663	Competent	£28,199	3 min/max	£17,957	£20,420
3 £29,148	19	£23,563			4 min/max	£19,529	£21,773
4 £30,066	20	£24,554	Crew Manager		5 min/max	£20,582	£24,075
5 £31,032	21	£25,472	Development	£29,971	6 min/max	£21,442	£25,246
6 £31,917	22	£26,843	Competent	£31,263	7 min/max	£22,359	£26,405
7 £32,703	23	£27,534			8 min/max	£23,383	£27,592
8 £33,753					9 min/max	£24,230	£28,940
9 £35,796							
10 £36,519					Range 2: e.g. Leading rate/ Corporal		
					1 min/max	£26,405	£27,592
					2 min/max	£27,592	£28,940
					3 min/max	£28,940	£30,357
					4 min/max	£29,161	£31,065
					5 min/max	£29,390	£31,814
					6 min/max	£29,624	£32,474
					7 min/max	£29,840	£33,182
Police sergeant	Band 6: Ambulance practitioner advanced, to emergency team leader		Watch Manager		Range 3: Petty Officer/Sergeant		
0 £36,519	21	£25,472	Development	£31,940	1 min/max	£30,103	£32,756
1 £37,767	22	£26,483	Competent A	£32,827	2 min/max	£30,799	£33,604
2 £39,033	23	£27,534	Competent B	£34,961	3 min/max	£31,573	£34,456
3 £39,867	24	£28,470			4 min/max	£31,892	£34,890
4 £41,040	25	£29,464			5 min/max	£32,723	£35,570
	26	£30,460			6 min/max	£33,854	£36,249
	27	£31,454			7 min/max	£34,112	£36,929
	28	£32,573					
		£34,189					

1.1.4 Drawing on this evidence, Professor Disney concluded that:

“police officer scale rates are generally 10 to 15% higher than those of the other emergency services and for similar ranks in the armed forces⁹.”

1.1.5 An examination of the weekly earnings of police officers provides an alternative method of comparison. To achieve this, Professor Disney used the Office of National Statistics’ Annual Survey of Hours and Earnings, which is the most comprehensive survey of earnings across all occupations. The ONS have chosen to place police constables and sergeants in a single group, with the ranks of inspector to chief officer classed as a separate group.

1.1.6 Table 1.2 shows that the median weekly earnings of the male police constables and sergeants group were £743.40 in 2009, slightly above what Professor Disney has described as “white collar occupations”, such as quantity surveyors, some legal professionals, veterinary surgeons and accountants. It is notable that all of these professions have significantly higher pre-entry qualifications than does the police service. For example, a police officer on recruitment does not require any formal academic qualifications, whereas to become a veterinary surgeon it is necessary first to obtain a five-year undergraduate degree for which the admission requirements are amongst the highest of all university courses. Yet, on average, employed veterinary surgeons earn less than police officers.

⁹ see Appendix 5

Table 1.2: Weekly pay – Gross (£) – For male employee jobs: United Kingdom, 2009

Description	Code	Number of jobs (thousand)	Median	Annual percentage change	Mean	Annual percentage change	Percentiles			IQR 75 to 25 ratio
							25	75	Annual percentage change	
All employees		12,249	491.0	1.4	589.3	0.9	330.7	716.7	2.2	
Medical practitioners	2211	108	1,384.6	0.3	1,536.4	4.4	888.2	2,074.3	2.3	
Financial managers and chartered secretaries	1131	204	1,174.2	2.0	1,360.7	2.0	813.0	1,667.3	2.1	
Senior officials in national government	1111	8	1,150.3	-7.8	1,250.0	-0.6	x	x	x	
Air traffic controllers	3511	6	1,146.6	-1.2	1,210.1	-3.3	x	x	x	
Brokers	3532	20	1,107.7	-3.7	1,521.4	2.1	766.6	1,800.3	2.3	
Police officers (inspectors and above)	1172	13	1,026.0	2.7	1,126.2	3.2	957.6	1,214.9	1.3	
Solicitors and lawyers, judges and coroners	2411	46	996.6	4.5	1,174.2	3.4	716.8	1,556.3	2.2	
Legal professionals	241	53	957.9	2.1	1,138.3	2.4	688.0	1,533.2	2.2	
Functional managers	113	868	923.1	0.4	1,081.8	-0.4	672.4	1,310.3	1.9	
Train drivers	3514	24	768.9	4.5	784.4	3.9	756.7	802.3	1.1	
Health and social services managers	118	48	767.8	3.5	806.9	6.1	575.5	959.9	1.7	
Electrical engineers	2123	27	766.7	-2.5	803.4	-0.8	624.2	955.8	1.5	
Managers and senior officials	1	2,427	764.9	1.5	922.2	-0.2	538.8	1,104.8	2.1	
Chartered and certified accountants	2421	51	747.4	3.7	789.5	2.9	567.7	925.3	1.6	
Mechanical engineers	2122	41	743.9	2.1	765.6	4.3	562.8	925.2	1.6	
Financial institution and office managers	115	224	743.8	-0.4	849.0	-1.9	549.9	1,029.5	1.9	
Police officers (sergeant and below)	3312	193	743.4	0.7	769.9	0.3	625.4	860.5	1.4	
Management accountants	2422	8	739.8	8.8	788.5	9.8	610.5	x	x	
Veterinarians	2216	x	738.1		858.2		x	x	x	
Legal professionals (not elsewhere categorised)	2419	6	737.5	-7.1	866.1	-7.5	453.5	x	x	
Quantity surveyors	2433	28	732.9	4.9	747.7	5.8	506.4	980.8	1.9	
Senior officers in fire, ambulance, prison and related services	1173	19	732.3	0.1	851.8	2.4	627.3	920.1	1.5	
Paramedics	3213	12	710.2	2.0	743.5	4.3	x	815.4	x	
Nurses	3211	78	580.8	7.0	582.8	7.4	477.0	684.2	1.4	
Fire service officers (leading fire officer and below)	3313	64	552.9	-1.5	518.2	-0.6	426.3	644.8	1.5	
Probation officers	2443	7	552.1	0.8	552.6	9.4	448.0	x	x	
Prison service officers (below principal officer)	3314	41	527.1	0.2	514.8	0.6	399.3	587.5	1.5	

Source: ASHE, Table 14.1a, 2009 release

- 1.1.7 From this, Professor Disney stated that the median weekly pay of male constables and sergeants:
- “exceeds those of paramedics by around £30 per week, nurses by around £160 per week, firefighters (below senior level) by around £190 per week, and prison service officers by around £210 per week¹⁰.”*
- 1.1.8 On this basis, it is clear that police officers receive substantially higher weekly median earnings than some other public sector employees. However, it should be noted that by merging constables and sergeants, it is difficult to make like for like comparisons. A separate category of male ‘senior officers in fire, ambulance, prison and related services’ has median weekly earnings of £732.30, £11 less than the median for constables and sergeants. It could be argued that these manager roles are more comparable with the sergeant rank, although account should also be taken of the autonomy and discretion of a police constable. However, the combined median weekly pay of constables and sergeants is still higher. Constables’ earnings will have lowered the median of police officer pay for sergeants, which means that the median of sergeants’ weekly earnings will be considerably higher than those senior ranks in other public services.
- 1.1.9 Male police officers at the ranks of inspector to chief officer received median weekly earnings of £1,026 in 2009, which Professor Disney said was “just over double the median average earnings for men as a whole¹¹.” This amount puts them alongside professions such as brokers, solicitors and judges in terms of their weekly earnings. Unfortunately, the ASHE data do not allow for more specific comparisons, such as how the superintendent and chief officer ranks compare in the wider employment market.
- 1.1.10 Table 1.3 sets out the position for female police officers. Professor Disney found that female constables’ and sergeants’ median weekly earnings are £624.90, which are approximately £120 a week less than their male equivalents. There may be several reasons for this potential inequality, including the pay scales themselves, which are discussed more fully in the Chapter 3.

¹⁰ *ibid.*

¹¹ *ibid.*

Table 1.3: Weekly pay – Gross (£) – For female employee jobs^a: United Kingdom, 2009

Description	Code	Number of jobs ^b (thousand)	Median	Annual percentage change	Mean	Annual percentage change	Percentiles		IQR 75 to 25 ratio
							25	75	
All employees		12,001	309.8	3.5	370.2	3.2	177.1	490.4	2.8
Directors and chief executives of major organisations	1112	10	1,575.2	2.1	1,697.8	8.7	1,073.0	x	x
Police officers (inspectors and above)	1172	x	1,108.5	-4.8	1,155.2	-7.2	x	x	x
Corporate managers and senior officials	111	31	884.2	14.9	1,063.9	7.6	544.1	1,435.6	2.6
Medical practitioners	2211	82	848.5	-1.9	1,006.4	-0.2	622.6	1,248.8	2.0
Protective service officers	117	7	785.0	15.5	819.6	4.8	584.8	x	x
Solicitors and lawyers, judges and coroners	2411	59	775.5	5.6	934.2	7.8	536.9	1,149.9	2.1
Hospital and health service managers	1181	38	771.0	8.4	801.8	7.3	621.1	958.9	1.5
Senior officers in fire, ambulance, prison and related services	1173	x	755.0	14.8	799.5	12.6	x	x	x
Train drivers	3514	x	706.7	1.0	767.8	5.3	x	x	x
Paramedics	3213	4	645.9	6.0	617.3	1.3	x	x	x
Information and communication technology professionals	213	62	631.6	6.9	674.3	2.9	478.5	809.0	1.7
Health and social services managers	118	104	629.2	4.5	647.0	4.0	456.1	789.8	1.7
Transport and distribution managers	1161	9	629.0	7.3	653.3	10.3	445.5	x	x
Secondary education teaching professionals	2314	272	625.9	0.2	601.6	0.6	442.4	749.7	1.7
Police officers (sergeant and below)	3312	60	624.9	2.3	645.8	2.0	532.6	739.4	1.4
Production, works and maintenance managers	1121	74	624.0	2.6	688.2	0.9	418.7	862.4	2.1
Education officers, school inspectors	2313	14	619.8	-7.4	647.6	-2.9	437.1	843.9	1.9
Production managers	112	82	615.9	1.0	681.5	0.4	420.9	857.9	2.0
Business and statistical professionals	242	92	611.9	2.4	642.2	-0.1	460.2	775.0	1.7
Psychologists	2212	18	604.9	-0.8	672.2	1.8	475.9	870.4	1.8
Veterinarians	2216	7	561.8	-3.0	651.8	16.0	480.2	x	x
Fire service officers (leading fire officer and below)	3313	4	534.2	2.5	503.3	-7.1	x	x	x
Dental practitioners	2215	7	525.4		527.6	7.3	x	x	x
Nurses	3211	557	495.5	3.4	493.3	4.6	355.8	622.2	1.7
Prison service officers (below principal officer)	3314	16	412.6	-0.7	434.2	1.6	353.2	522.5	1.5

Source: ASHE, Table 14.1a, 2009 release

- 1.1.11 Despite this, female police constables' and sergeants' weekly median earnings were broadly comparable with employee groups such as secondary school teachers, production managers and psychologists. Again, some of these professions have substantially higher pre-entry qualifications. In comparison with other public sector employees, Professor Disney found that:

“As with male police officers, female police officers earn significantly more than female firefighters, nurses and prison officers, although considerably less than female train drivers and slightly less than female paramedics¹².”

- 1.1.12 For female police officers at the ranks of inspector to chief officer, Professor Disney was unable to produce a complete statistical analysis because there are so few senior women officers¹³. However, he did comment that their weekly median earnings of £1,108.50 are higher than those of their male police officer equivalents, and the second highest identifiable occupation, below 'Directors and chief executives of major organisations'.
- 1.1.13 Taken together, Professor Disney's analysis of the pay scales and earnings have identified that police officers' pay is markedly higher than the pay of other public-sector employees, and at a comparable level to private-sector professionals who require significantly higher pre-entry qualifications.

1.2 Regional and international comparisons

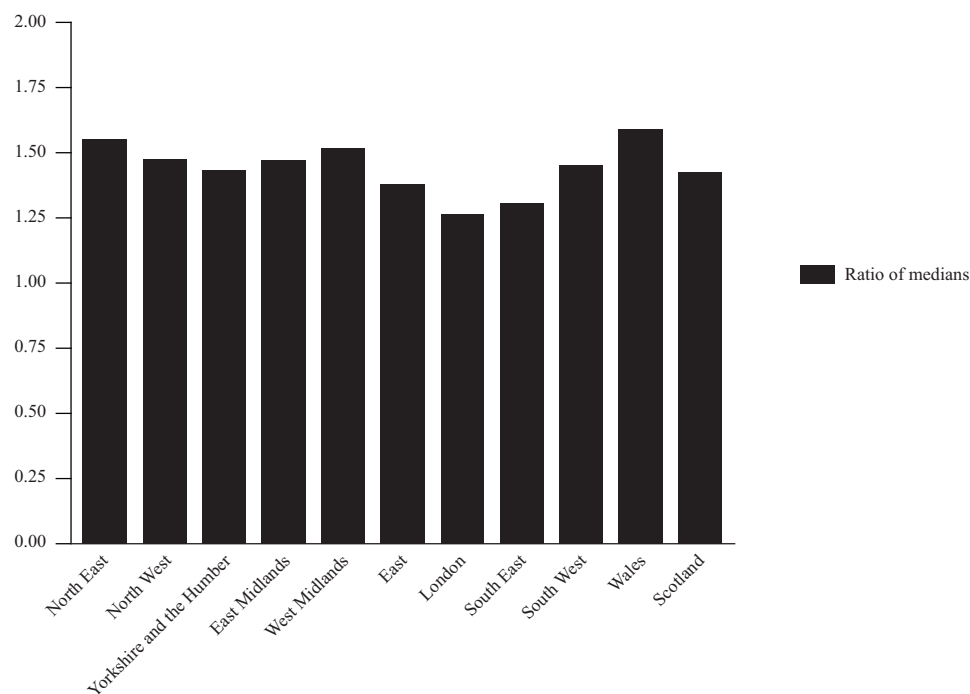
- 1.2.1 Police officers have national scale rates. This means that a constable will receive the same basic salary no matter where he works or lives in England and Wales. The only exceptions to this are the London weighting and allowances and the south-east allowances, which are discussed in more detail in Chapter 5. Professor Disney compared the average male police officer's weekly pay with the average pay of all occupations in each region. The average weekly pay for each region is calibrated at 1.0, so any figure which is higher than 1.0 establishes that police officers are better paid than the regional average. Figure 2.5 sets this out.

¹² *ibid.*

¹³ It will of course take time for the highest ranks in the police to be attained by significant numbers of women, although there are presently substantially more female chief officers than ever before.

Figure 1.5

Ratio of police pay medians to medians for all occupations, by region:
for weekly pay of male officers, 2009



Source: Appendix 4.

- 1.2.2 As Professor Disney noted, police officers are paid more than the average worker in every region of the country. However, some officers receive a greater level of reward than others because the cost of living and the average wage in some regions are substantially lower than in others. For example, a constable in Wales or the north-east of England receives approximately 60% more than the average regional wage. By comparison, the lowest ratio is understandably in London, where police officers are still better paid than the average occupation, but receive only approximately 25% more than the average pay. Officers across the country will perform similar roles, but the level of reward is markedly different. This variance is inherently unfair on police officers in London and the south-east of England, and Part 2 of the review will consider whether there is a case for moving the police service back to a system of regional pay, something it had in the first part of the 20th century before national rates of pay were introduced.

1.3 Recruitment and retention

- 1.3.1 An analysis of recruitment and retention data indicates that the role of a police officer is an attractive career and, once in the police service, police officers rarely leave before they attain their full pension entitlements.
- 1.3.2 Data from 2003 onwards indicate that the national number of applications for police officer roles has fluctuated between a low of 14,869 in 2007/8 and a high of 40,808 in 2008/9¹⁴. Therefore there is no shortage of interest in the police, which means that the remuneration and conditions package is not deterring applicants. However, it is not possible to establish from this data whether the police service is attracting the right calibre of applicant. Not everyone who applies to join the police is suitable to be a police officer. Part 2 of the review will consider this

¹⁴ Data are provisional and have not been verified by forces. The numbers of applications sent out exclude applications made on the www.policecouldyou.co.uk website and a growing use of recruitment events instead of applications, which might explain the relatively recent drop in applications in this data. The figures exclude applications made by transferees from other forces and the applications-received totals refer to formal application forms and do not include informal expressions of interest.

issue in more detail, including whether basic pay is set at the right level to recruit and retain the best candidates.

Financial Year	Applications sent out	Applications received
2003/04	129,113	39,264
2004/05	86,178	24,478
2005/06	70,469	34,862
2006/07	28,137	14,869
2007/08	61,456	40,823
2008/09	41,809	40,808
2009/10	13,779	17,586

- 1.3.3 In relation to retention, Professor Disney found that the average ‘wastage rate’ of police officers (the numbers of officers who leave the service each year, including retirements) was approximately 4.7% of a police force’s strength in 2009/10. He compared this figure with voluntary turnover rates in the private sector, which were approximately 13% in 2008/09, although he noted that that was a particularly low figure because of the prevailing condition of the economy. Despite this, it is clear that the police officers’ wastage rate is comparatively low, which indicates that the total remuneration package, including the pension, is sufficient to retain most police officers.

1.4 X-factor

- 1.4.1 It should be noted that both the Royal Commission and the Edmund-Davies committee concluded that the role of a police officer cannot be compared with precision with any single group of workers. Edmund-Davies concluded that:

“the unique nature of the police service and the work they do makes [comparison] impossible¹⁵.”

- 1.4.2 It is certainly true that there are elements of police officer terms and conditions which are unique. In particular, the Police Federation argued that the particular constraints on the freedoms of police officers in some aspects of their and their families’ private lives should be reflected in the remuneration of police officers¹⁶. Part 2 of the review will endeavour to define and quantify what could be called the ‘x-factor’ which is present as an element in a police officer’s basic pay. Such an exercise was carried out by the Armed Forces Pay Review Body in 2009¹⁷. Interestingly, they balanced compensation for factors such as the liability for duty at all times and danger, with some of the advantages of the role such as job variety and adventure. A similar balancing approach could be applied to police officers. In the interim, a number of these issues are worthy of brief comment in relation to the short-term recommendations in this report.

- 1.4.3 The particular constraints relating to police officers include:

- **A duty to prevent and detect crime and uphold The Queen’s peace, even when off duty** (Police Act 1996, section 29 and Schedule 4). This is an important responsibility and one which directly benefits the wider community;
- **Prohibition from belonging to any trade union or withholding services in the form of strikes or other industrial action, for the purposes of pay, pensions or conditions**

¹⁵ Edmund-Davies, *Report II*, (1978), para 27, paragraph 102

¹⁶ Police Federation submission (1), page 1

¹⁷ Armed Forces Pay Review Body, *37th Report* (2008), page 32

of service (Police Act 1996, sections 64 and 91). Police officer pay should reflect this restriction, but there are also precedents elsewhere in the public sector, notably for members of the security services and the armed forces, as well as prison officers. Professor Disney directly compared the latter two employee groups with police officers, yet found that police officer scale rates and earnings are still appreciably higher;

- **Restrictions on the ability of officers** to belong to organisations, such as the British National Party, Combat 18 or the National Front (Annex AA of the Home Secretary's determinations made under Police Regulations 2003, Regulation 6 and Schedule 1). In principle, I am unconvinced that any responsible police officer would want to join such a group and therefore see no reason why they should be compensated for being prevented from doing so;
- **Prevented from taking an active part in politics** (Police Regulations 2003, Regulation 6 and Schedule 1). Although the police must be and be seen always to be neutral in matters of political controversy, I believe that in a free democracy this restriction should have some reflection in police officer remuneration;
- **Restrictions on the area, or specific premises, in which an officer can live** (Police Regulations 2003, Regulation 6 and Schedule 1). Data were sought from police forces on the extent to which a police officer was prevented from living in his desired area. However, the Chartered Institute for Professional Development (CIPD) Forum of Police Force Human Resources Directors informed the review that this rarely occurs in England and Wales¹⁸, so data were not collected. If that is correct, it may be unnecessary for any financial remuneration to be attached to this restriction. By contrast, during the review's visit to Belfast, the Police Federation of Northern Ireland (PFNI) and the Police Superintendents' Association of Northern Ireland explained that the terrorist threat in Northern Ireland has increased substantially in the last three years, and that police officers and their families are being targeted to increasing extents. As a result, the PFNI argued that this Regulation is now invoked to a greater extent than previously. They argued that the Northern Ireland transitional allowance is designed to compensate police officers for this, but that it has been reduced by 12.5% as part of the 1999 Patten Report's recommendations to restore the Police Service of Northern Ireland to pre-terrorism conditions. Although matters relating to Northern Ireland are outside the review's terms of reference, I believe that the Police Service of Northern Ireland and the Northern Ireland Policing Board should return the Northern Ireland transitional allowance to at least its pre-Patten levels.

Recommendation 1 – The Police Service of Northern Ireland and the Northern Ireland Policing Board should review the Northern Ireland transitional allowance with a view to increasing the rate by 12.5% to £2,994 for September 2010/11.

- **Restrictions on the level of personal debt** (Police Regulations 2003, Regulation 6 and Schedule 1). This issue was the subject of a separate joint submission by ACPO and Police Mutual (a friendly society which provides financial services to individual police officers, staff and their families)¹⁹. ACPO argue that this restriction is necessary to ensure that police officers do not become unduly susceptible to financial corruption. In particular, they found that the highest degree of what they called financial stress (the ability of an officer to withstand appreciable drops in his income) was found in officers between the ages of 25 and 36. However, it is not clear from the data to what extent this is indicative of a problem with that particular age group in society, rather than in the much narrower category of young police officers. An officer should not have exceeded his means, and it is not the role of any organisation to pay its workers more only because they are less likely to be able prudently to manage their finances. More generally, the inference of this submission is that officers could become more susceptible to corruption if there is a reduction in their pay.

¹⁸ At a meeting of the CIPD Forum on 21 October 2010

¹⁹ *Organisational health*, ACPO, February 2011, page 3

It is true that the very low rates of police pay in the 1960s and 1970s were accompanied by widespread low-level police corruption. However, police pay today is a very long way from its relative position in the pay markets of forty and more years ago, and there is no case for a special element in police pay to compensate officers for the requirement to be honest. I believe that any such specific allowance would be offensive to officers;

- **Restrictions on the ability to earn additional money outside the police service, including such restrictions on an officer's family** (Police Regulations 2003, Regulations 7 to 9). This issue is discussed in more detail in Chapter 2.

1.4.4 Part 2 of the review will include a detailed examination of the current basic pay of police officers, to determine whether it is appropriate in the longer-term. To inform this assessment, representations are invited as to:

- whether the present pay scales facilitate or hinder recruitment and retention;
- whether there is a case for equal reward rather than equal pay, with remuneration based on the average pay of where an officer works rather than where he lives; and
- whether it is possible to quantify an 'x-factor' for police officers, and how that might be achieved.

2 Deployment

The efficient and effective deployment of police officers and police staff is important in the economical discharge of the obligations of the police, particularly at a time of national and local financial constraints. Police officers and police staff should be fairly compensated for the work they do, taking full and proper account of the effects of the circumstances and demands of their service on their health and their family lives. The present system of police pay fails properly to differentiate between police officers who work unsocial hours, and those who do not, and provides for payments for overtime which are in excess of the actual hours worked.

This chapter includes recommendations to:

- introduce a supplementary hourly payment of 10% basic pay for Federated officers who work unsocial hours;
- remove shift premia for police staff who are contracted to work during the day at weekends;
- amend police regulations so as to require chief officers to consult with the local branch board of the Police Federation when deciding the optimum deployment of police officers and changes to shift patterns, and so remove the Federation's right of veto in that respect;
- retain the regime under which police officers are entitled to be paid for casual as well as planned overtime, with revisions of the rates for casual overtime and a new right for a police officer to nominate the days of the year which will qualify as his public holidays;
- pay for hours worked and not minimum periods, when police officers are working outside their police force areas under 'mutual aid' arrangements, with a higher standard of accommodation;
- make improvements to the regime which permits police officers to have second jobs and outside business interests; and
- incentivise special constables to work more unpaid hours for their communities, and improve the means by which the value of their work is recognised and acknowledged.

2.1 Unsociable hours – officers

Background

- 2.1.1 The demands on the police are unpredictable, and policing is a round-the-clock service. Unsocial hours have always been part of the police officer's way of life, although the modern circumstances of policing have changed that for some officers.
- 2.1.2 By the time of the Edmund-Davies committee's report on police pay in 1978, the expectation that all police officers in the Federated ranks would regularly work unsocial hours was so firm, that the committee recommended incorporating their supplementary pay into basic pay. Supplementary pay was to compensate constables, sergeants, inspectors and chief inspectors for working unsociable hours and shifts. For a long-service police constable, supplementary pay was almost 9% of his basic pay. In doing so, Lord Edmund-Davies reminded future generations that:

“Although consolidation [of supplementary pay into basic pay] does remove from pay a specific identifiable element for working unsocial hours, it should not be forgotten in the future that police pay does contain such an element”.¹

¹ Edmund-Davies, report II, page 29

- 2.1.3 Thirty-three years later, this *has* been forgotten by most police officers and many others. It has now become accepted that a police officer can transfer from shift work in a 24-hour response team to a post with normal daylight office hours, without suffering any reduction of his pay. Such an anomaly would be acceptable if it were rare, as it would have been when Lord Edmund-Davies produced his report. However, the analysis and modelling undertaken for this review indicates that this is no longer the case.

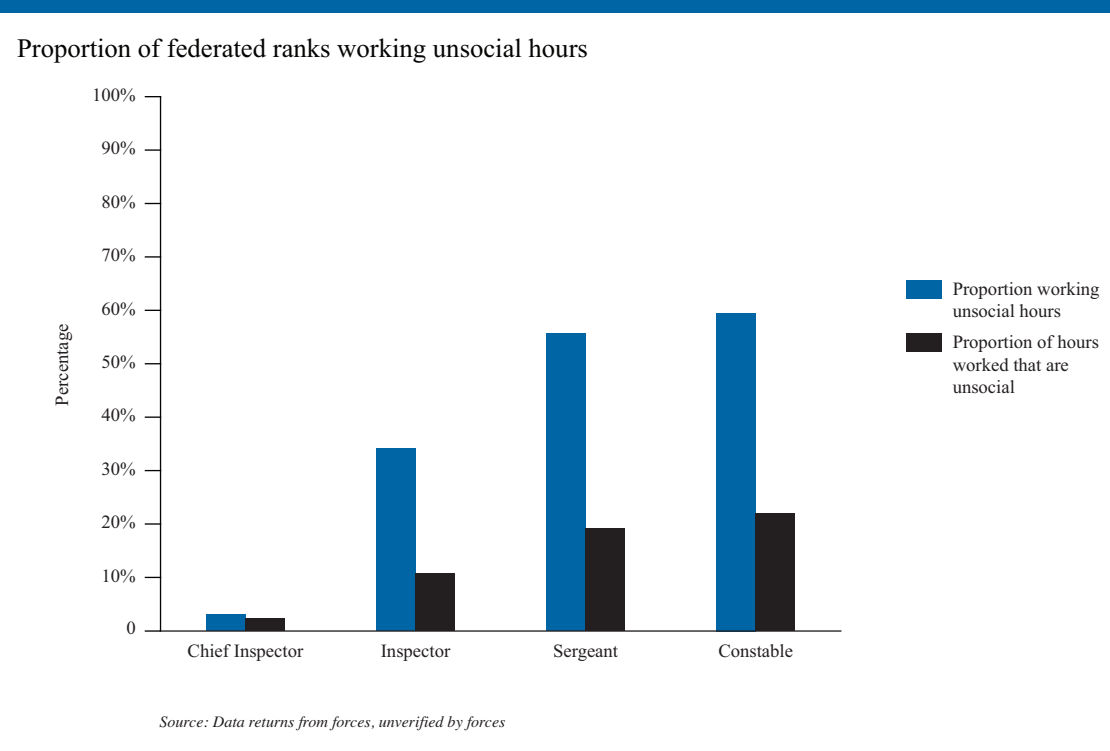
Analysis

- 2.1.4 There are limited national data on the hours worked by police officers. HMIC's *Valuing the Police* report examined five police forces at three fixed time periods, namely Monday morning, Wednesday evening and Friday night. HMIC found that the visible service to the public, which includes Police Community Support Officers, differs as a percentage of the total officer and PCSO workforce across the three different times. In particular, it said that, as a percentage of those available for duty, there are more visible officers on duty during the day than there are during the peak demand period of a Friday night².
- 2.1.5 A new study was conducted for this review into the working hours of police officers. Twenty-two of the 43 police forces responded to a request to provide the numbers of officers on duty in every hour over two 24-hour periods: a Wednesday and a Saturday in December 2010. These periods were chosen to give an indication of a weekday and weekend period. As they were 24-hour periods, they covered four different shifts on a standard eight-hour duty rotating shift system. For example, for the Saturday in December, this included a Friday night shift and Saturday early, late and night shifts. Not all forces were able to respond to the request. Some stated that they do not have the information technology capability to determine how many officers are on duty at a particular time. It is understood that the consultancy firm KPMG encounters this lack of basic duty data regularly in their work on 'Operation Quest'³.
- 2.1.6 The data received were extrapolated to a national level, which indicates that approximately 43% of the Federated ranks do not regularly work unsocial hours (I have determined this period to be 8:00pm and 6:00am, which is discussed in more detail later in this chapter). This is a significant number of officers, approximately 60,000 across England and Wales, and represents a marked departure from the working arrangements of 1978, when almost all Federated officers worked unsocial hours.
- 2.1.7 The data also indicate that there is a degree of unfairness in the distribution of unsocial hours which varied by rank. Figure 2.1 shows the percentage of officers working unsocial hours compared with the total proportion of unsocial hours worked. For example, the graph indicates that approximately 60% of constables regularly work unsocial hours, and that between them, they are required to cover all of the unsocial hours, in their case approximately 20% of all the hours worked by constables. The greater the proportion of officers who are available to work unsocial hours, the fewer occasions that individual officers have to work to cover those unsocial hours. While chief inspectors are less likely, routinely, to work unsocial hours, those who do have to perform many more unsocial shifts to cover the unsocial hours shifts. This is inevitably true, due to their smaller numbers, and is especially an issue for detective chief inspectors. To some extent, this is understandable, as constables are the most numerous rank and operate with a high degree of autonomy and discretion, often requiring minimal supervision by more senior ranks. However, the current pay structure operates to the detriment of the few chief inspectors who do regularly work unsociable hours. These officers tend to be in response teams or criminal investigation departments. They have to assume greater responsibility because fewer of them are on duty overnight, yet they receive no financial benefit, in comparison with their contemporaries who work normal daylight office hours.

² *Valuing the Police: Policing in an age of austerity*, Her Majesty's Inspectorate of Constabulary, London, July 2010, page 14

³ KPMG was commissioned by the Home Office to support the roll out of 'Operation Quest' in pilot forces. KPMG worked with pilot police forces to examine their demand and provide a more efficient and effective form of deployment.

Figure 2.1



- 2.1.8 In terms of the effect on the individual, it is clear from research in other employment fields that shift working is detrimental to personal and family life. In addition to the difficulties created in domestic life, shift working has also been found to restrict social and leisure activities. For example, a study by Lipovcan, Prizmic Larsen & Zganec found that nightshift workers rated their quality of life more poorly than other groups of workers⁴.
- 2.1.9 Successive studies have also shown that night working and rotating shift patterns can significantly and adversely affect an individual's physical health⁵. The adverse health effects of shift-working are considered to be a result both of the chronic disruption to what Haus & Smolensky term the 'circadian rhythms'⁶ (broadly, the 24-hour biological rhythm which the body follows), and the employment of unhealthy coping strategies, such as smoking, lack of exercise and increased alcohol intake, identified by Kivimari, Kuisma, Virtanen, & Elovainio⁷.
- 2.1.10 In conducting this new analysis, it is, of course, understood that the police service is not the only service which requires 24-hour cover, and it is acknowledged that few other services have the particular constraints and unpredictable demands which apply to the police. Table 2.1 provides a summary of the public and private sector organisations which were considered in this review. It is not the purpose of this review to make direct comparisons between the weights of these jobs and those of police officers; this summary is simply illustrative of the wider employment market:

4 *Quality of life, life satisfaction and happiness in shift and non-shiftworkers*, K. Lipovcan, P. Larsen, N. Zganec, *Revista de Saude Publica* 38 (2004) suppl; pages 3-10.

5 Burch et al (2009)

6 *Biological clocks and shift work: circadian dysregulation and potential long-term effects*, E. Hans, M. Smolensky, *Cancer Causes Control* 17, 2006, pages 489-500.

7 *Does shift work lead to poorer health habits?*, M. Kivimari, P. Kuisma, M. Virtanen & M. Elovainio, *Work & Stress*, 15(1), pages 3-13.

Table 2.1	
Employer	Summary of the shift arrangements
Fire officer, London Fire Brigade (proposed new contract) ⁸	Included in basic pay – there are no additional unsocial hours or shift allowances
Prison officer, HM Prison Service ⁹	Approximately 17% of basic pay as a fixed allowance – Prison officers receive a fixed pay element for working shift patterns which regularly include unsocial hours. It is removed if the prison officer no longer regularly works unsocial hours. For example, the starting salary for a prison officer is £17,187 in total; this comprises £14,690 base pay and £2,497 for unsocial hours working
Paramedic (Band 5) and nurse (Band 6 or 7), National Health Service ¹⁰	Approximately 30% to 60% of basic pay per unsocial hour. Premium pay rates are: (a) time plus 30% for unsocial hours during weekdays and any hours on Saturdays; and (b) time plus 60% for Sundays and public holidays. Unsocial hours are the hours between 8:00pm and 6:00am on weekdays. Premium rates apply for Saturdays, Sundays and public holidays, between the hours of midnight and midnight. Where a continuous night shift or evening shift on a weekday (other than a public holiday) includes hours outside the period between 8:00pm and 6:00am, the time plus 30% rate is applied to the whole shift, if more than half of the time worked falls between 8:00pm and 6:00am
Operational grades, Royal Mail ¹¹	A range of approximately 2% to 20% of basic pay as a fixed allowance – Depending on the time period worked, workers are paid fixed amounts which are no longer tied to the basic salary of the individual employee or affected by regional allowances. For most operational grades on normal shift patterns, there are six different categories of unsocial hours eligibility between 8:00pm and 5:30am : <ul style="list-style-type: none"> • Evening shift – jobs with a finish time between 8:00pm and 9:39pm inclusive (<i>i.e.</i> including finishes at 8:00pm): £18.02 • Late shift – jobs with a finish time between 9:40pm and 1:59am inclusive: £38.10 • Night shift – jobs requiring three hours to be worked across the period 11:00pm and 5:00am inclusive: £38.10 pensionable + £33.98 non-pensionable • Dawn shift – jobs with a start time between 2:01am and 4:00am inclusive (<i>i.e.</i> including starts at 4:00am): £24.02 • Early 5:00am shift – jobs with a start time between 4:01am and 5:00am inclusive: £12.62 • Early 5:30am shift – jobs with a start time between 5:01am and 5:30am inclusive: £6.30

⁸ Derived from a meeting with Dominic Johnson, Head of Employment Relations at the London Fire Brigade

⁹ Derived from a meeting with Director General Michael Spurr and the 1987 document Bulletin No. 8

¹⁰ Derived from correspondence with the Department of Health and www.nhsemployers.org

¹¹ Derived from correspondence with Ian Bond, Group Head of Reward at Royal Mail

Table 2.1 continued	
Employer	Summary of the shift arrangements
Engineer, British Airways ¹²	<p>A range between £11.12 and £68.18 per shift</p> <p>BA has a variety of shift allowances depending on the role and grade of the employee. For engineers, there is a system of fixed cash payments for working between certain time periods, irrespective of the hours worked in those periods. The payments are fixed and not based on an individual's role or salary; for example, £440 per week as a mechanic or £812 per week as a licensed engineer. Payments are made on each occasion the shift is worked, so that if the shift spans two periods both payments are received. There are broadly five different time categories with different payments for each:</p> <ul style="list-style-type: none"> • Weekday early or late shift: £11.12 • Saturdays: £24.78 • Sundays: £48.68 • Night shift, Sunday to Friday: £24.78 • Night shift, Saturday: £68.18

- 2.1.11 With the exception of the National Health Service, the premium rates for unsocial hours in these organisations are relatively low, at approximately 20% of basic pay. This indicates that it is not necessary to pay large percentages to incentivise and retain staff in such roles.
- 2.1.12 There was also a difference in approach between the payment of fixed amounts based on a regular pattern of unsocial shifts, regardless of the hours worked in that time period, and other organisations that paid per hour worked.

Consultations

- 2.1.13 ACPO's submission to the review stated that there should be a "shift allowance only for shift workers," but it did not specify how that allowance should be determined, nor its amount¹³. In subsequent oral evidence sessions with ACPO officers, they said that any shift premium should be designed so as to compensate officers for unsocial hours, but that the rate should not be so high as to prevent chief officers from deploying officers economically and efficiently. In the longer term, ACPO stated that different approaches should be examined for three groups of officers: those in fully operational, variable demand and non-operational roles. First, fully operational officers, such as those in 24-hour response teams, should expect to have variable shift arrangements, and additional hours and shift disturbance should be paid without premium rates. Secondly, for officers in roles where the demand is more varied, such as major incidents or surveillance, an annualised hours arrangement could ensure that peaks and troughs of work are compensated without the need for premium pay rates. Thirdly, officers in non-operational roles could work normal office hours or agree flexible working hours.
- 2.1.14 In evidence to the review, the Association of Police Authorities argued that a role-based approach for remunerating shift work is necessary in the future. However, the APA acknowledged that this would be a fundamental change to the police service and require rigorous cost analysis. It stated that, although it may be possible for some roles to receive additional pay compared with their current remuneration, others would receive less in order that a new system be affordable. This wider approach to role-based pay would also remove

¹² Derived from a meeting with Paul Farley, Head of Reward, and Dave Lucas of British Airways and the *Engineering Negotiating Forum Agreement 2005*

¹³ ACPO submission, page 9

what the APA described as the “absurdity” of all officers being paid the same irrespective of the demands placed on them in terms of skills, dangers and shift working¹⁴. The APA argued that a move to role-based pay would therefore negate the need to consider shift premia or payments for unsocial hours.

- 2.1.15 The need to recognise the effect of shift working on officers’ lives was the subject of representations from two former chief officers, writing in private capacities. The former Chief Constable of Hampshire, Mr Paul Kernaghan, said that “a small shift specific allowance would tangibly reward those who work shifts”¹⁵. Former Metropolitan Police Commissioner Lord Blair of Boughton argued that shift allowances should be withdrawn from those not working 24-hour shifts, citing the detrimental effect on family life and health¹⁶. The Local Government Group also said that pay should be flexible:

“Officers who work regularly on Friday and Saturday nights may warrant a higher rate of pay than those who only work during the day”¹⁷.

- 2.1.16 In contrast, the Police Federation stated both in its first and supplementary submissions to the review, that basic police pay should be set at a level that recognises that all police officers could be called upon to work unsocial hours at any time¹⁸. In the Police Federation’s view, the 9% in the basic pay of Federated ranks from the Edmund-Davies review is, therefore, in recognition of the fact that police officers can be directed to work shifts irrespective of their usual hours of work. The Police Federation stated that working unsociable hours is a normal characteristic of police life, which officers must experience at some parts of their careers. It noted further that even if officers no longer work shifts, they may have to return to them at any time. Therefore, the Police Federation believes that an additional shift allowance is neither necessary or desirable.
- 2.1.17 In subsequent oral evidence sessions with the Police Federation, its national officers made the point that police officers can be moved between posts at the discretion of a chief officer. It argued that an individual could suffer financial detriment by being removed from a post which carries a shift premium, through no fault of his own. As such, the present system provides the greatest level of flexibility for chief officers to transfer officers where they are most needed, with the minimum of bureaucracy.
- 2.1.18 In correspondence, the Police Federation stated that any change to unsocial hours payments should fully consider all relevant issues arising out of equality legislation. It argued that one officer’s unsocial hours may be regarded by another officer as entirely suitable and desirable. They gave the example of a female officer who may choose to volunteer for night duties on the basis that her partner would then be available to provide childcare whilst she is at work. In this circumstance, the Federation argued, the officer in question would, unnecessarily, receive higher payments from a system of unsocial hours premium pay.
- 2.1.19 During the review’s seminar on deployment matters, this issue was raised by a number of participants. Mr Steve Corkerton of HMIC stated that the world of policing has moved on from a time when having unsocial hours payments built into the basic pay of all officers was based on the legitimate assumption that they would work a variety of shifts over time. He recommended the consideration of premium pay for working permanent night shifts. The General Secretary of the Police Superintendents’ Association of England and Wales commented that additional payment for shift working or unsocial hours would be very divisive and cautioned against it. He noted that, as chief officers already have the power to require officers to work in certain roles and fill certain shifts, there is no difficulty with deployment in that respect.

14 APA submission, page 13

15 *Submission to the review*, P. Kernaghan, October 2010, page 3

16 *Submission to the review*, Lord Blair of Boughton, October 2010, page 2

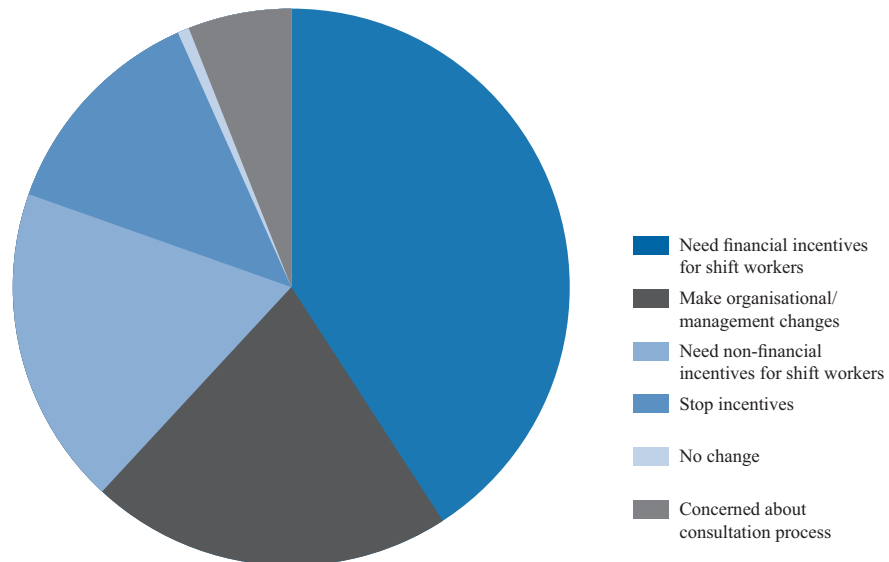
17 *Submission to the review*, Local Government Group, November 2010, page 5

18 Police Federation submission (2), page 11

- 2.1.20 In my discussions with officers during visits to police forces, as well as through the website consultation, it was very apparent that the issue of shift working is a significant issue. Many police officers see the police service as inherently divided: crudely, between those who work shift patterns in all weathers, and those who work between 8:00am and 4:00pm in warm offices.

Figure 2.2

Proportion of website comments regarding shift working (by frequency)



Source: Thematic analysis of website comments

- 2.1.21 Figure 2.2 shows the proportions of contributions to the review’s website consultation according to subject-matter. Approximately half of respondents to the question on this topic indicated the need for financial incentives for shift workers specifically. For example:

“Recognise the disruption caused by 24/7 shift patterns and pay a monthly incentive for those on shifts”

- 2.1.22 However, some respondents suggested that non-financial incentives, such as additional leave, would suffice. A few respondents suggested that incentives should not be necessary to encourage frontline working and existing incentives should, therefore, be stopped.

Conclusion

- 2.1.23 Approximately two in every five Federated officers do not regularly work unsocial hours, even though all officers are paid the same amount. This is unfair. I agree with ACPO that there is a case for compensating officers for the disruption caused from shift work. The detrimental effects on an officer’s health and his family are well documented, and many officers are frustrated by the inequity of the present system.
- 2.1.24 Having regard to the arguments against introducing an unsocial hours payment, I do not accept the Police Federation’s position that the system balances out over time, with all officers having to undertake shift working at some point in their careers. Although it is true that some officers spend their entire careers in shift-based roles such as 24-hour response, there are appreciable numbers of officers who move into specialist roles, or the middle – and back-office functions in police stations, relatively soon after their probationary periods have ended. This was demonstrated in 2001, when PA Consulting produced the ‘*Diary of a police officer*’, which sampled 3,000 officers. Of its sample, 54% of uniformed frontline officers were relatively new to the force, with fewer than five years’ service. If the sample had included probationers with

under one year's service, the proportion would have been even higher¹⁹. As such, the present system disproportionately favours those officers who are never likely to return to regular unsocial hours working.

- 2.1.25 The Police Federation is, however, right to have concerns in relation to the ability of management to implement an unsocial hours payment system fairly. It is certainly the prerogative of a chief officer to move an officer from a role which would attract an unsocial hours payment, to an office-based role which would not. The officer would then be working in a role in which his earnings potential is lower. However, this already happens. If a constable or sergeant is moved from a post in which officers tend to work significant amounts of overtime, and to a job in which the hours are close to normal office hours, he will expect to earn less. Chief officers should always be mindful of the financial effects on officers when making transfer decisions. But one must also recognise that the susceptibility of police officers to redeployment is already compensated for in their basic pay, and no officer has a right to work overtime or to work at particular times of the day or days of the week. The police service is a disciplined service, and officers know and accept that when they join.
- 2.1.26 It is in the nature of an unsocial hours premium that it compensates for the loss of an appropriate work-life balance and the effects on an officer's health and well-being. If an officer is moved to a post which does not involve working unsocial hours, he no longer suffers these detrimental effects and does not need to be compensated.
- 2.1.27 The equality law considerations of this payment are considered more fully in the accompanying equality impact assessment. In summary, I do not accept the Police Federation's argument that change is not necessary because the present arrangements can benefit female officers. If an officer does not have access to free overnight childcare, or free care for a relative, the present system has no lesser or fewer equality concerns. Paid childcare or dependent care during late evenings and overnight is rare and carries a significant premium where it is provided. A new unsocial hours payment for police officers would partly compensate them for this higher cost of living. Indeed, a study by Tetsushi, Sachi and Rie in 2008²⁰ found working a rotating pattern of three shifts to be associated with increased conflict in balancing work and child-care. This conflict was found to increase if there is a lack of supportiveness in the workplace. Therefore, a new unsocial hours payment would partly act as support from the workplace, in particular compensating those officers who have to provide childcare and dependent care, and this would have a positive effect on equality considerations. Furthermore, a recent employment appeal tribunal found in favour of West Midlands Police in its application of Special Priority Payments to those who worked night shifts. The female claimant officers had brought the case on the basis that they were not eligible for the SPP because of child-care considerations, however the EAT upheld the Chief Constable's appeal²¹.
- 2.1.28 The question is, therefore, how to recognise unsocial hours working in police officers' pay and conditions. The logical step would be to remove from all Federated officers' salaries the almost 9% element attributed to shift working, and only return it to those who work unsociable hours. This would result in a reduction of £3,287 *per annum* for a long-service constable, falling from £36,519 to £33,232 *per annum* based on the 2010/11 pay scale.
- 2.1.29 Our analysis indicates that this would save the police service approximately £280m *per annum*, which would easily enable forces to achieve the budget reductions which they must find. It would have the added benefit of reintroducing a quantifiable unsocial hours allowance and, thus, establishing an appreciable differential between the pay of officers who work shifts and those who do not, which is what many police officers want.
- 2.1.30 A strict, and, on one level, justifiable approach of removing the 9% unsocial hours element from the salaries of police officers in the Federated ranks who do not regularly work shifts would, in my view, after the passage of so many years, be too severe. Police officers have,

19 *Diary of a Police Officer*, Police Research Series Paper 149, 2001, page 9

20 Tetsushi, Sachi and Rie 2008

21 *The Chief Constable of West Midlands Police v (1) Blackburn & (2) Manley*, Appeal No. UKEAT/0007/07/MAA. Employment Appeal Tribunal before the Hon Mr Justice Elias (judgment handed down 11 December 2007).

in good faith, made decisions about their financial affairs, where they and their families live, and in other respects. They have done these things on the basis that their basic pay could not be subject to a sudden and substantial reduction of this kind. Although the Edmund-Davies injunction that the consolidation of supplementary pay into basic pay should not be forgotten was, and remains, clear, my view is that it would be unfair now to subject police officers to such a substantial adverse change. The other changes recommended in this review, if accepted and implemented, will already effect significant reforms to the structure and levels of pay. As the Metropolitan Police Authority stated in its submission:

“The difficulty with paying an additional sum for shift working is that the police service is not starting with a clean sheet of paper, and consequently paying any form of ‘premium’ would almost certainly not mean a reduction in the pay of non-shift workers to fund it”²².

- 2.1.31 Therefore, I recommend that officers working unsocial hours should receive an additional percentage of their basic pay in a non-pensionable hourly rate. Any officer working between the hours of 8:00pm and 6:00am would receive this additional payment for each full hour worked.
- 2.1.32 This review’s terms of reference require it to have regard to “a strong desire from the public to see more police officers and operational staff out on the frontline of local policing.” This payment will primarily be to the benefit of those working unsociable shifts in 24-hour response teams. However, those working in functions such as criminal investigation departments, firearms, surveillance and other operational support roles are also likely to benefit when working late, or night, shifts.
- 2.1.33 It is to be hoped that this new unsocial hours payment will also have a wider effect on the police service, and influence officers’ decisions on the jobs they apply to do.²³ The Police Federation is correct to say an officer takes a number of years to develop his discretion and judgment in fast-moving situations. Yet, as PA Consulting found in their *Diary of a police officer* report, one of the critical parts of the police service with which the public most often comes into contact (24-hour response officers) tends to have high proportions of younger officers with the least experience. The public has a right to expect the best and most experienced officers when they most need them. This additional unsocial hours payment should help to attract experienced officers out of the so-called middle- and back-offices and into public-facing roles.t
- 2.1.34 A premium of an additional 10% of basic pay for each unsocial hour worked has been chosen because there should be a balance between the need for it to be reasonable compensation for the additionally arduous nature of late and night working, while not making it so costly that management may actively avoid deploying resources during this peak demand time. The combined 9% from the Edmund-Davies review and the new 10% for unsocial hours will bring officers broadly into line with police staff, who receive up to 20% of their basic pay for shift working. It is further comparable with the wider public and private sector figure of 20% of basic pay, as described in Table 2.1.
- 2.1.35 For constables on a standard three-shift rotating system of early, late and night shifts, within a four-team pattern, it is estimated that a 10% unsocial hours supplement will result in an increase in annual earnings in the range of approximately £1,100 and £1,450 *per annum*, depending on the officer’s length of service. This is a sufficiently significant amount. In contrast, a supplement of 5% would have increased earnings by approximately £700 *per annum* for a long-service constable, which I consider too low to achieve the objective of proper compensation. A supplement of 15% would have resulted in an increase in earnings of approximately £2,200 *per annum*, which I consider unnecessarily high and, at least at present, unaffordable. There may be a case for reviewing the figure of 10% in the future, if there is evidence that the balance is wrong in favour of either fair compensation or the effect on police

²² *Submission to the review*, Metropolitan Police Authority, November 2010, page 8

²³ *Nudge: Improving Decisions About Health, Wealth, and Happiness*, R. Thaler and C. R. Sunstein, Yale University Press, 2008.

force budgets. Financial modelling estimates that the recommended 10% supplement will cost the police service an additional £60m in the financial year 2011/12 (if implemented from September 2011) and £103m in 2012/13.

- 2.1.36 In the longer-term, there may also be a case for a demand-based shift premium, which is widely used in the private sector for time-based assets. For example, an energy firm's assets are its power stations and its output is more valuable at certain periods of the day. As such, it pays more to ensure that the power station is running most reliably at period of highest demand, such as 6:00pm, than it would during times of low demand, such as 5:00am. The police service's assets are its people, and there is a case to be examined for demand-based pay in the longer-term, so that chief officers can focus their best resources when it matters most. However, in the short-term I believe that this would be too great a cultural and managerial challenge. It is something which may be considered in years to come.
- 2.1.37 The new unsocial hours supplement should be available to all Federated ranks. This is important, as inspectors and chief inspectors cannot claim overtime, and so there is currently no financial incentive for them to work in the critical posts that require unsocial hours. This extension of the new supplement to the inspecting ranks should meet at least some of the concerns expressed by the inspectors' branch of the Police Federation²⁴.
- 2.1.38 A simple definition of unsocial hours has been chosen, namely the hours between 8:00pm and 6:00am. I recommend the use of a set overnight period, rather than the creation of an elaborate formula for defining rotating shift work determined by the variability of start and finish times. These recommendations should not contribute to a rotating shift system which has been shown to have a detrimental effect on the health of police officers. In practice, a fixed unsocial hours period of 8:00pm to 6:00am will include all police officers who work late shifts to 10:00pm, but is sufficiently distant from most normal office working hours to avoid any perverse incentives for officers to prolong their normal working days into this period. More generally, it will be for the management of the police service to ensure that the new payment is not abused by unnecessary work during this period.
- 2.1.39 The payment should be implemented on an hourly basis, to reflect the variable nature of the police service. I have recommended this approach in order to avoid the undesirable situation of an officer who only works five minutes into a three hour time period being paid the same amount as an officer who has to work the whole period. Some police forces already have systems which are able to implement this immediately and ensure accurate payment for actual hours worked. However, other forces may need a short transitional period before their systems can automatically pay this higher amount according to the hours worked. In such cases, I recommend that the Chief Constable determine the average pay for each rank on the applicable local shift arrangements, and the force pays this average amount as an interim fixed allowance. In the case of a standard eight-hour alternating shift system for a four team pattern, this would equate to approximately:
- £1,200 *per annum* for constables;
 - £1,500 *per annum* for sergeants;
 - £1,900 *per annum* for inspectors;
 - £2,100 *per annum* for chief inspectors²⁵.
- 2.1.40 These allowances should be amended locally where different shift arrangements apply, and on a *pro rata* basis for part-time workers. Forces are not expected to continue to need such interim, transitional arrangements beyond 2014.
- 2.1.41 In the longer-term, I agree with ACPO that different functions of the police service place different demands on an officer's health and family life. As such, there is a case for paying officers differently according to the roles they undertake. This issue will be explored more

²⁴ *Exploding the myths: a guide to working conditions of inspecting ranks*, Metropolitan inspectors' branch board, 2008

²⁵ Figures were based on the mid point of the pay scale for each rank. It is recommended that these amounts be used for all officers at these ranks to reduce unnecessary administration.

fully in Part 2 of the review. However, I believe that there is a case for an interim, or short-term, arrangement to compensate officers during a period when more will be expected of the police service, with smaller resources.

Recommendation 2 – Police constables, sergeants, inspectors and chief inspectors should receive an additional 10% of their basic pay, on an hourly basis, for hours worked between 8:00pm and 6:00am (non-pensionable).

2.2 Unsociable hours – staff

Background

- 2.2.1 As the police provide a 24-hour service, it is inevitable that police staff are also required to work unsocial hours and shifts, in roles such as call handlers in control rooms, Police Community Support Officers and detention officers in custody suites.
- 2.2.2 Unlike officers, police staff do not have unsocial hours or shift working built into their basic pay. Each police force has the ability to determine its own additional shift allowance payments, although most follow the Police Staff Council’s guidelines. These prescribe a series of tests to be applied to an individual’s shift pattern, leading to the determination of the additional percentage of basic pay which the police staff member in question will receive. These allowances are non-pensionable and range from 7.5% to 20% of basic pay, depending on the variability of shifts and the numbers of unsocial hours. For staff, unsocial hours are defined as hours between 6:30pm and 7:00am on weekdays. Additional premium hourly rates also apply for routine weekday night working and all weekend work irrespective of the time period. In the Metropolitan Police Service, police staff also receive double time rates for Sunday working, including when they are contracted regularly to work Sundays:

Table 2.2: Staff shift premia, taken from the Police Staff Council handbook and Metropolitan Police Service

Time period	Rate of basic pay
Irregular hours before 7:00am and after 6:30pm, unless the individual qualifies for night working (see below)	7.5% to 10% allowance
Variable shifts – including at least half of the shifts working unsocial hours	12.5% to 20% allowance
Night work – between 8:00pm and 6:00am	Time and a third for all hours worked
Weekend work – including during the day	Time and a half for all hours worked (Double time for Sundays in the Metropolitan Police Service)
Public holidays	Double time plus a day off <i>in lieu</i>

Analysis

- 2.2.3 There are limited national data available on shift working and unsocial hours for police staff. The *Police Staff Survey* conducted on behalf of Unison in 2008 found that approximately 40% of its respondents receive an element of shift pay, which includes 20% working unsocial hours²⁶. More evidence can be extracted from the Annual Survey of Hours and Earnings (ASHE). Unlike police officers, the various police staff shift premia are recorded separately so it is easier to establish the financial effect of shift disturbance. However, the ASHE survey does

²⁶ *Police Staff Survey 2008*, Unison, 2008, page 25

not record police staff as a specific category, so Professor Richard Disney examined a sample of the police staff submissions to the ASHE, which were provided by 13 of the 43 police forces asked. He found that custody staff received approximately 12% of their basic pay in shift premia, with other roles receiving between 5 to 10%. These are lower percentage shift premia than those found in Unison's 2008 survey. The ASHE data do not necessarily contradict the findings of the Unison survey; it only demonstrates that there is a wide range of shift premia available, and that different police staff roles attract different levels of shift premia.

Consultations

- 2.2.4 In its evidence to this review, ACPO stated that there should be a shift allowance for shift workers, irrespective of whether they are police officers or staff. In the longer-term, they advocated a greater harmonisation of police officer and staff regulations and conditions.
- 2.2.5 The Official Side of the Police Staff Council urged the review to examine how shift working is compensated in other parts of the public sector, specifically the health service, to ensure that the recommended arrangements are as modern and flexible as possible²⁷. In comparison with the health service, police staff do not receive as high premiums for working unsocial hours. Indeed, the lower bands of the NHS' 'Agenda for Change' agreement, which are more comparable with some of the administrative roles conducted by police staff, are considerably higher than those set out in Table 2.1 for nurses and paramedics, rising to time and a half and double time for the same unsocial hour periods. Instead, the present arrangements for police staff are more broadly in line with the unsocial hours premia which HM Prison Service, London Fire Brigade and Royal Mail pay.
- 2.2.6 The Association of Police Authorities cautioned against any automatic assumption that shift working requires compensation, although it acknowledged that it should be considered alongside other factors which determine pay, such as job competition, skills and experience. In the longer-term, it recommended moving to role-based pay, in which shift working would be a factor when determining the relative weight of remuneration compared with other roles²⁸. In this regard, police officers and staff would be treated in the same manner.
- 2.2.7 Unison is the largest union representing police staff and holds the most number of seats on the Staff Side of the national Police Staff Council. At a local level, the union also engages with police forces outside the PSC process, such as Surrey police. Unison stated that the "principle of rewarding employees for working during unsocial hours is commonplace in both public and private sectors"²⁹. This accords with the summary of other public and private sector organisations' approaches to unsocial hours payments described in Table 2.1. Unison explained that the shift premium comprises a significant proportion of their members' pay. The limited national evidence available indicates that this is correct, as demonstrated in Unison's 2008 survey and also in Professor Disney's analysis of the ASHE data. Unison also claimed that the present arrangements in the Police Staff Council handbook (summarised in Table 2.2), are transparent and simple to administer, and therefore that no change is necessary.
- 2.2.8 Unite is also represented on the Police Staff Council, and cautioned against any changes to the shift allowance system because of the possible implications for equality considerations. It stated that 61% of police staff are women and, therefore, that there is a greater propensity for issues such as childcare and care of other dependents to be a consideration in determining shift arrangements and remuneration. As such, it argued that the present arrangements fairly compensate police staff and do not need to change³⁰.
- 2.2.9 Prospect stated that it represents approximately 1,200 specialist police staff in the Metropolitan Police Service. It acknowledged that the arrangements for payment for unsocial hours are a historical legacy of civil service terms and conditions, and that there is a case for reform.

27 *Submission to the review from the Official Side of the Police Staff Council*, M. Doherty, November 2010, page 2

28 APA submission, page 24

29 Unison submission, page 36

30 *Submission to the review*, Unite, 2010, page 9

However, they said that it is difficult to achieve this during a period of reduced budgets and a public sector pay freeze³¹.

Conclusions

- 2.2.10 The review's consultations with police staff members revealed none of the level of resentment between shift workers and non-shift workers which were so conspicuous in discussions with police officers. I believe that the existence of additional unsocial hours premia helps to alleviate any tensions that might arise. There was no demand from either the management organisations or police staff for material changes to the existing system. In these circumstances, I consider that a premium for working unsocial hours is logical and fair to police staff, and should be retained in the short term.
- 2.2.11 However, a number of features of the existing system for the payment for unsocial hours working are unjustifiable. For example, the payment of shift premia for contracted day working at the weekend at the rate of time and a half, and double time in the case of the Metropolitan Police Service, is high. A police staff member will have volunteered for these shifts knowing that he will be paid more for them, whereas a police officer cannot refuse to work if ordered to do so. There is, therefore, a degree of unfairness that police staff are eligible for weekend day working premia, whereas police officers are not, even under the recommended new unsocial hours system. The Metropolitan Police Service is already in discussions with its unions to review these weekend day premia. I recommend that they are removed altogether from September 2011. Where a police staff member works a rotating shift pattern which covers weekend days, he will still be eligible for the shift allowance of up to 20% of basic pay. Furthermore, the payment of double time plus a day off *in lieu* for working a public holiday is more beneficial than the other public sector organisations which were examined in Table 2.1. This should be reduced to double time only, in line with the corresponding recommendation for police officers.
- 2.2.12 Over a longer period, there is a case for harmonising police officers and staff onto the same unsocial hours rate, especially by removing the irregular hours payment so as to ensure that both officers and staff are paid premium rates for hours worked between 8:00pm and 6:00am only.

Recommendation 3 – Police staff should not receive additional shift premium (time and a half or double time) for weekend day working if it is part of their normal contracted hours. The rate for routinely working a public holiday should be reduced to double time only. This should be agreed in the Police Staff Council and incorporated into individual contracts of employment using the established mechanisms for doing so. In the case of police forces outside the PSC arrangements, these changes should be agreed in the usual manner with the relevant unions.

Recommendation 4 – The Office of National Statistics should consider disaggregating police staff in their Annual Survey of Hours and Earnings in the future, so that their pay can be more easily compared and understood.

2.3 Shift arrangements – officers

Background

- 2.3.1 The shift arrangements of a police force must always balance demand and the availability of officers and staff. It is almost impossible significantly to alter the former, so forces must rely on the flexibility of their workforce to ensure that they use their resources most efficiently.

³¹ *Submission to the review*, Prospect, 2010, page 5

- 2.3.2 Determination Annex E, made under Regulation 22 of the Police Regulations 2003, states that the normal daily period of duty is a single tour of eight hours, including a 45-minute period of refreshment. This is the national standard and can only be deviated from if a ‘variable shift arrangement’ (VSA) has been agreed. Variable shift arrangements can amend the length of each standard shift, and some police forces have adopted ten – or 12-hour tours of duty. The VSA regime also allows police forces to introduce a tailored, demand-led shift arrangement, rather than having to adhere to the standard three-shift rotating system of early, late and night shifts. For there to be any variation from the normal eight-hour pattern, it is necessary that the Chief Constable first obtain the agreement of the local joint branch board of the Police Federation. It is understood that the local joint branch board sometimes ballots its members to ensure that it has the approval of the majority of affected officers, but this requirement is not in the police regulations. If the variation is not approved by the local joint branch board, then the shift pattern must remain at the standard eight-hour arrangement.
- 2.3.3 In 2004, the Home Office commissioned Accenture to conduct an analysis of resource management and rostering arrangements, which would assist forces in determining whether, and how, to implement a variable shift arrangement³². Accenture found that there are several key considerations:
- shift lengths and start/finish times should be determined by local operational demands;
 - a shift should, ideally, be between eight and 10 hours in length. Twelve-hour shifts, whilst popular with some, are not recommended on the grounds of operational efficiency, service provision and health and welfare considerations;
 - where possible, rest days should be rostered so that no fewer than two fall together;
 - there should be no more than four consecutive nights of night duty;
 - where possible, overtime should be avoided at the end of a night shift;
 - rest days should be planned to allow for recovery following night shifts;
 - there should be no more than six consecutive shifts before a rest day;
 - regular shortfalls should be accommodated through the intelligent use of flexible working opportunities to fill areas of peak demand.
- 2.3.4 By July 2010, HMIC’s report *Valuing the police* found that most of the forces surveyed used a variable shift arrangement, ranging from eight hour to 12 hour shifts.³³ HMIC found that longer shifts were beneficial for individual officers, with some spending more days away from work than at work. However, this was not always to the benefit of the public or the police service; as well as reducing operational flexibility and increasing overtime costs, longer and fewer shifts could cause a lack of continuity in investigations, because an officer who had dealt with a case could subsequently be unavailable for days. In such cases, it is clear that a degree of imbalance can develop between the needs of the public and the police service on the one hand, and the convenience and needs of individual officers on the other.

Consultations

- 2.3.5 During the review’s consultation, the Association of Police Authorities stated that the requirement to agree the detail of a variable shift arrangement with the local joint branch board was “a particular barrier to workforce and organisational flexibility and should be repealed³⁴”. ACPO said that the present system where the choice is either between a new system or else reverting to the regulations’ eight-hour system resulted in an absence of meaningful consultation. In particular, they were critical of the length of time required for such negotiations³⁵. The Local Government Association went further and said:

³² *Study of Police Resource Management and Rostering Arrangements*, Accenture, November 2004

³³ *Valuing the Police: Policing in an Age of Austerity*, Her Majesty’s Inspectorate of Constabulary, London, July 2010, page 16

³⁴ APA submission, page 15

³⁵ ACPO submission, page 13

“The ability to deploy resources in the most effective way possible is a key responsibility and indeed right of any employer, within reasonable parameters and should only require consultation with recognised bodies, not necessarily their agreement³⁶.”

- 2.3.6 The Police Federation’s supplementary submission criticised ACPO, the APA, LGA and the MPA for misrepresenting the complexity and timescales involved with changes from an eight-hour duty to, and from, a variable shift arrangement. It cited the 2004 Accenture report, which found that police regulations themselves were not, necessarily, a barrier to the successful introduction of a VSA. The Police Federation also reiterated that police officers have a right to an appropriate work-life balance and changes to shifts stemming from poor roster management must be avoided. The Police Federation asserted that officers should be accorded an element of protection from incompetent or exploitative management. It further argued that the requirement for variable shift arrangements be agreed with the local joint branch board provides a necessary safeguard for officers.

Conclusion

- 2.3.7 The review has not been made aware of any documented case of a police force seeking to implement a VSA and having been prevented from doing so by the local joint branch board. However, in any other public or private sector enterprise, the workforce would be consulted upon changes, but could not refuse them. I accept that police officers cannot withdraw their labour in the same manner as most other workers, and a degree of protection from exploitation should be provided in any new system. However, police officers are not alone in this regard; prison officers and armed forces personnel do not have the right to resort to industrial action, yet they do not have a power of veto over their shift arrangements.
- 2.3.8 Removing a local joint branch board’s power to veto a VSA should not be seen as increasing the vulnerability of officers to mismanagement. In devising any new VSA for officers, Chief Constables should be required to consult individual officers, as well as the local joint branch board, and fully take into account their individual circumstances, including the likely effects of a change on their personal lives, their work-life balance, and their arrangements for childcare and the care of other dependents. The local joint branch board should also have the right to meet with the Chief Constable in person during this period to make representations. However, the final decision should be made by the Chief Constable alone, on the grounds that it is his responsibility to deploy the resources of his force in the most efficient, economical and effective way so as to deliver the best service for the public, having given full and proper weight to the likely effect of the deployment on individual officers. It should also be noticed that if officers are required to work fewer but longer shifts under a variable shift arrangement, they will qualify to a greater extent for the new higher unsocial hours rate.

Recommendation 5 – Determination Annex E, made under Regulation 22 of the Police Regulations 2003, should be amended to require the chief officer to consult, rather than agree, with the local joint branch board and individual officers in connection with the bringing into operation of a variable shift arrangement. That consultation should take place over a period of at least 30 days. Before making his decision, the chief officer should be required to consult the affected officers and take full account of their individual circumstances, including the likely effects of the new arrangement on their personal circumstances. New shift arrangements should not be brought into effect earlier than 30 days after the communication of the decision of the chief officer.

³⁶ Local Government Association submission, page 3

2.4 Shift arrangements – staff

Conclusion

- 2.4.1 Across England and Wales, there is considerable variation in the shift systems under which police staff work, just as there are many different shift systems for police officers. However, none of the review’s consultation respondents stated that there was any barrier to agreeing the optimum deployment of staff. The Metropolitan Police Authority said that there was a particular problem in reconciling the deployment of Police Community Support Officers (PCSOs, who are members of police staff) with police officers in neighbourhood policing teams, but they said that this was because of the need to agree the shift arrangements with the affected police officers’ joint branch board³⁷.
- 2.4.2 It is also understood that some of the difficulties involved with the deployment of PCSOs late at night result from local management decisions rather than the arrangements negotiated at a national level by the Police Staff Council. For example, Surrey police have confined its PCSOs to working between 8:00am and 10:00pm on the basis that their primary role is engagement, problem-solving and intelligence gathering. A locally imposed risk assessment is required to extend their deployment to midnight. The ACPO Guidance on PCSOs released in 2007 stated that:
- “Some forces are restricting working hours to (for example) between 0800 and 2400; others wish to have the greater flexibility of 24-hour availability, for example in city centres with a 24-hour economy or to be more able to relieve police officers of duties such as scene guarding³⁸.”*
- 2.4.3 The present national arrangements do not act as a barrier to this, as such shift patterns can be established locally, after consultation with the relevant unions.
- 2.4.4 In the longer term, Part 2 of the review will consider the case for bringing shift allowances for both officers and staff closer together. Such a system might make effective deployment easier, especially in the case of teams in which officers and staff work side by side.

2.5 Overtime, rest days and public holidays – officers

Background

- 2.5.1 As noted earlier in this chapter, the unpredictable demands on a police officer’s time means that he may have to work beyond his normal hours. As the Police Federation has noted, police officers are subject to restrictions on their private lives which other citizens do not face. One of these requirements is the obligation to obey an order to return to duty, provided he is fit. In the circumstances, the pay of a police officer contains an element which compensates him for these special restrictions, sometimes referred to as the ‘x-factor’. Part 2 of the review will consider and quantify this ‘x-factor’.
- 2.5.2 The issue of whether and in what circumstances police officers should be entitled to payment for overtime is not a new one. In 1960, the Royal Commission on the Police, in its interim report, said:

“It will be seen that our aim is to lift the uniformed constable out of the ‘overtime class’ of worker altogether. We recognise that this cannot be achieved at once. As a first step, however, we distinguish between, on the one hand, the casual, unforeseeable overtime arising for example from an incident during a man’s period of duty; and, on the other, both scheduled and regular overtime worked by constables either in forces severely under strength or where a force is from time to time engaged on special operations. We would like to see payment for casual, unforeseeable overtime

³⁷ Metropolitan Police Authority submission, page 5

³⁸ *Guidance on Police Community Support Officers*, ACPO, 2007, page 16

brought to an end at once on the ground that the constable's rate of pay provides adequate compensation for this inevitable incident of police service. In making this recommendation we have it in mind that, at his discretion, a Chief Constable will modify a man's hours of duty with the exigencies of the service permit. But we regard this as a matter of sensible management and co-operation rather than a question of rules and regulations.

We would hope that the effect of our other proposals will be to eliminate the need for regular overtime working as police forces are gradually brought up to full strength. In the meantime, regular overtime will no doubt continue to be necessary in those forces which have been unable to introduce the eighty-eight hour fortnight, and it should in our view continue to be rewarded, either by time off or by payment, at the appropriate rate. We also recommend that overtime rates of pay should continue to apply in exceptional cases where men are called out for long periods of duty on special occasions or for particular operations. It is difficult to define these contingencies with any precision, but the broad principle we have in mind is that overtime rates of pay should apply only where periods of overtime are foreseeable and men are detailed for it³⁹."

- 2.5.3 More than half a century later, this aim has yet to be fulfilled.
- 2.5.4 Police constables and sergeants still receive premium overtime rates for shift disturbance and additional hours worked. However, the inspector ranks' overtime was bought out during this period. The Sheehy review of police pay in 1994 recommending buying out overtime from the inspecting ranks, which was one of the few recommendations to be implemented. PNB Circular 94/17 stated that it was not the intention of either the Official Side or the Staff Side for this to result in inspectors working longer hours. However, since then, the inspectors' branch of the Metropolitan Police Federation have claimed that inspectors have been required to work even longer hours because management are no longer restrained by the financial considerations of overtime⁴⁰.
- 2.5.5 This period also saw the removal of the detective duty allowance, a special payment introduced as a result of the recommendations of the Oaksey committee in April 1949. It was a non-pensionable commuted overtime allowance, paid at a flat rate for all detectives across England and Wales, according to rank. The rates in 1949 were £30 per annum for detective constables, £36 per annum for detective sergeants and £42 per annum for inspectors. Receipt of the allowance did not preclude the granting of time off as compensation for special occasions or when exceptionally long hours had been worked. Detective duty allowance became inadequate for the proper compensation of the work which detectives were required to do, and it was abolished. Detective constables and sergeants are entitled to overtime in the same way as their uniformed colleagues. Detective inspectors receive no overtime.
- 2.5.6 Overtime payments vary according to the role which an officer performs. Some of the highest payments of overtime can be found in the Metropolitan Police Service's VIP specialist protection teams and royalty protection teams. These highly trained, routinely armed officers can be away from home for significant periods of time and can be required to protect their principal in high risk locations around the world. For VIP specialist protection, overtime is paid in line with all other constables and sergeants. The MPS informed the review that the highest earning officer within this team was paid approximately £67,000 in overtime *per annum*, thereby more than trebling his basic pay.
- 2.5.7 In contrast, royalty protection teams do not recompense close and personal protection officers in the same manner. Officers at all ranks, including the inspector and the superintendent ranks, are compensated for the disruption to their lives through the payment of a special escort allowance (SEA). This allowance is paid *in lieu* of overtime compensation, but does not preclude compensation for working rest days and public holidays. The MPS stated that this

39 Royal Commission report, paragraphs 187 and 188

40 *Exploding the myths: A guide to the working conditions of inspecting ranks*, Metropolitan Police Inspectors Branch Board, 2008

allowance dates back to at least 1921. The allowance is paid monthly and is non-pensionable. The rates payable from 1 September 2010 are as follows:

constable	£13,459 <i>per annum</i>
sergeant	£15,396 <i>per annum</i>
inspecting ranks	£9,564 <i>per annum</i>
superintending ranks	£9,585 <i>per annum</i> .

2.5.8 For all other officers, Determination Annex G, made under Regulation 25, and Determination Annex H, made under Regulation 26 of the Police Regulations 2003, set out the rates and eligibility for premium pay or overtime. Police officer overtime conflates two issues, namely shift disturbance and payment for extra hours worked, and is in addition to the ‘x-factor’ element of compensation in basic pay discussed in the unsocial hours section of this chapter, which already compensates for disruption to personal and family life. Payment for shift disturbance is a premium rate of pay which applies when an officer is required to change his shift at short or no notice. Payment for additional hours worked is at the same premium rate of pay when an officer is asked to work an additional shift, or work beyond his normal contracted 40 hours *per* week. There is no transparent distinction between the two in the rate of premium pay.

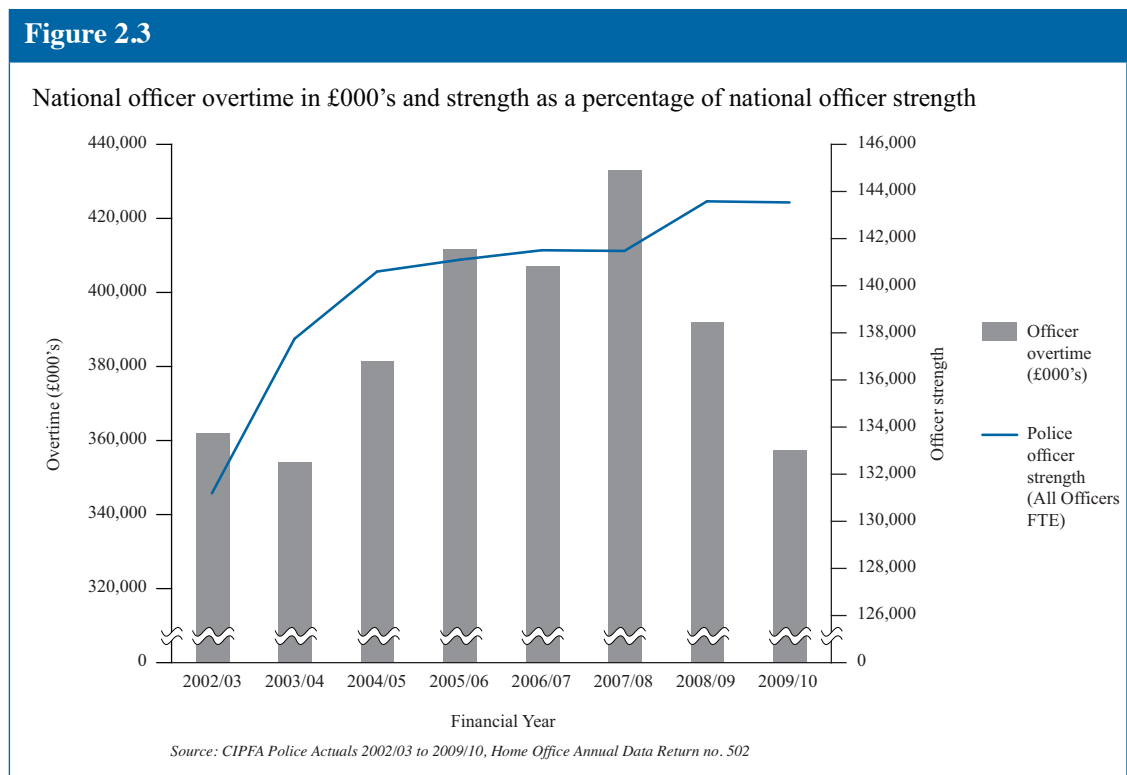
2.5.9 Police regulations do make a limited distinction between casual overtime (working before or after a planned shift) and planned overtime (working on a rest day, bank holiday or annual leave day). The rates are set out in Table 2.3:

Table 2.3: Types of overtime		
Type of overtime	Eligibility	Rate per hour
Casual	Remaining on duty after a tour of duty ends	Time and a third (but there is no payment for the first 15 or 30 minutes depending on the notice given)
	Recalled between two rostered tours of duty	Time and a third (minimum of four hours) plus travelling time.
	Begin earlier than the rostered time without due notice and on a day when they have already completed their normal daily duty	Time and a third
Planned	Rest day	Double time when fewer than five clear days’ notice has been given; time and a half if more than five but fewer than 15 days’ notice has been given
	Public holiday	Double time and a day off <i>in lieu</i> (when fewer than eight days’ notice has been given). Otherwise double time only.
	Annual leave	Minimum of eight hours at double time plus one day’s annual leave , or two days’ annual leave (at the option of the police officer concerned)

2.5.10 The rates of pay and the amount of notice provided have changed since 1978 as a result of several settlements agreed at the Police Negotiating Board. The present system has three different rates of premium hourly pay (time and a third, time and a half, and double time), two different types of time off *in lieu* (public holiday and annual leave), three different notice periods (five days, eight days and 15 days) and also includes different minimum amounts of premium pay, irrespective of the hours worked (four and eight hours). It also has an expectation that up to 30 minutes of casual overtime may be necessary to complete an officer’s duties at the end of his shift and should not be paid; this is often called The ‘Queen’s half hour’, because, in that time, the officer is working for the Crown without payment. Taken together, the existing overtime regime is a relatively complex system and, as mentioned above, there is a lack of transparency with respect to shift disturbance and additional hours worked. However, this complexity and lack of transparency is not, in itself, a reason for reform. An analysis of the costs of overtime, the comparability with other parts of the public sector, and the responses to the review’s consultation, is also required.

Analysis

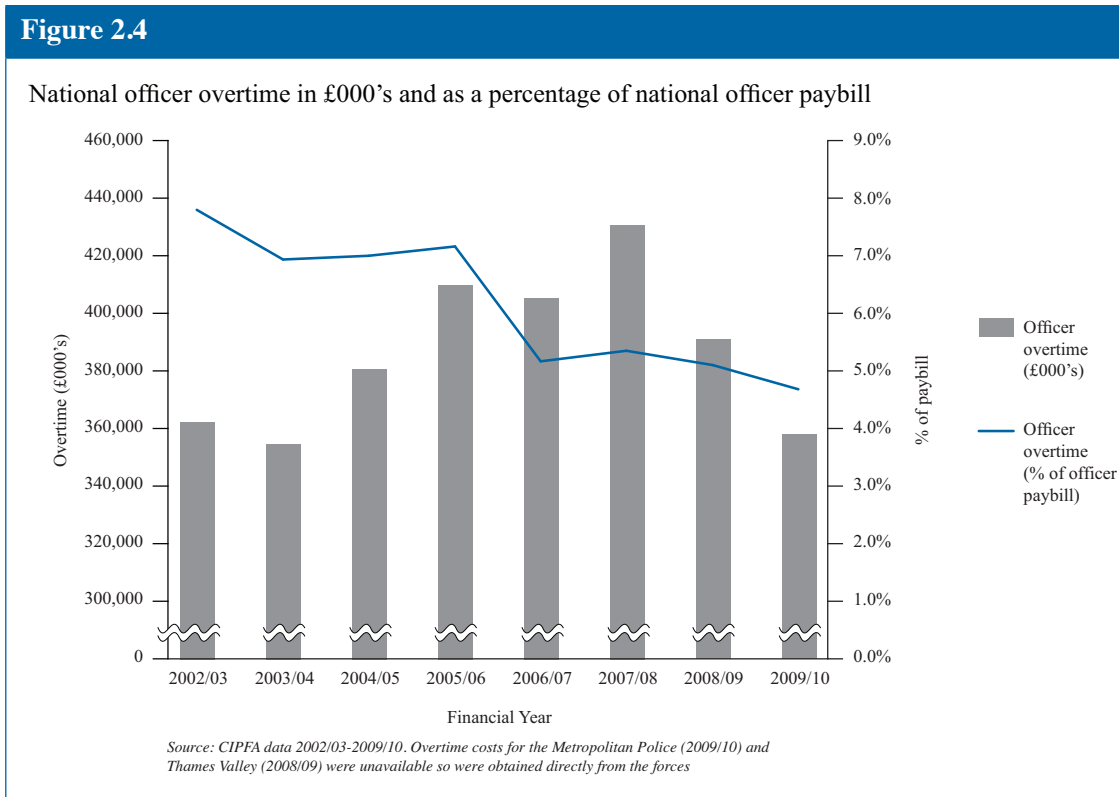
2.5.11 In 2009/10, police officer overtime cost £369m. Although this is a slight fall from a high point of £434m in 2007/8, the cost of officer overtime had been increasing since 2002/03. It is interesting that this significant increase in the spend on overtime pay coincided with a sharp rise in the number of police officers by 9,349 between 2002/03 and 2007/08. It would have been logical to expect that the amount of overtime worked would have reduced as additional officers became available to do the work. As such, the rise in overtime reflects the level of self-generated work by additional officers, an increase in workload, poor management or, most likely, an amalgom of all three. Figure 2.3 shows the total cost of police officer overtime and the total police officer strength from 2002/03 to 2009/10.



2.5.12 After a prolonged period of rising costs, the police service has been trying to reduce the amounts spent on overtime payments to police officers in the last two financial years. The Police Federation states that this “significant” fall is as a result of better deployment practices by police forces, using the existing regulations⁴¹. Nevertheless, police officer overtime is one

41 Police Federation submission, page 2

of the few areas of expenditure over which individual police forces have some appreciable measure of control; basic salaries and the annual uplift of police officers’ pay being decided at a national level. The use of overtime is an important area in which the police service should improve its efficiency. Figure 2.4 sets out total police officer overtime by cost and by the percentage of the officer paybill over the last eight years. Between 2005/06 and 2006/07, the amount spent on police officer overtime in England and Wales was reduced by approximately 27% (from 7.2% of the total police officer paybill to 5.2%). The proportion of the total paybill spent on overtime has since steadied to between 5.4% in 2007/08 and 4.7% in 2009/10.



2.5.13 Some police forces are already more efficient than others; Table 2.4 compares the overtime spend as a total and as a percentage of the officer paybill by individual police forces in 2009/10. Figure 2.5 displays both of these totals with the police forces ranked according to the proportions of their officer paybill spent on overtime.

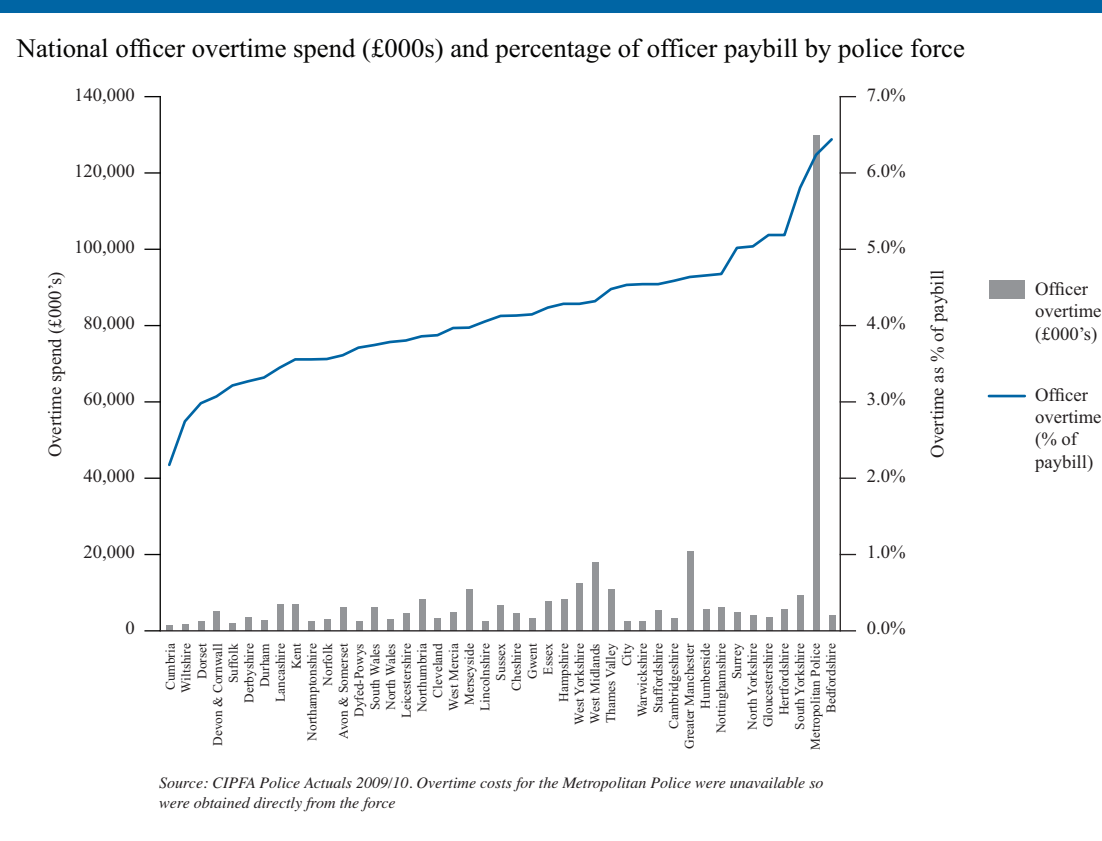
Table 2.4: Officer overtime (£000's) and as a percentage of the officer paybill		
Police force	Officer overtime (£000's)	Officer overtime (% of paybill)
Avon & Somerset	6,239	3.6%
Bedfordshire	4,079	6.4%
Cambridgeshire	3,370	4.6%
Cheshire	4,554	4.1%
City	2,342	4.5%
Cleveland	3,306	3.9%
Cumbria	1,359	2.2%
Derbyshire	3,533	3.3%
Devon & Cornwall	5,120	3.1%

Table 2.4 Officer overtime (£000's) and as a percentage of the officer paybill *continued*

Police force	Officer overtime (£000's)	Officer overtime (% of paybill)
Dorset	2,608	3.0%
Durham	2,678	3.3%
Dyfed-Powys	2,339	3.7%
Essex	7,714	4.2%
Gloucestershire	3,519	5.2%
Greater Manchester	20,875	4.6%
Gwent	3,299	4.1%
Hampshire	8,091	4.3%
Hertfordshire	5,663	5.2%
Humberside	5,598	4.6%
Kent	7,055	3.5%
Lancashire	7,004	3.4%
Leicestershire	4,527	3.8%
Lincolnshire	2,490	4.0%
Merseyside	10,853	4.0%
Metropolitan Police	129,902	6.2%
Norfolk	3,034	3.6%
North Wales	3,056	3.8%
North Yorkshire	3,992	5.0%
Northamptonshire	2,463	3.5%
Northumbria	8,138	3.8%
Nottinghamshire	6,057	4.7%
South Wales	6,180	3.7%
South Yorkshire	9,209	5.8%
Staffordshire	5,277	4.5%
Suffolk	2,100	3.2%
Surrey	4,875	5.0%
Sussex	6,684	4.1%
Thames Valley	10,767	4.5%
Warwickshire	2,341	4.5%
West Mercia	4,864	4.0%
West Midlands	17,951	4.3%
West Yorkshire	12,496	4.3%
Wiltshire	1,654	2.7%
National Total	369,255	4.7%

Source: CIPFA Police Actuals 2009/10. Overtime costs for the Metropolitan Police were obtained directly from the force

Figure 2.5



2.5.14 The Metropolitan Police Service, of course, dominates the total spend at £129m in 2009/10. The MPS is by far the largest police force in the country. However, there is a marked disparity between forces in the use of overtime, ranging from 2.2% to 6.4% of officer spend, the latter being Bedfordshire police. Therefore police forces should ensure that they have implemented the good practice available in the wider police service.

2.5.15 In addition to analysing the existing data on overtime use, the review also requested additional data from the police service in October 2010, so as better to understand the use and cost of overtime. The national data only provide total cost and is not broken down between casual overtime (broadly represented by the time and a third premium rate) and officers being paid for working on a rest day, public holiday or annual leave day (at time and a half or double time). Until now, the only national research on this subject was primarily concerned with investigating the various methods which police forces have used to control overtime⁴². That research used a self-completion survey of all forces, and a more in-depth case study approach in the case of four forces. It found that the police service needs to make better use of demand data at a local level, change its culture from one where overtime is the norm to the exception, and should increase the levels of authority and oversight required for the authorisation for overtime to be incurred.

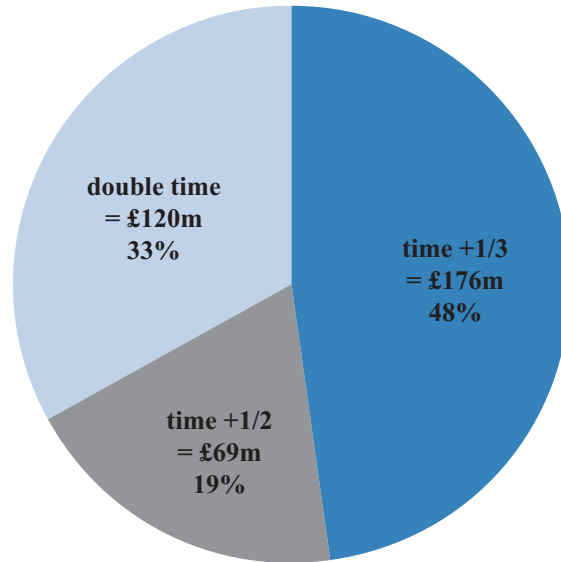
2.5.16 Twenty-eight of the 43 police forces responded to the review’s request for data on overtime premium pay rates. From this, the data were extrapolated to national levels, providing a reasonable indication of the effect of national police regulations on the overtime spend. The analysis shows that overtime costs in 2009/10 were primarily driven by casual overtime at time and a third, both in terms of total cost (£176m) and the proportion of overtime hours. It is not possible to break this figure down further, to determine which aspect of casual overtime causes most of the spend, but from consultations with officers themselves I have concluded that the

⁴² *Understanding Overtime in the Police Service*, L. Brasnott, M. Evans-Sinclair & E. Gottschalk, Home Office, London, July 2010

majority of this has probably resulted from officers working beyond their tours of duty, rather than having started their shifts earlier or having been recalled between shifts.

Figure 2.6

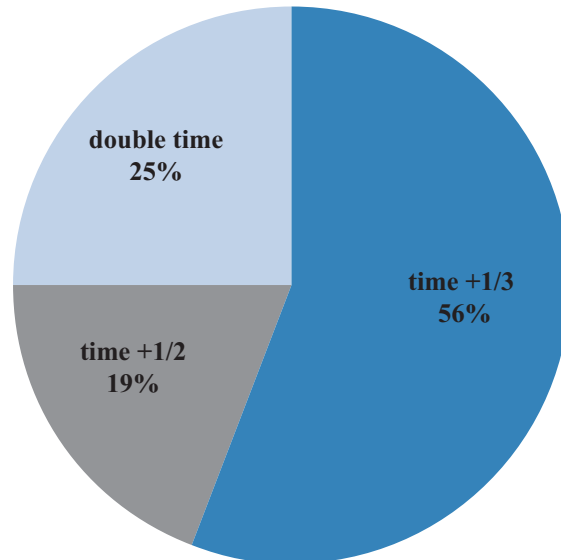
Cost of officer overtime: by rate



Source: Data returns from forces, unverified

Figure 2.7

Proportion of officer overtime hours worked: by rate



Source: Data returns from forces, unverified

- 2.5.17 Of the three different rates of premium pay, it is simplest to establish the cause for overtime work done at the rate of time and a half. The £69m spent at the time and a half rate is exclusively driven by an officer's rest day being cancelled at fewer than 15 days' notice and more than five days' notice. Forces need to improve their workforce planning to avoid this additional cost.
- 2.5.18 The remaining £120m spent on double time could have arisen from a cancellation of a rest day at short notice, a requirement to work on a public holiday, or cancellation of annual leave. However, from my consultations with officers, I believe that the double time costs are primarily driven by the need to police large demonstrations with fewer than seven days' notice, and the automatic payment of double time for a routine roster on a public holiday. By contrast, police officers have told the review that it is usually only in emergencies that officers are required, at very short notice, to work on public holidays, and that considerable efforts are normally made by police forces to avoid requiring police officers to cancel annual leave. It is understood that this is a significant improvement on some of the abuses of the system which much older officers have told me they observed in the early parts of their careers.
- 2.5.19 This new analysis has established that the spending of police forces on overtime is primarily driven by casual overtime, namely additional hours either before or after the normal scheduled times for officers to be on duty.
- 2.5.20 As with shift working, the police service is not the only public or private sector undertaking which requires a mechanism for compensating its workforce for short notice additional hours or shift disturbance. Professor Disney used the Office of National Statistics' Annual Survey of Hours and Earnings data to compare police officers against employees in other sectors. Table 2.5 reproduces his findings.

Table 2.5: Paid hours worked – Overtime – For male employee jobs: United Kingdom, 2009

Description	Code	Number of jobs ^b (thousand)	Median	Annual percentage change	Mean	Annual percentage change	Percentiles	
							25	75
All employees		12,249	4.5	-10.0	1.5	-21.1	1.9	9.0
Paramedics	3213	12	x		5.9	9.0	x	x
Nurses	3211	78	x		1.2	-12.4	1.8	x
Fire service officers (leading fire officer and below)	3313	64	x		0.9	-41.2	x	x
Prison service officers (below principal officer)	3314	41	x		x		x	x
Protective service associate professionals not elsewhere classified	3319	10	x		4.2	5.0	x	x
Heavy goods vehicle drivers	8211	203	8.5	-2.9	5.3	-14.0	3.8	14.7
Construction Operatives	814	144	7.5	-11.8	4.4	-22.5	4.0	13.6
Transport and mobile machine drivers and operatives	82	705	6.6	-13.6	3.9	-20.4	2.5	11.7
Transport Drivers And Operatives	821	627	6.5	-14.4	3.8	-20.4	2.4	11.5
Postal workers, mail sorters, messengers, couriers	9211	141	5.5	-8.3	2.4	-19.2	2.1	8.7
Van drivers	8212	239	5.3	-9.5	2.9	-16.7	2.1	10.0
Security guards and related occupations	9241	129	5.2	-6.3	1.6	-23.1	2.8	10.5
Administrative Occupations: Government And Related Organisations	411	123	3.8	30.7	0.7	-2.7	1.6	x
Corporate managers	11	2,132	3.7	-5.9	0.4	-30.7	1.8	7.5

Table 2.5: Paid hours worked – Overtime – For male employee jobs: United Kingdom, 2009 *continued*

Description	Code	Number of jobs ^b (thousand)	Median	Annual percentage change	Mean	Annual percentage change	Percentiles
Science and technology associate professionals	31	417	3.7	-5.9	1.3	-22.1	1.6 7.2
Police officers (sergeant and below)	3312	193	3.6	-18.4	3.0	-9.7	1.7 6.9
Administrative Occupations: Records	413	152	3.6	-0.8	1.4	-16.9	1.5 7.5
Software professionals	2132	268	3.5	8.0	0.8	-25.2	1.4 x
Information And Communication Technology Professionals	213	354	3.4	7.1	0.7	-26.2	1.4 6.6
Protective service occupations	33	308	3.1	-19.6	2.3	-11.8	1.4 6.8

Source: Selected tabulations from Annual Survey of Hours and Earnings, 2009; Table 14.11a

Table 2.6: Paid hours worked – Overtime – For female employee jobs: United Kingdom, 2009

Description	Code	Number of jobs ^b (thousand)	Median	Annual percentage change	Mean	Annual percentage change	Percentiles	
							25	75
All employees		12,001	2.6	-3.1	0.6	-15.3	1.1	5.5
Paramedics	3213	4	x		x		x	x
Fire service officers (leading fire officer and below)	3313	4	x		x		x	x
Prison service officers (below principal officer)	3314	16	x		x		x	x
Protective service associate professionals not elsewhere classified	3319	5	x		x		x	x
Postal workers, mail sorters, messengers, couriers	9211	36	5.3		1.4	-26.6	x	x
Process, plant and machine operatives	8	186	4.6	8.2	1.5	-21.1	1.6	8.8
Care assistants and home carers	6115	640	4.3	-2.6	1.8	1.1	1.8	8.7
Healthcare And Related Personal Services	611	936	3.7	-5.9	1.5	1.5	1.5	8.0
Police officers (sergeant and below)	3312	60	3.3	-11.4	2.2	-9.2	1.6	x
Protective service occupations	33	86	3.2	-12.5	1.9	-11.1	1.6	6.6
Nurses	3211	557	2.8	-10.7	0.8	-13.7	1.5	5.6
Sales and customer service occupations	7	1,233	2.4	-4.2	1.1	-16.8	1.1	4.9

Source: Selected tabulations from Annual Survey of Hours and Earnings, 2009: Table 14.11a

- 2.5.21 Professor Disney found that male police constables and sergeants work a median of 3.6 hours of additional overtime *per week*, with the median figure for female police constables and sergeants standing at 3.0 *per week*. At the higher quartile, he found that 25% of such male officers are working at least 9 hours' additional hours overtime *per week* and female officers at least 5.5 hours. This broadly equates to male officers receiving an additional £80.20 *per week* at the median, ranging from £15 at the lower end to almost £300 *per week* at the highest decile. Female officers receive less, with a median of £63.40 *per week* and a range from £15 at the lower end to only £143 at the highest quartile. This gender disparity could arise from a number of factors, the most likely being that female officers are less likely to be in the policing functions which require high amounts of overtime (such as diplomatic protection), and they tend to have a lower hourly rate because a higher proportion of women than men have yet to reach the top of their pay scale.
- 2.5.22 Professor Disney reported that actual overtime hours and pay would be higher for police officers than shown in the ASHE data because ASHE does not include premium pay which has arisen from shift disturbance. As noted above, comparisons with other public and private sector organisations are difficult as the police service's true cost is hidden. It was also not possible to compare these hours with most other public sector workers (including paramedics, nurses and prison officers) using the ASHE data because the number of employees in these other occupations is too low for the ONS to use. However, ASHE was useful for providing context for police officers alongside 'white collar' private sector employees such as software engineers and corporate managers. In comparison with such groups, Professor Disney found that police constables and sergeants do not receive excessive amounts of overtime pay, as the median for all male employees is 4.5 *per week*, which is 0.9 hours higher than the median for male police officers.
- 2.5.23 An alternative approach is to compare the premium pay rates for police officers with those applicable in other parts of the public sector. Table 2.7 sets this out as simply as possible, although it should be noted that each public service has its own complex system for overtime, and it is therefore impracticable to make a like-for-like comparison in every respect.

Table 2.7: Premium pay rates for police officers compared to other parts of the public sector					
Type of overtime	Police Constables and Sergeants	Prison Officers	Fire Officers	Nurses	Teachers
Casual overtime – before or after a shift	Time and third , after first 30 minutes	Not applicable – overtime is planned by management in advance	Time and a half	Time and a half	None – salaried profession
Cancelled rest day	Time and half or double time	£17 per hour or time and a fifth (depending on their contract, for a maximum of 4 hours per week ⁴³)	Time and a half	Time and a half	None – salaried profession

Table 2.7 Premium pay rates for police officers compared to other parts of the public sector *continued*

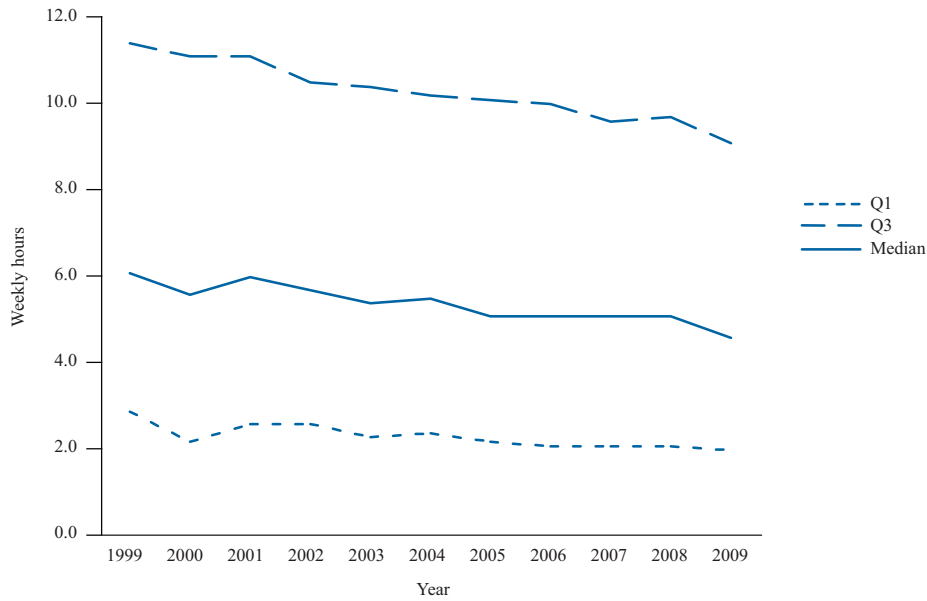
Type of overtime	Police Constables and Sergeants	Prison Officers	Fire Officers	Nurses	Teachers
Public holiday	Double time or double time plus TOIL	Plain time	Double time	Double time	Not applicable
Cancelled annual leave	Double time (minimum 8 hours) plus another annual leave	Not applicable	Not applicable	Not applicable	None – salaried profession

- 2.5.24 The comparison does not show a consistent approach across the public sector. However, it does show that, in the case of overtime, the police service has more definitions and variables than other services, particularly the health service with its two rates. In contrast, other public services such as HM Prison Service have sought to plan and control overtime more tightly by allowing prison officers to volunteer for a 41-hour contracted week, rather than 37 or 39 hours. Those prison officers then work up to four additional hours per week if required by management, for approximately plain time, or time and a fifth for prison officers in the new grade. It should be noted that the prison service can more reliably predict its demand requirements. The London Fire Brigade explained that it does not require regular use of overtime because they are able to meet demand from their rostered employees. Where overtime is required, it is paid at time and a half. More generally, for most of these organisations, overtime on a cancelled rest day is paid at time and a half, not double time (as police officers can be), and double time on a public holiday. By contrast, other public services such as teaching do not routinely pay overtime, but expect their salaried employees to work any additional hours required of them without payment.
- 2.5.25 Finally, Professor Disney contrasted the sustained rise in male constables' and sergeants' overtime with a fall in the use of overtime by the median of all other occupations between 1999 and 2009. Figures 2.8 and 2.9 show that although police overtime fell in 2009, the median amount received had risen by approximately one and a half hours *per* week, whilst the rest of the employment market fell by approximately one hour *per* week over the same period. More generally, it is worthy of note that this increase in the use of officer overtime occurred during a period of dramatic increase in their numbers. It would be logical to have assumed that an increase in approximately 14,000 police officers during this period would have resulted in a decrease in overtime, not the reverse.

43 Overtime, as such, is not available for Prison Officer grades. There is a separate scheme in operation for Prison Officer grades (Payment Plus) for the payment for additional hours. Payment is at a rate of £17 per hour and is only applicable if duties meet specific criteria. Payment is only for the hours worked outside the scheduled shift pattern, not the entire shift. In some weeks, an officer may work more than his weekly hours because of circumstances or events such as emergency attendance or the need to cover a shortfall in staff. In this case, Time Off In Lieu (TOIL) will be given in respect of additional duty performed in excess of weekly hours, where such duty cannot be covered effectively by other means. A new grade of Prison Officer was introduced in October 2009. 'Prison Officer 2s' are contracted to work a standard 37 hour week (as opposed to the 39 hour week in the closed grade). This group also has the flexibility to commit to working additional hours of between one and four per week under the Additional Committed Hours (ACH) policy. This is a permanent change to their weekly hours unless they give notice to withdraw from the scheme. ACH are calculated at the rate of 1.2% of base pay. The exception to plain time arises for Tornado teams, specially trained officers who enter rioting prisons to regain order. Such teams are paid at approximately double time, but occurrences are rare.

Figure 2.8

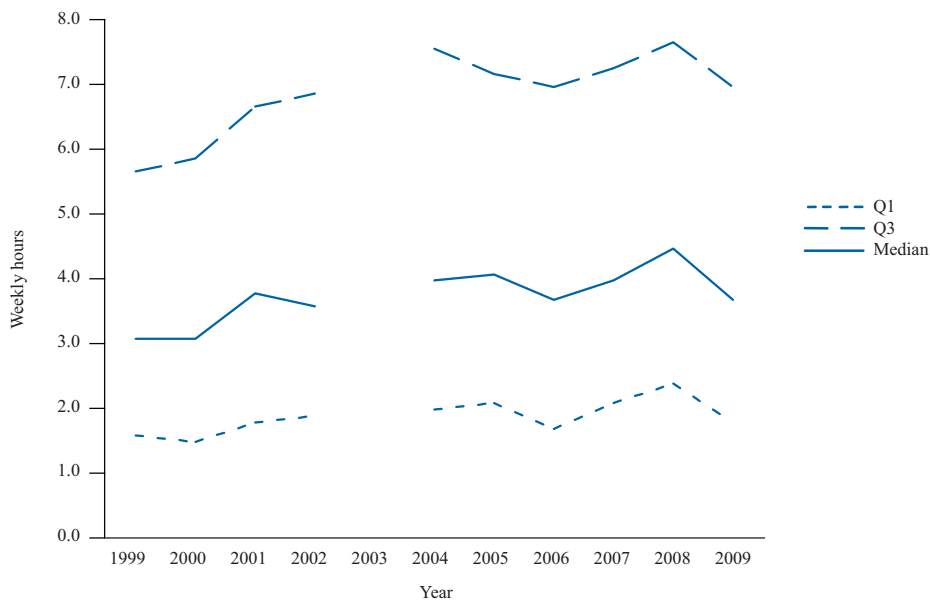
Quartiles of overtime hours 1999 to 2009: All occupations



Source: Statistics derived from ASHE: Table 14.11a, successive years

Figure 2.9

Quartiles of overtime hours 1999 to 2009: Police (sergeant and below)



Note: ASHE Data on police overtime hours in 2003 are not available

Consultations

2.5.26 This issue featured strongly in written submissions to the review. The Association of Police Authorities was the only organisation to advocate the removal of paid overtime for constables and sergeants. They argued that the present system is too generous, open to abuse and could be replaced with a broader move to role-based pay, where the likelihood of being required to work additional hours could be included in the basic pay for the job⁴⁴. Under the APA’s model, the

44 APA submission, page 16

- only exceptions would be working on a cancelled rest day, which would be compensated by time off *in lieu*, and payment for ‘mutual aid’ support, which is discussed later in this chapter.
- 2.5.27 By contrast, ACPO stated that “most forces find that overtime is the most flexible and cost-effective means of covering sudden demand”⁴⁵. As Acting Commissioner Tim Godwin said, “overtime does not go sick or take leave”. Instead, ACPO argued that the overtime rates should be amended so that payment should be made for actual hours worked, rather than minimum periods. In ACPO’s view, this would be the fairest approach to take, both for the officer concerned and those officers who are ineligible for overtime.
- 2.5.28 ACPO suggested that the start of the police day should also be reviewed. The start of the police day is the demarcation between one day and another, and is usually a time in the early morning, such as 6:00am, rather than the actual start of a day at 0:01am. ACPO argued that it should be made less restrictive and create fewer opportunities for premium overtime rates to be incurred by, for example, an officer working into his rest day. However, ACPO did not make a specific recommendation for how this could be achieved. At present, the start of the police day is set by the local chief officer, so there is already an element of discretion.
- 2.5.29 Differences between police forces’ start of the police day could have implications for shared services *via* collaboration agreements. Collaboration arrangements are increasingly used when neighbouring police forces pool their resources to achieve greater efficiency, economy and effectiveness in policing. It has been suggested that there may be a potential for resentment in cases where officers from different forces, working alongside each other, receive different overtime rates because their respective chief officers have designated different start of the police day times. Such events occur when the following day is a rest day, which means that some officers earn more overtime at high premium rates than others.
- 2.5.30 ACPO advocated a different approach to public holidays⁴⁶. It argued that the routine payment of double time on a public holiday, even when an officer is given sufficient notice (by the publication of his rota three months in advance), is expensive and inflexible. It also stated that there are significant equality concerns with the present system, which financially discriminate against an officer being required to work on non-Christian religious holidays. It said that with the exception of 25 December, the wider employment market often continues to operate on public holidays. That being so, ACPO argued that a new system should be devised, one which takes account of these equality issues and provides officers with more individual freedom.
- 2.5.31 The Police Federation said:
- “Overtime enables management to meet unforeseen needs at short notice. The existing premia penalise poor management and compensate officers for disruption.”*⁴⁷
- 2.5.32 The Police Federation made the valid point that most overtime premia only arise when changes are made to shifts with fewer than 15 days’ notice; only working on a public holiday is paid at double time irrespective of the length of notice given. In its submission, the high use of overtime is, therefore, at least in part, a management failing; high premium rates are designed to incentivise the police service to manage its rotas efficiently. The Police Federation said that this is an important area for improvement in terms of line management training. However, it should be noted that most workforce planning is undertaken at sergeant, inspector and chief inspector ranks. The Police Superintendents’ Association’s first submission to the review argued that there is nothing inherently wrong with the overtime regulations and that management failings are to blame for any misuse or poor resource management.
- 2.5.33 Irrespective of the internal processes for overseeing overtime, many of its drivers are external factors. The Police Federation said that more must be done to reduce the drivers of overtime, especially in connection with the police’s interface with the other parts of the criminal justice system, and improved information technology. For example, in the case of attendance at court to give evidence, an officer required to attend on a cancelled rest day is entitled to payment

45 ACPO submission, page 21

46 ACPO submission, page 14

47 Police Federation submission, page 2

of overtime at the double time premium rate. It is therefore especially important that a call to attend court is soundly based.

- 2.5.34 The shift arrangements within a police force can also have a significant effect on the cost of overtime payments. When officers work regular shifts of ten or 12 hours, they will usually work only four days a week. If this continues throughout the year, it is possible for a constable to have as many as 146 scheduled rest days, before his annual leave entitlement of up to 30 days. In such circumstances, when it is necessary for an officer to be recalled to duty on a rest day, the premium overtime payments of up to double time will apply, depending on the amount of notice which the officer has been given. For example, the review was informed that the annual overtime bill in Greater Manchester Police for officers required to attend court was approximately £79,000 in 2009/10, whereas in Strathclyde Police, a force of a broadly similar size, the annual bill was £4.1 million in the same year⁴⁸.
- 2.5.35 The Police Federation's supplementary submission challenged a number of assertions made in others' papers, in particular the APA's and Local Government Group's descriptions of the total costs of overtime and their statements that police overtime is expensive. The evidence from the ASHE survey has established that the Police Federation are right that many police officers do not routinely receive large overtime payments. However, police officers in the higher deciles of the survey do receive substantial additions to their basic pay, and the overtime rates themselves are relatively expensive compared with some other public sector organisations. The use of international case studies by the APA was also criticised for lack of evidence.
- 2.5.36 The inspector's branch of the Police Federation has stated that inspectors have been exploited as a result of the buy-out of overtime in 1993, and they are now expected to be on duty for more hours than ever before. For example, the Metropolitan inspectors branch surveyed their members and found that detective chief inspectors reported working in excess of 60 hours per week⁴⁹. More generally, during my consultations with individual inspectors I was informed that some inspectors sustain an appreciable drop in pay upon promotion to the rank, especially if they were previously sergeants in roles which required substantial amounts of overtime. Sergeants are entitled to overtime pay, whereas inspectors are not. I found that this can be a source of resentment with individual inspectors, and they argued that it could have the effect of discouraging sergeants from applying for promotion. The chairman of the Police Federation told the review that he had an intuition that there are very few inspectors who experience a drop in pay on promotion from sergeant. This is because of the large differential between the top of the sergeants' scale and the beginning of the inspectors' scale.
- 2.5.37 The Police Federation's supplementary submission also states that recent research found time and a half is to be the most usual form of overtime premium pay. However, that does not accord with the review's analysis, which established that casual overtime at time and a third contributes to over half of the total cost of overtime⁵⁰.
- 2.5.38 During the seminar on deployment, Mr Alan Williams (Director of Finance for ACPO on Terrorism and Allied Matters), raised the issue of officers who work in specialist VIP protection teams. He acknowledged that the overtime regulations are not designed for such officers, and, as a result, they often earn very significant sums in overtime payments. Mr Williams argued that there was a case for examining annualised contracts and flexible package arrangements for such officers. In response, the General Secretary of the Police Federation argued that all officers are entitled to be paid the rates specified in the regulations, and that there should be no exceptions.
- 2.5.39 Of the seven questions on the review's website consultation, the question on overtime drew the greatest number of responses – over 1,450 contributions. Approximately half of the respondents stated that all hours worked should be paid, including The 'Queen's half hour', and that if overtime payments are to be stopped or cut, fewer officers would agree to working overtime (disregarding the fact that officers' agreement to work overtime is not necessary).

48 These figures are unpublished data and were received directly from both forces.

49 *Exploring the myths: a line in the sand*, Metropolitan inspectors branch board, 2010, page 4

50 Police Federation supplementary submission, page 9

Others argued that officers regarded a good work-life balance as more important than premium pay.

- 2.5.40 Respondents also acknowledged the role of overtime regulations in protecting officers from mismanagement or exploitation.
- 2.5.41 Some respondents argued that changes should be made to overtime pay. Some advocated an increase in basic pay and the abolition of overtime. Others advocated the removal of the minimum notice periods, reductions of the rates applying to public holidays, and the exchange of overtime for other non-financial benefits, such as time off *in lieu*.

Conclusion

- 2.5.42 I agree with the Police Federation and Superintendents' Association that nothing should be done which may jeopardise the goodwill of the majority of police officers who are prepared to work beyond their core hours without seeking payment, especially at a time when police budgets are under considerable pressure. It should also be noted that the use of overtime provides an appreciable degree of protection for officers against shortcomings in management practices (which can and should be eliminated over time) by attaching an economic cost to the requirement that an officer works beyond his normal hours.
- 2.5.43 Overtime should remain a management tool for the foreseeable future. However, that does not mean that the present system is perfect. The system has too many complex eligibility criteria, pays premium rates for working beyond a shift when casual overtime should be expected, and pays double time for routine work on a public holiday.
- 2.5.44 In devising a new scheme, I believe that there is a strong distinction to be made between casual overtime on a day when an officer expected to work, and shift disturbance or additional hours on a day when an officer had a reasonable expectation that he would not be asked to work, such as a rest day or annual leave. Premium pay should not be payable for work which is needed to complete an officer's daily duty. Policing is inherently unpredictable and an officer's basic pay already includes an element of compensation for this. As the Royal Commission found in its interim report in 1960, a "constable's rate of pay provides adequate compensation for this inevitable incident of police service⁵¹". Furthermore, The 'Queen's half hour', whereby officers are only eligible for overtime after the first 30 minutes of extra work, has set a more recent precedent for recognising that a degree of flexibility is required at the end of a tour of duty. Therefore, I recommend that any additional hours should be paid at plain time only, rather than time and a third, on the grounds of affordability and fairness.
- 2.5.45 More generally, I have not seen any evidence which could establish that some of the overtime abuses reported in the media occur are prevalent, in particular the assertion that officers claim a minimum of four hours' overtime at time and a third for taking a short telephone call when off duty. However, there is no doubt that the present system is capable of being abused in the way described. Since there is no pressing need to retain the right to be paid for a minimum number of hours in these circumstances, I agree with ACPO that overtime should be paid for actual hours worked and not minimum periods.
- 2.5.46 I recommend that the premium rates which apply to working on a rest day, public holiday and annual leave should be kept. This is because I recognise that in such cases, there is likely to be considerably more disruption to an officer's personal and family life, when compared with the requirement to work additional hours on a day when the officer is already on duty. However, I recommend a simplification of the arrangements. There should only be one notice period after which premium rates apply, namely 15 days. The five-day notice period should be abolished. It is to be expected that this change will incentivise managers to plan deployments more efficiently. It will also provide officers with greater advance certainty that their rest days will be protected.

51 Royal Commission, paragraph 187

- 2.5.47 I also recommend a new approach to public holidays. It is no longer the case that all eight statutory public holidays in the year are appreciably and qualitatively different from other working days. With the sole exception of Christmas Day, most businesses now continue trading and providing services on public holidays. The present system also has the effect of making it more likely that constables and sergeants will have to work on a public holiday at short notice, because the pool of eligible officers is already reduced by most of the non-operational roles in the police force not working on a public holiday.
- 2.5.48 It is recommend that an officer should be able to choose seven days which will count as their public holiday entitlements, in addition to 25 December.
- 2.5.49 Under this regime of nominated public holidays, an officer should inform his manager of his chosen public holidays before the beginning of the financial year. He should not be able to amend that nomination at a later date. The nominated dates should only be cancelled as a last resort. I believe that an officer having a day of annual leave or nominated public holiday cancelled should be so rare that regulations should provide that it may not be done without the prior authorisation of an officer of at least the rank of Assistant Chief Constable. In the case of the proposed public holiday reform, it would be rare to cancel an officer’s public holiday because the pool of officers available for duty will be larger, since the nominated days of annual leave will be spread across the year and not concentrated on the statutory public holidays. In cases in which an officer’s public holiday entitlement is cancelled, he should be allowed to re-assign it to a different date. Where an officer does not choose to nominate any specific dates, the normal statutory public holidays will apply. I believe that this new regime will have significant benefits for all officers.
- 2.5.50 Table 2.8 compares the existing system with the recommended new approach:

Table 2.8: Existing overtime system compared with recommended new approach			
Type of overtime	Eligibility	Existing rate per hour	Recommended rate per hour
Casual	Remaining on duty after a tour of duty ends	Time and a third (no payment for the first 15 or 30 minutes depending on the notice given)	Time (no payment for the first 15 or 30 minutes depending on the notice given)
	Recalled between two rostered tours of duty	Time and a third (minimum of 4 hours) plus travelling time.	Time plus travelling time
	Begin earlier than the rostered time without due notice and on a day when the officer has already completed his normal daily duty	Time and a third	Time

Table 2.8 Existing overtime system compared with recommended new approach *continued*

Type of overtime	Eligibility	Existing rate per hour	Recommended rate per hour
Planned	Rest day	Double time if fewer than 5 clear days' notice given; time and a half if more than 5 but fewer than 15 days notice given.	Time and a half with fewer than 15 days' notice
	Public holiday	Double time and a day off <i>in lieu</i> (with fewer than 8 days' notice). Otherwise double time only.	Double time applies to 25 December and 7 other days chosen by the officer. Cancellation with fewer than 15 days' notice needs ACC authority
	Annual leave	Minimum of 8 hours at double time plus 1 day's annual leave or 2 days' annual leave (at the officer's option)	Unchanged – Minimum of 8 hours at double time plus 1 day's annual leave or 2 days' annual leave (at the officer's option) Cancellation requires ACC authority

- 2.5.51 The recommended approach simplifies the existing system and preserves the two highest forms of premium pay for the cases where they are likely to cause the most disruption to an officer's personal and family life.
- 2.5.52 It is estimated that these changes will reduce the overtime bill by approximately £48m *per annum*, based on 2009/10 figures. However, it is noted that overtime budgets are likely to be reduced in the next few years, and it is likely that there will be an element of double-counting of these savings from other efficiency programmes, both national and local.
- 2.5.53 In terms of the effect on individuals, it is estimated that the average annual overtime pay will reduce from £2,751 to £2,418. These figures are derived from the review's survey of police forces and will vary according to the role which an officer performs. However, it is likely significantly to affect those earning the most overtime, such as those in diplomatic protection.
- 2.5.54 In the longer-term, Part 2 of the review will consider the case for buying out overtime in certain roles, together with the case for a wider job banding process which takes account in basic pay of the likelihood that an officer will be required to work longer than the normal 40-hour week. There is a sound case for reviewing the arrangements which apply to officers who receive the most overtime in VIP specialist protection teams. Such officers should be fairly remunerated for the significant disruption to their personal and family lives which that type of work can cause. However, I also agree with Mr Williams that the use of national regulations for such officers is anomalous and creates an internal frustration on the parts of many officers who cannot earn these very high amounts in overtime. The wider changes to overtime and

mutual aid arrangements will, to some extent, address some of the problems identified for these officers in the short term.

- 2.5.55 In connection with the recommendations to be made in Part 2 of the review, I invite the views from the police service, the Crown Prosecution Service and HM Courts Service in respect of the question of whether a fixed proportion of the police overtime budget should be allocated to the Crown Prosecution Service. This would result in the financial responsibility for the attendance of police officers at court being placed on the principal organisation able to demand such attendance. Such a step may improve the efficiency with which police officer time is used in this connection.
- 2.5.56 I do not recommend any change to the start of the police day arrangement. This is a minor management issue in relation to collaborative agreements, and it should not be a barrier to such activity. The start of the police day is also a protection for officers' rest days.

Recommendation 6 – Determination Annex G, made under Regulation 25 of the Police Regulations 2003, should be amended to replace time and a third premium pay for casual overtime with plain time. The minimum hours for being recalled between duty should be abolished and instead paid at plain time for the hours worked, with travelling time.

Recommendation 7 – Determination Annex H, made under Regulation 26 of the Police Regulations 2003, should be amended to remove double time premium pay and the notice period of five days for working on a rostered rest day. Time and a half premium pay should be payable for working on a rostered rest day with fewer than 15 days' notice.

Recommendation 8 – Determination Annex H, made under Regulation 26 of the Police Regulations 2003, should be amended to allow the payment of overtime at double time for 25 December and seven other days chosen for the next financial year by the officer before 31 January. Cancellation with fewer than 15 days' notice should require the authority of an Assistant Chief Constable.

2.6 Overtime, rest days and public holidays – staff

Background

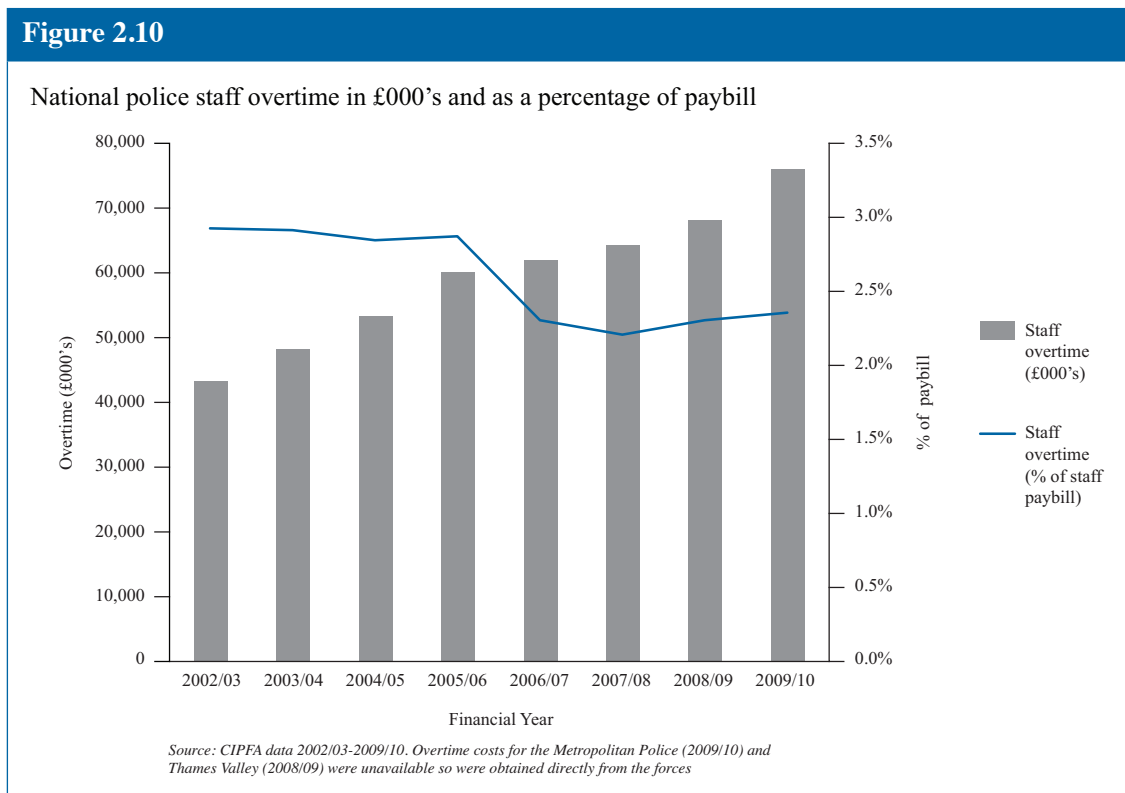
- 2.6.1 Police staff are also eligible for overtime. For those police forces who incorporate the Police Staff Council handbook into their employment contracts, the rates are outlined in Section 1 of the Police Staff Council handbook, namely:
- Monday to Saturdays: **Time and a half of basic pay**
 - Sundays and public holidays: **Double time of basic pay**
- 2.6.2 These rates are only applicable to lower paid staff, below the national pay spine point 24, which in the pay year September 2010/11 is £25,449. Staff above this salary may be subject to locally-agreed overtime rates, but the implication is that such roles could be salaried and will not routinely attract additional pay for extra working. In contrast to police officers' overtime regulations, this system is relatively simple.

2.6.3 In addition, premium pay is used for shift disturbance. The Police Staff Council handbook sets these out as follows:

Table 2.9: Staff shift disturbance	
Eligibility	Premium pay
Casual overtime	Additional days' pay at plain time – when the starting time is altered by three hours or more and employees are notified with fewer than five days' notice
Planned overtime	<p>Overtime rate and receive a day off <i>in lieu</i> – working on a rostered rest day with fewer than five days' notice</p> <p>Overtime rate or a day off <i>in lieu</i> – working on a rostered rest day with fewer than 15 days' notice but more than 5 days' notice</p> <p>Weekend off <i>in lieu</i> – where possible, when the changed day is a weekend⁵²</p>

Analysis

2.6.4 In 2009/10, police staff overtime in England and Wales cost £76m. Similarly to police officers' overtime, the cost of staff overtime has risen steadily over the last eight years, from £43m in 2002/3. However, the proportion of the staff paybill spent on overtime has remained relatively steady, with a slight reduction from 2.9% in 2002/03 to 2.4% in 2009/10. Figure 2.10 sets out total police staff (including PCSOs and traffic wardens) overtime by cost and by the percentage of staff paybill over the last eight years.



- 2.6.5 As with police officers, some police forces are more efficient than others with respect to staff overtime. Table 2.10 compares the staff overtime spend as a total and as a percentage of the staff paybill by individual police forces in 2009/10.

Police force	Staff overtime (£000's)	Staff overtime (% of paybill)
Avon & Somerset	1,348	1.6%
Bedfordshire	485	1.6%
Cambridgeshire	406	1.1%
Cheshire	407	0.8%
City	211	1.5%
Cleveland	339	1.2%
Cumbria	385	1.4%
Derbyshire	470	1.0%
Devon & Cornwall	1,183	1.6%
Dorset	466	1.4%
Durham	340	1.1%
Dyfed-Powys	307	1.3%
Essex	1,149	1.4%
Gloucestershire	295	1.1%
Greater Manchester	2,677	1.8%
Gwent	1,203	4.0%
Hampshire	1,187	1.4%
Hertfordshire	1,166	1.9%
Humberside	1,129	1.9%
Kent	1,597	1.6%
Lancashire	1,052	1.5%
Leicestershire	381	0.9%
Lincolnshire	373	1.2%
Merseyside	2,203	2.8%
Metropolitan Police	35,894	4.6%
Norfolk	468	1.1%
North Wales	583	1.7%
North Yorkshire	845	2.0%
Northamptonshire	908	2.1%
Northumbria	1,159	1.6%
Nottinghamshire	727	1.3%
South Wales	580	0.9%

Table 2.10 Staff overtime spend as a total and as a percentage of staff paybill *continued*

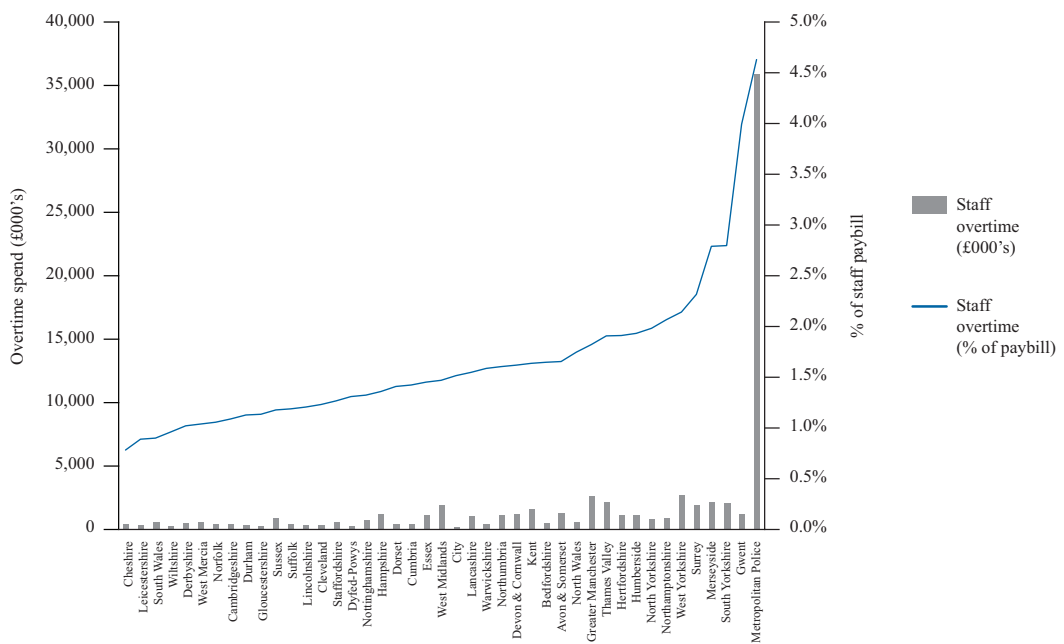
Police force	Staff overtime (£000's)	Staff overtime (% of paybill)
South Yorkshire	2,076	2.8%
Staffordshire	603	1.3%
Suffolk	414	1.2%
Surrey	1,929	2.3%
Sussex	912	1.2%
Thames Valley	2,187	1.9%
Warwickshire	435	1.6%
West Mercia	576	1.0%
West Midlands	1,977	1.5%
West Yorkshire	2,708	2.1%
Wiltshire	321	1.0%
National Total	76,061	2.4%

Source: CIPFA Police Actuals 2009/10. Overtime costs for the Metropolitan Police were obtained directly from the force

2.6.7 It is clear that some forces are more adept than others at using their overtime efficiently, with a range of 0.8% to 4.6% of the staff paybill. Figure 2.11 displays both the total spend on overtime and the proportion of the staff paybill, with police forces ranked according to their overtime spend as a percentage of their officer paybill.

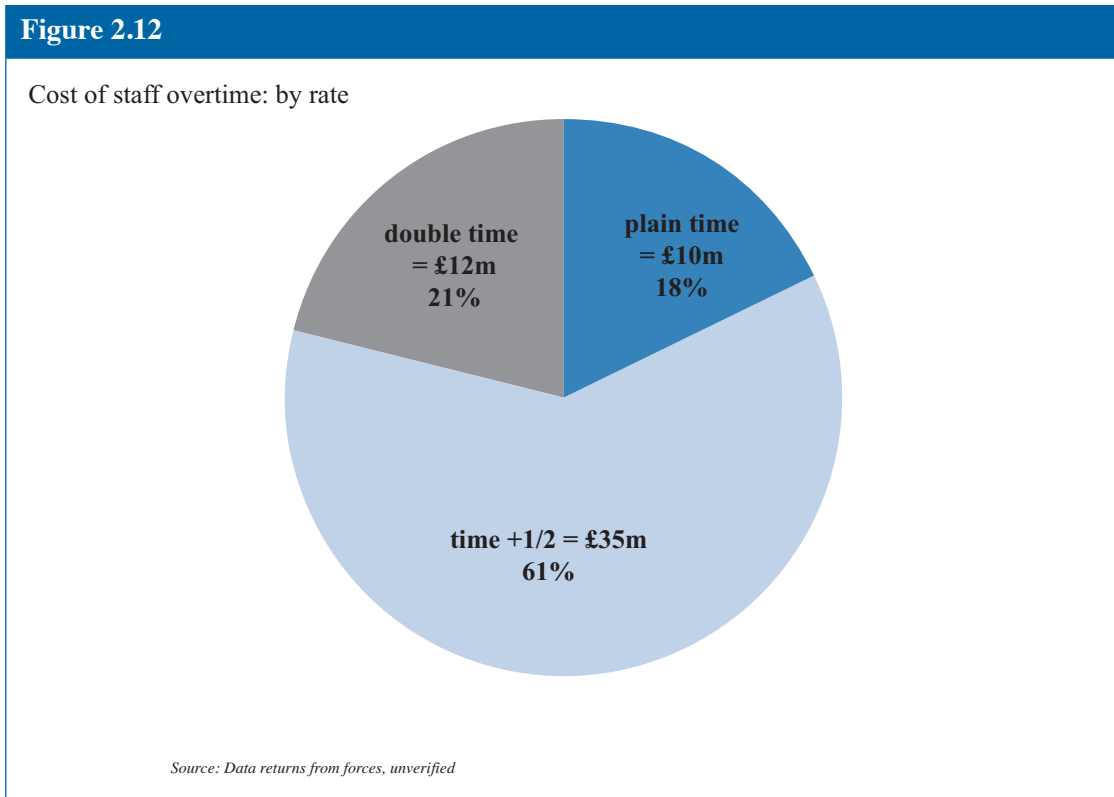
Figure 2.11

National police staff overtime spend (£000's) and percentage of staff paybill by force



Source: CIPFA Police Actuals 2009/10. Overtime costs for the Metropolitan Police were unavailable so were obtained directly from the force

2.6.8 To supplement this data and provide an indication of where the overtime budget was being spent, the review conducted a new survey. Twenty-three of the 43 police forces responded to the request for data on overtime premium pay rates. From this, the data were extrapolated to national levels, providing a reasonable indication of the effect of overtime rates. It should be noted that although the majority of police forces follow the Police Staff Council handbook’s rates, there are some exceptions, including the Metropolitan Police Service which accounted for £36m of police staff overtime. Therefore, the conclusions which can be drawn from the national data are somewhat limited.

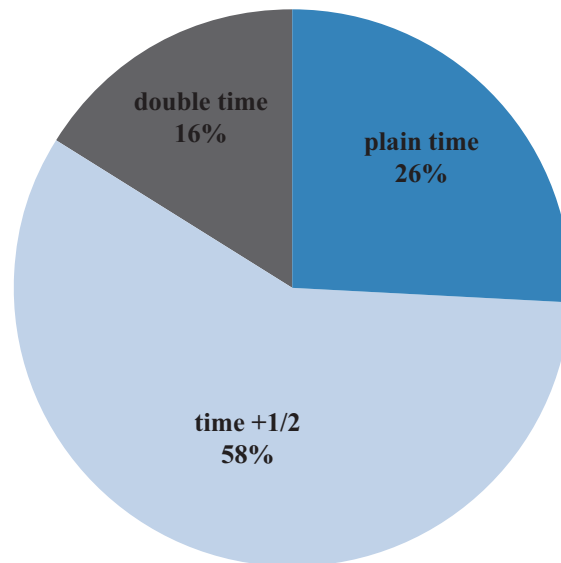


2.6.9 The analysis shows that overtime costs are primarily driven by overtime at the time and a half rate, both in terms of the total cost of £35m and the proportion of overtime hours worked (almost 60%). It is not possible to determine from the data whether this has been caused by casual overtime or as a result of additional planned overtime on a rest day.

2.6.10 By comparison, the amount of money spent on plain time is approximately 18% of the budget, but this represents a quarter of all the overtime hours worked. The PSC handbook’s guidelines set out that plain time is more likely to result from short notice changes to shifts. This indicates that casual overtime, which incurs an additional days’ pay, is a much less significant issue for police staff than for police officers, 26% compared to 56% of the hours.

Figure 2.13

Proportion of staff overtime hours worked: by rate

*Source: Data returns from forces, unverified*

- 2.6.11 The £12m spent on double time has resulted from overtime on a Sunday or public holiday. It is clear from the number of hours that this is a comparatively rare occurrence.
- 2.6.12 Professor Disney used the Office of National Statistics' Annual Survey of Hours and Earnings (ASHE) data to compare police staff against employees in other sectors. As noted earlier, the ASHE survey does not record police staff as a specific category, so Professor Disney examined a sample of the police staff submissions to the ASHE, which were provided by 13 of the 43 police forces asked. He found that the weekly payments ranged from no overtime for employees in information technology or managerial grades, to £17.74 *per* week for forensic science employees. Professor Disney found that police officers receive a comparable wage to police staff managerial grades. However, the latter would not usually be able to increase their earnings through overtime, unlike police constables and sergeants.
- 2.6.13 Viewing overtime as a percentage of their gross weekly pay, PCSOs received the highest rate of 3.15% of their weekly pay, compared with clerical officers with 2.9%, custody detention officers who received 2.4%, and call centre dispatchers who received 2.3%. It is not possible directly to compare police staff overtime with other occupations because of the limitations of the ASHE survey. However, such percentages are relatively small when compared with shift premia payments for police staff of over 12%. Therefore, police staff are more likely to financially benefit from their shift allowance than shift disturbance.
- 2.6.14 In comparison with other parts of the public sector (see Table 2.1), the PSC Handbook's time and a half overtime rates and double time for working on a public holiday are broadly comparable with those in the health service and fire service. However, it appears to be an anomaly that Sunday overtime attracts a higher premium than weekday and Saturday overtime, since policing is a 24-hour service.

Consultations

- 2.6.15 Most of the submissions received on this subject dealt only, or primarily, with police officer overtime. It can be inferred from this that many consultees did not consider there to be a pressing need for reform in the case of police staff.

- 2.6.16 ACPO and the Chair of the Official Side of the Police Staff Council both stated that, in the longer-term, the propensity for police staff to be required to work additional hours should be compensated using different arrangements, such as annualised hours or greater use of flexible working⁵³. Similarly, the Association of Police Authorities said that, as with police officers, overtime should be abolished in favour of role-based pay. The Local Government Association opined that neither police officers nor staff should be paid premium overtime rates for weekday or Saturday daytime working. Instead, plain time should be used for this type of overtime and premium pay should only apply for late evenings and Sundays⁵⁴.
- 2.6.17 Unison offered a number of options for reducing unnecessary overtime in police service budgets, including better demand management so that overtime is an exception rather than an expectation. It also argued that the overtime rates are transparent and in line with those for other public sector workers⁵⁵. Additionally, Unite recommended the continuation of existing premium pay for additional hours⁵⁶.

Conclusions

- 2.6.18 It is clear from both the national data and the review’s own analysis that police staff are not required to perform paid overtime as frequently as police officers. There were relatively few comments on this subject during our formal submissions, oral evidence sessions, seminars and conversations with police staff. I am mindful that many police staff have much lower salaries than police officers. That is in part a reflection of the element of expected additional unpaid hours which is built into the basic pay of police officers. As police staff do not have this ‘x-factor’, it is right that they should receive slightly higher premium pay when required to undertake additional hours. The applicable rates are broadly in line with those of other parts of the public sector, with the exception of the double time rate for Sunday working. I recommend that this is reduced to a standard rate of time and a half for overtime on a Sunday.
- 2.6.19 I also recommend that police staff should be eligible for the same arrangements for public holidays as police officers, which are described in the previous section. Part 2 of the review will examine the case for, in the longer term, bringing police officer and police staff overtime arrangements closer together.

Recommendation 9 – The Police Staff Council’s handbook, Section 1, paragraph 6.1.2 should be amended to provide for the payment of additional hours of Sunday working at the rate of time and a half. This should be agreed in the Police Staff Council and incorporated into contracts of employment using the established mechanisms for doing so. In the case of police forces outside the PSC arrangements, these changes should be agreed in the usual manner with the relevant unions.

Recommendation 10 – For working public holidays, police staff should receive double time for working on 25 December and on seven other days chosen for the next financial year by the employee in question before 31 January. Cancellation with fewer than 15 days’ notice should require the authority of an Assistant Chief Constable. This should be agreed in the Police Staff Council and incorporated into contracts of employment using the established mechanisms for doing so. In the case of police forces outside the PSC arrangements, these changes should be agreed in the usual manner with the relevant unions.

53 Official side of the Police Staff Council submission, page 2

54 Local Government Association submission, page 4

55 Unison submission, page 36

56 Unison submission, page 9

2.7 Mutual aid

Background

- 2.7.1 ‘Mutual aid’ is the term applied to the provision of resources from one police force to another. It is provided for in section 24 of the Police Act 1996. Usually, it takes the form of police constables and sergeants temporarily working for or in another police force. For example, an operational incident may require firearms officers in numbers beyond the local police force’s capacity. A standing agreement allows the rapid deployment of such officers to the area in question. It is also possible for members of police staff to be included in mutual aid provision, but it is understood that this happens on fewer occasions. Police officers can also be held in reserve.
- 2.7.2 Mutual aid is an inevitable consequence of having 43 different territorial police forces. Some larger forces rarely require mutual aid for specialist skills. By contrast, smaller police forces are less likely to have a standing supply of specialist officers. Mutual aid can also be required for large planned events, such as demonstrations, which can require significant numbers of officers.
- 2.7.3 The present arrangements, also known as the ‘Hertfordshire Agreement’, originated from the need to provide significant numbers of police officers to other forces to police disturbances such as those which occurred during the miners’ strike in 1984. At that time, thousands of police officers worked in the areas of police forces other than their own, and so a standing arrangement between police forces was developed.
- 2.7.4 The arrangements were negotiated in the Police Negotiating Board and published in PNB Circulars 86/15, 88/9 and 95/8. The regime has remained unchanged since 1995. Where an officer is required to work in another force but is able to return to his normal place of duty within the same day, he is paid for his hours of work and travelling time only. However, where an officer is required to stay away overnight, he is entitled to receive payment for 16 hours of the day, irrespective of the number of hours actually worked, provided that:
- 1) proper sleeping accommodation is provided; and
 - 2) the officers are stood down from immediate operational availability and allowed reasonable freedom of movement, while remaining contactable in case an emergency requiring their recall should arise.
- 2.7.5 Where proper sleeping accommodation is not provided, the officer is entitled to be paid for 24 hours work, including sleeping time, irrespective of the hours he has actually worked. ‘Proper sleeping accommodation’ is:
- “provision of beds (which may be camp beds) and bedding under cover with access to washing and toilet facilities and with adequate heating and ventilation according to the season⁵⁷”.*
- 2.7.6 This definition is the minimum allowed, and a higher standard of accommodation is expected after 48 hours, or where sufficient notice is given in advance. The higher standard of accommodation is also set out in detail, including in relation to the intensity of use of shared facilities. Where these conditions are not met, a daily hardship allowance is provided equivalent to two hours’ basic pay of a police constable with eight years’ service.
- 2.7.7 Officers are paid at the applicable premium rate of overtime. For example, if an officer is asked to provide mutual aid on his rest day and is given fewer than five days’ notice, he will be entitled to be paid for 16 hours work pay at double time for each 24-hour period.
- 2.7.8 Officers can also be ‘held in reserve’, which means that they are serving away from their normal place of duty and obliged to stay in a specified place. Such a requirement does not receive any specific payment at present, other than reimbursement of expenses incurred⁵⁸.

57 PNB Circular 95-8

58 PNB Circular 88/9

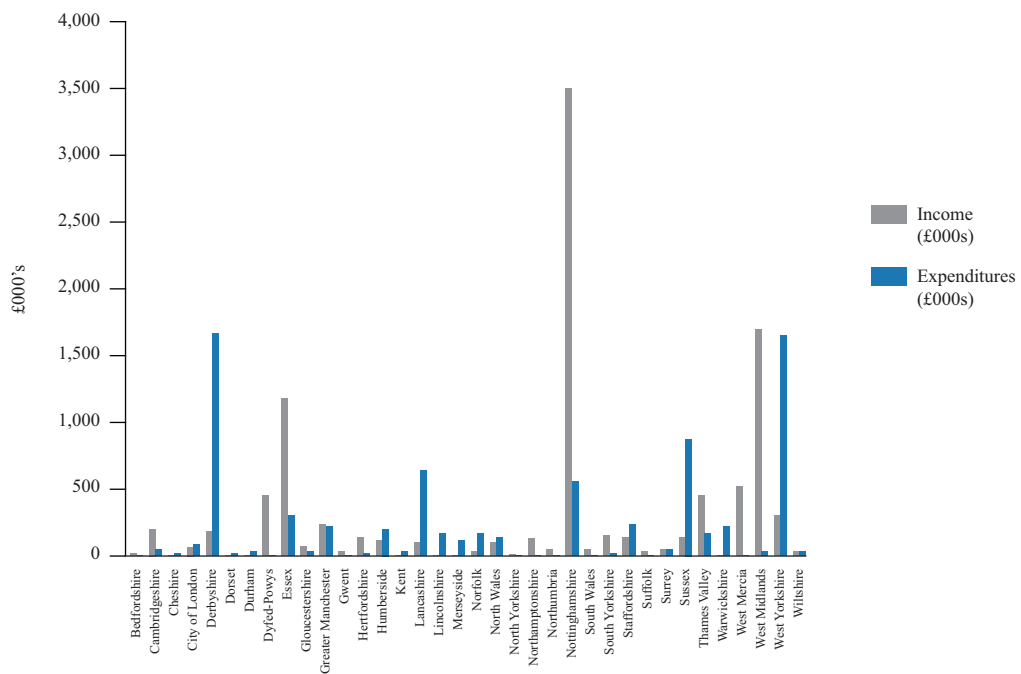
- 2.7.9 More recently, the issue of mutual aid has arisen in the context of planning for the London Olympics in 2012. The event cannot be policed by the Metropolitan Police Service alone, and will require significant numbers of police officers from police forces across England and Wales, especially those with firearms capabilities. A proposal was submitted in 2010 by the Official Side of the Police Negotiating Board for the removal of the 16 hours minimum payment rule, which would have had the effect of only paying officers for the hours that they are on duty. A working party was established to consider the issue, but at the time of writing this report, agreement has not been reached.

Analysis

- 2.7.10 The national data on the use of mutual aid show that many forces are both recipients and providers of mutual aid. The requesting force should reimburse the providing force for the exact costs incurred in paying the officers. However, the total income and expenditure in each year for England and Wales shows that, contrary to the principles of the Hertfordshire Agreement, mutual aid is not cost-neutral. This may be due to data collection errors. Police forces also provide mutual aid assistance across national boundaries. The prospect of mutual aid assistance to the Police Service in Northern Ireland remains a controversial subject for the Police Federations of both England and Wales, and of Northern Ireland. In recommending any reform to mutual aid, I recognise that the ability rapidly to deploy similarly trained officers across national boundaries remains an important consideration.
- 2.7.11 The data available from the Chartered Institute of Public Finance and Accountancy (CIPFA) indicate that mutual aid is regularly used and accounts for a reasonable proportion of a police force's budget. For the 36 of the 43 territorial police forces that provided data, there was a total expenditure of £7.7m and a total income of £10m in 2009/10 alone. It is therefore in the police service's interests to ensure that such arrangements are as efficient as possible.
- 2.7.12 Within England and Wales, there is a wide variety of income and expenditure within each force. It tends to be the larger metropolitan forces, such as West Midlands and Nottinghamshire, that receive relatively more income from providing mutual aid, to the detriment of some of the rural forces. Figure 2.14 shows the distribution of income and expenditure for 36 of the 43 territorial police forces in 2009/10. It is notable that there are several forces missing, including the Metropolitan Police Service, who do not have comparable data.

Figure 2.14

Mutual aid: 2009/10 income and expenditure in £000's by force



Source: Annual data return

Consultations

- 2.7.13 In the formal submission, the Association of Police Authorities stated that mutual aid should be the only exception to its general recommendation that overtime premium rates should be abolished. It recommended that officers should receive premium rates for each hour they work over the standard eight-hour tour of duty, with travelling time also paid for. It also recommended that the minimum payment of 16 hours for each 24-hour period, irrespective of the hours worked, should be abolished.
- 2.7.14 In respect of the welfare of police officers on mutual aid duty, the APA also stated officers enjoy a high standard of accommodation⁵⁹.
- 2.7.15 I do not accept this. The 'higher standard' of conditions described in PNB Circular 95/8 amounts to the equivalent of an army mess hall. Many police forces have taken steps to introduce better accommodation, but such good practice cannot be attributed to the lower specifications in the Hertfordshire agreement.
- 2.7.16 ACPO argued that the current provisions are inherently unfair, inasmuch as they disproportionately reward officers who work fewer hours than those for which they are paid. The minimum payment for 16 hours' work means that an officer who is only required to perform an eight-hour tour of duty receives the same remuneration as an officer who works for 15 hours. ACPO cites research which has indicated that, on average, officers are paid an additional £60 to £70 each day for hours that they have not worked⁶⁰. The review has not been able to validate this research, but it is accepted that the present system is unfair because it operates to the detriment of those officers who do the most work.
- 2.7.17 The APA, ACPO and Metropolitan Police Service all stated that the negotiations in the Police Negotiating Board regarding mutual aid for the London Olympics were protracted and are in need of urgent resolution to allow sufficient time for operational and financial planning.

⁵⁹ APA submission, page 26

⁶⁰ ACPO submission, page 17

- 2.7.18 The Metropolitan Police Authority identified four sets of circumstances in which mutual aid or officers ‘held in reserve’ may be required with varying levels of notice given, namely:
- spontaneous / emergency deployment
 - serious / major incident
 - major planned development / event; and
 - specialist deployment.
- 2.7.19 The MPA argued that officers who are required to undertake mutual aid should be paid for the hours they work, rather than the minimum period of 16 hours. Where advance notice is available, volunteers should be drawn upon first. The MPA also recognised that those ‘held in reserve’ have restrictions placed on their personal lives and accessibility, although it did not state whether or how these restrictions should be compensated beyond the reimbursement of expenses incurred.
- 2.7.20 The Police Federation stated that the present mutual aid arrangements were designed as compensation. They contend that mutual aid is not voluntary, unlike secondments or collaboration arrangements, and therefore an officer should receive sufficient compensation in pay for the disruption to his personal and family life. In particular, the Federation raised equality issues regarding additional costs for childcare and the care of other dependents. It is accepted that mutual aid is a potential disruption of family life, and that volunteers should always be used as a first resort. However, elsewhere in the Federation’s submission it argued that the nature of the office of constable is such that police officers do not have any choice; they can be directed to work at any place and at any time at the command of their chief officer. As such, an element of their basic pay reflects the potential for disruption to personal and family life. In the short term, however, I do not accept that it is fair for officers to be financially rewarded beyond the hours that they work.
- 2.7.21 The Police Federation also argued that the definition of ‘proper accommodation’ should be revised in the light of recent experiences, citing the 11,600 officers who policed the G8 summit in Gleneagles in July 2005. They found that the accommodation provided, particularly the Otterburn barracks, was of poor quality yet met the requirements of the applicable PNB Circular. The Police Federation also pointed out that women now comprise 26% of the police service, and so it is no longer acceptable to house all officers in large open plan sleeping halls. It is accepted that the present definition is outdated and should be revised.

Conclusion

- 2.7.22 It is unfair that officers who are required to serve longer tours of duty are paid the same as those who only work for shorter periods. I recommend the removal of the minimum payment period so that officers are paid for the hours that they are required to work, plus travelling time to and from the place of work.
- 2.7.23 I do not accept the argument that payment for a minimum of 16 hours’ work is an appropriate amount of compensation for an officer being unable able to return home to sleep. Payment at the applicable overtime rates is sufficient. My recommendation in relation to the establishment of an unsocial hours payment will also benefit officers on mutual aid duties, if they are required to work during these hours. In addition, if the mutual aid is required at short notice on an officer’s rest day or public holiday, he will still be entitled to paid for that duty at the premium rates of time and a half or double time.
- 2.7.24 More generally, police forces should plan for large-scale events which they know will require mutual aid, and they should always use volunteers as a first resort. It is likely that police forces will reduce their overtime budgets in the future, and so officers may be more willing to volunteer for the opportunity of additional hourly pay from mutual aid arrangements.
- 2.7.25 The Police Federation are right to criticise the outdated nature of the present definition of ‘proper accommodation’. However, in some forces, officers on mutual aid service are

provided with appreciably higher standards of accommodation when there has been sufficient notice to plan for the event. For example, during the London Olympics most officers will be accommodated in student dormitories. Such standards should become the norm, not the exception. I recommend that the Police Negotiating Board revise its definition of ‘proper accommodation’ to require that an officer on mutual aid duty should be provided with single occupancy accommodation. Where this cannot be provided, a hardship allowance of £30 per night, non-pensionable and irrespective of rank, should be paid as compensation. The figure of £30 is broadly derived from the previous PNB Circular’s compensation of twice the hourly rate of a constable with eight years’ service.

- 2.7.26 Where an officer is held in reserve and unable to return to his home, he is under substantially the same restrictions on his private and family life as officers who are subject to on-call arrangements. An officer in these circumstances should be eligible for the on-call allowance of £15 per night (non-pensionable), which is described in Chapter 5 of this report. If an officer is already entitled to payment for hours of duty under mutual aid provisions in respect of a particular day, he should not receive this additional allowance for that day.

Recommendation 11 – Police officers on mutual aid service should be paid for the hours they are required to work each day, plus travelling time to and from the place of duty. Where those hours coincide with the unsocial hours period, or the duty has been required at short notice and they are eligible for the new overtime rates, the officer should be paid at the applicable premium rates.

Recommendation 12 – The definition of ‘proper accommodation’ should be revised to describe a single occupancy room with use of en suite bathroom facilities. Where such accommodation is not provided, the officer should receive a payment of £30 per night. The current definition of ‘higher standard accommodation’ should be removed and not replaced.

Recommendation 13 – Officers held in reserve on a day and who have not been paid for any mutual aid tour of duty that day, should receive the on-call allowance of £15 for that day.

2.8 Business interests

- 2.8.1 A police officer is able to earn income additional to his police service salary, either from other employment or business interests. Before doing so, he must first inform his chief officer, who is required to state whether the employment or business interest is compatible with the officer’s status as a police officer. If he determines that it is incompatible, the application will be refused.
- 2.8.2 Regulation 7 of the Police Regulations 2003 aims to ensure that the needs of the police service has primacy and that an officer is not involved in activities that are incompatible with continued membership of the police force. This condition of service extends beyond the officer to include a requirement to report any business interest of a member of the officer’s immediate family which interferes with, or could be seen as interfering with, the impartial discharge of the officer’s duties. The same conditions apply to appointment to the force by virtue of Regulation 9, so there is consistency throughout an officer’s career.
- 2.8.3 The Police Regulations 2003 themselves do not state categorically what would be incompatible with continued membership of a police force, although Regulation 7(2A) requires the chief officer to have regard to whether as a result of the business interest the officer’s conduct would meet the standards of behaviour set out in the regulations on police conduct.
- 2.8.4 ACPO informed the review that official guidance provides that, when considering applications, chief officers should have regard to matters such as the hours which the officer intends to

work, the vulnerability of the officer to difficulty if his outside interest goes wrong, the effect on the police force, the likely effect on the officer's performance, and his health, safety and wellbeing. A chief officer must decide on the application within 28 days of receiving it. The officer has a right of appeal to the Police Authority. There is a final appeal to the Home Secretary.

- 2.8.5 Police staff may also be subject to such restrictions, which are agreed and implemented at a local force level.

Analysis

- 2.8.6 All 43 territorial police forces were asked for data on the number of current approved business interests for their officers. Thirty-four forces responded. The review's analysis established that there have been over 7,700 applications in respect of business interests, and this varies widely between police forces. For example, the West Midlands Police reported 699 applications, whereas Lincolnshire reported only 31. The national figure is likely to be substantially higher because the data do not include other large forces such as the Metropolitan Police Service or West Yorkshire Police.
- 2.8.7 It should be noted that the data submitted to this review are limited by varying time limits – some forces had data back to 1999, whilst others used 2009/10 data. In addition, the statistics mask officers who have several business interests; for example, in one force four officers had three business interests, and another 24 officers had two business interests each. There were also qualifications from some forces who said they did not routinely remove business interests from their records when the business had stopped or an officer had left the force. Some forces were unable to provide the review with any data because they maintain a paper-based system, and the information has not been stored electronically. In such circumstances, these forces may lack a force-wide appreciation of the numbers of officers who have business interests, or whether they are still active.
- 2.8.8 Forces were also asked for the numbers of officers who had their applications rejected. From the 29 forces who replied, 369 applications were found to have been rejected. Again, it should be noted that this was over varying time periods and the same limitations on data quality apply. At a national level, a recent Freedom of Information Act request to the Home Office established that the Home Secretary has received 12 business interest appeals in the last five years. Of those, two have been successful, in four cases the Police Authority's decision was upheld, in five cases the appeal was abandoned, and one was under consideration at the time the information was published⁶¹.
- 2.8.9 In a subsequent submission from ACPO, it cited Metropolitan Police Service data going back to 1991, where it found that 3,784 business interests had been recorded. Of these, 3,457 were recorded by police officers, three came from special constables, 257 were from police staff and 67 were from PCSOs⁶². ACPO's data found that, more recently, there were 2,280 business interests for officers and staff recorded in the MPS database for the period April 2007 to January 2011. ACPO's evidence accorded with the analysis for this review in that the majority of recorded applications were approved; only four were rejected and eight were withdrawn. Twenty applications were changed but it is not clear if they were thereafter approved, and three applications were unclear as to their status. These data matched the review's survey which indicated that business interest applications are rarely rejected. In particular, ACPO found that the number of applications has increased during the last four years.

Consultations

- 2.8.10 In its submission, ACPO argued that the business interest arrangements should be reformed for both police officers and police staff. In particular, they were concerned that officers working in other jobs could be in breach of rules concerning the limitation of working time. The APA took a different view, arguing that the existing regulations provide adequate control for chief

61 Freedom of Information Act 2000 request, number 15695, Police Business Interest Appeals, <http://www.homeoffice.gov.uk/about-us/freedom-of-information/released-information/foi-archive-crime/15695-police-busin-int-appeal/>

62 *Submission to the review on organisational health*, ACPO, February 2011, page 12

officers. The Metropolitan Police Authority stated that the present system leads to over-bureaucracy and central control. Specifically, they said that the right of an officer to appeal to the Home Secretary should be abolished⁶³. The Police Federation expressed concerns about the consistency of the application of the criteria in the determination of applications.

- 2.8.11 The Police Superintendents' Association submitted that outside business interests of police officers should be exceptions rather than routine. They were concerned that police officers having outside jobs and business interests may expose the police service to reputational risk. They also stated that the rise in the number of officers seeking to supplement their incomes could lead to a reduction in the operational effectiveness of police forces.

Conclusion

- 2.8.12 Several thousand officers and police staff are regularly working extra hours outside the police, or receiving additional money from business interests.
- 2.8.13 The police service and the public have a right to expect that police officers and staff are primarily focused on the needs of the public and the police force. All external interests – jobs and business interests – should rank after an officer's or police staff member's duties in the police. However, the absence of evidence that external interests are causing significant problems leads me to the conclusion that there need be no material tightening of the rules.
- 2.8.14 Police officers, police staff and police forces would benefit from a greater degree of guidance as to the types of outside interests which are likely to be regarded as objectionable. The present ambiguities, especially for police staff who have no agreement at a national level, create unnecessary uncertainties.
- 2.8.15 The appellate role of the Home Secretary is an anomaly and should be removed. It is fair for officers and staff to have an appeal mechanism, but in both cases this should be to the local chief officer and then the local Police Authority. There is no need for a third tier of appeal.

Recommendation 14 – The Police Advisory Board should establish and publish improved guidance as to the types of outside jobs and business interests which are likely to lead to the rejection of applications in this respect. This should be done after consultation with potentially affected parties or their representatives.

Recommendation 15 – Regulation 7(5) of the Police Regulations 2003 should be amended to remove the Secretary of State from the appeals process.

2.9 Special Constables

- 2.9.1 Special constables are unpaid volunteers to the police service. They hold the office of constable and the same powers as, and work alongside, paid police officers, Police Community Support Officers and other police staff. Special constables have the same duties as regular police officers to intervene when they encounter crime or disorder, even when off duty. They are expected to work at least 16 hours each month. They are paid reasonable travelling expenses.
- 2.9.2 The special constabulary has its own rank structure, which varies to some degree between police forces. The mix of gender and ethnicity in the special constabulary differs from the regular police force, with 31% of special constables being female and 10% black and minority ethnic officers. The overall numbers of the special constabulary have fluctuated over the decades. In 1978, when Lord Edmund-Davies published his report, there were 16,952 special constables in England and Wales. In 1993 there were 20,566, and in 2004 there were 10,998. Since 2003, police forces have intensified their efforts to increase the numbers of special constables, and in March 2010 there were 15,555.

⁶³ *Submission to the review*, Metropolitan Police Authority, page 13

- 2.9.3 Alongside this recent increase in numbers has been an attempt to increase the productivity of individual special constables. The first attempt was made in 1992, when the Special Constables Regulations 1965 were amended to allow police forces to pay a bounty of up to £400 if special constables met certain conditions, including more regular volunteering⁶⁴. In 1997, HMIC debated whether special constables should be paid for their work, but recommended that they should not⁶⁵. However, the Special Constables (Amendment) Regulations 2002 introduced a more concerted and deliberately innovative attempt to incentivise special constables to volunteer more often. Police Authorities were empowered to pay their special constables an allowance, with the amount to be decided locally, subject to the agreement of the Home Secretary.
- 2.9.4 A small number of forces implemented such a scheme, namely Durham, Humberside, Cumbria and West Midlands Police. For example, Durham Constabulary introduced a bounty scheme in 2004, which cost £127,000 in 2010. Special constables were paid an annual bounty in return for agreeing to work 50% more than the nationally agreed 16 hours *per* month. In 2010, the payments were as follows, according to rank:
- Special Constable: £1,650
 - Special Sergeant: £1,900
 - Special Inspector: £2,200
 - Special Chief Inspector: £2,500.
- 2.9.5 A recent evaluation found that the bounty payment regime is valued by participating special constables and has contributed significantly to the numbers of hours for which they volunteered. However, when compared with neighbouring forces' special constabularies which had no bounty scheme, there was found to be no marked differences in the numbers of hours for which special constables volunteered. Therefore, the evaluation concluded that such a scheme does not deliver value for money⁶⁶.

Consultations

- 2.9.6 ACPO stated that the commitment of the special constabulary is remarkable and commendable. ACPO praised the Association of Special Constabulary Chief Officers for its work in devising and introducing a national strategy to increase the numbers of special constables. It noted that a number of forces have tried to use financial incentives to increase the deployment of special constables, but ACPO said that, on the whole, these have failed. Instead, a form of recognition is necessary to reflect the dedication and commitment required, both whilst on, and off, duty. ACPO suggested that this could be in the form of a small financial reward when special constables receive the existing long service medal. Alternatively, ACPO suggested that eligibility for the long service medal should be reduced to five years.
- 2.9.7 ACPO supports the steps taken by the Metropolitan Police Service to require all future candidates for recruitment to the police to serve first as special constables. This issue will be considered more fully by the review in its Part 2 report as part of its examination of the routes of entry to the police service. ACPO also said that police staff can, and should, be encouraged to volunteer as special constables. However, the Police Federation cautioned against the overuse of this approach, as it could reduce operational resilience, especially in critical police staff roles⁶⁷.
- 2.9.8 The APA noted that the aims and attributes of the special constabulary accord with Government's objective of increasing volunteering in areas previously regarded as primarily the reserve of the paid public sector. The APA said that the particular ethos of the special

64 Special Constables (Amendment) Regulations 1992

65 *A Special Relationship: Police Forces, The Special Constabulary and Neighbourhood Watch*, HMIC, 1997

66 *Durham Constabulary Bounty Scheme Evaluation*, S. C. Burn, 2010, page 1

67 Police Federation submission, page 11

constabulary should be preserved, and cautioned against any moves to pay special constables for their contributions⁶⁸.

- 2.9.9 The Association of Special Constabulary Chief Officers encouraged the increased use of the national strategy for the recruitment of special constables. They also stated that special constables should not be seen as a replacement for paid police officers; rather they should continue to support officers as volunteers⁶⁹.
- 2.9.10 The National Policing Improvement Agency said that the special constabulary's profile within the police service should be raised so that police officers can have greater confidence in their ability to rely on their services. The NPIA said that financial incentives should continue to be considered, but that the present schemes had not been well assessed. The NPIA also established that the provision of varied and interesting work is an important influence on many special constables, which indicates that financial reward is unlikely to be the only means of increasing the numbers of special constables or the amount of time they give. The NPIA also stated that 'Employer Supported Policing' (whereby a private or public sector employer encourages its employees to act as special constables, usually by allowing some paid or unpaid leave) should continue to be encouraged⁷⁰.
- 2.9.11 During the review's seminar on this subject, Mr Blair Gibbs (Head of Crime and Justice at the Policy Exchange) argued that the police service needs to examine three areas in this respect, namely whether the responsibilities of special constables are sufficiently rewarding, how to increase their commitment so that they can be relied upon as a regular deployable force, and how to improve their incentives to work. Consideration should be given to the provision of council tax reductions and travel subsidies or concessions⁷¹.

Conclusions

- 2.9.12 Special constables are to be commended highly for the public service they give.
- 2.9.13 The police service should develop additional incentives and rewards which may encourage special constables to increase their hours of work, and recruit more special constables.
- 2.9.14 Recognition is in some cases more important than reward⁷². Special constables should be considered in the wider review of police medals, and should be eligible for all new police medals. They should also be eligible for police team recognition awards alongside regular police officers and police staff.
- 2.9.15 The Special Constables (Amendment) Regulations 2002 should continue to be used in connection with the provision of financial rewards for special constables, where police forces consider that they will be effective and represent value for money.
- 2.9.16 Part 2 of the review will consider the case for requiring candidates for the police service to serve first as special constables.

Recommendation 16 – A medal should be awarded for five years' service as a special constable.

Recommendation 17 – Special constables should be eligible for police team recognition awards alongside regular police officers and police staff.

68 APA submission, page 10

69 *Submission to the review*, Association of Special Constabulary Chief Officers, 2010, page 2

70 *Submission to the review*, NPIA, 2010, page 15

71 Seminar on deployment, page 132

72 ACPO submission, page 19

Recommendation 18 – Special constables should be eligible for all new police medals.

Recommendation 19 – The Special Constables (Amendment) Regulations 2002 should continue to be used in connection with the provision of financial rewards for special constables, where police forces consider that they will be effective and represent value for money, but the role of the Home Secretary in approving those schemes should be removed.

3 Rewarding contribution

The length of time a police officer has occupied his rank is, excluding the attainment of a higher rank, by far the most significant factor in determination of pay. This holds true for all but the most senior police officers. For police staff, the existing system of pay gives greater weight to the job, but length of service still plays a significant part in establishing remuneration. I do not consider that it can ever be fair that a police officer or police staff member who has fewer years of service, but who is consistently performing to a high standard should be paid less than someone with longer service, whose performance is of an appreciably lower standard. This manifest unfairness should be brought to an end.

In this chapter, I recommend that:

- payment of police officers and police staff members according to time-based progression up the current incremental pay scales should not continue. This will allow police forces to make considerable savings and ensure that any reduction in the size of the workforce is kept to a minimum;
- the current model of performance-related pay is unsatisfactory and should be abandoned;
- in the medium term, a new model of contribution-related pay should be developed, which will provide for the pay of poorly performing police officers and police staff members to be reduced and, in the longer-term, may enable the pay of exceptional performers to rise above the usual pay for their jobs;
- a system of team-wide bonuses should be established, applying without distinction to police officers and police staff members; ACPO should consider instituting national awards given by the police service to the bravest and best in its workforce.

3.1 Pay Progression

Background

- 3.1.1 Police staff and police officers, except those at Deputy Chief Constable and Chief Constable ranks (and their Metropolitan Police Service and City of London equivalents), receive by far the greatest part of their pay according to pay scales which have annual increments. This means that each year, irrespective of performance, pay rises. Pay scales for police officers vary greatly in length. The pay scale for constables is the longest, at ten years. Those for other ranks up to and including Assistant Chief Constable are much shorter, ranging from three to six annual steps.
- 3.1.2 Progression was introduced following the report by the Desborough Committee in 1919¹. This recommended that constables with between one and ten years' service after probation should receive an annual increment. Constables with at least five years' service were also eligible for a special advance of one increment if the officer's conduct had been good and marked by special zeal, general intelligence and proficiency, and if the officer had passed qualifying examinations required for promotion. Constables could receive a second special advance of one increment after a further year if considered justified by the constable's conduct and efficiency. This meant that a constable could reach the maximum for that rank in eight instead of ten years. Retention of the increments was subject to good conduct and efficiency. Additional long-service increments could be granted by a Chief Constable, subject to good conduct and efficient service, when the officer had served 17 years and again at 22 years' service.
- 3.1.3 Edmund-Davies remarked that, on finishing his probation, a constable is "able to make a full contribution to the service"². His expectation, then, was that an officer would be fully

¹ Desborough report, paragraph 40

² Edmund-Davies report, page 17

competent on completing probation. Indeed, if a police officer is not fully competent he should not complete his probation. As set out in Determination Annex C, made under Regulation 12, the probation period generally lasts two years, although a chief officer can determine that this should be longer in individual circumstances. Under Regulation 13, a probationer can be discharged if the chief officer considers that he is not physically or mentally suited to perform the duties of his office, and that he is unlikely to become an efficient or effective constable (see also Chapter 6).

- 3.1.4 Progression up a pay scale is automatic for the Federated ranks and there is no accelerated progression. Superintendents, chief superintendents and Assistant Chief Constables, in contrast, have a performance element attached to their progression, and that performance element is the basis for accelerated progression. Some police staff members also have a performance element in their progression.
- 3.1.5 A lack of consistency was noted by the 2010 ACPO ‘pay and reward survey’, which found that accelerated progression for police officers and police staff members varies significantly between police forces³. Eleven out of 27 police forces which took part in the ACPO survey never accelerate a police officer’s progression through pay scales, for those ranks where this is possible. Of those forces which did, the following reasons were given:

Table 3.1	
Reasons to accelerate police officer through payscale	Number of police forces
Appraisal ratings	4
Demonstration of set competence criteria	4
Recognised outstanding performance	3
Undertaking additional work	3
Undertaking work of a more senior grade/rank	4
Reward for good attendance	0

Source: ACPO Pay and Reward Survey 2010

- 3.1.6 The same survey by ACPO⁴ indicates that of 28 forces 23, or 82%, pay police staff in the manner set out in the Police Staff Council terms and conditions (explained later in this chapter). Five forces have local agreements in place.
- 3.1.7 In 23 forces, there is provision to accelerate staff through the pay scale. The most likely reason for acceleration is outstanding performance. This was the case in 16 forces.

³ *Analysis of pay and reward practices and terms and conditions for police officers and police staff*, ACPO, October 2010, page 16
⁴ *ibid.*, page 5

Table 3.2	
Reasons to accelerate police staff through payscale	Forces
Appraisal ratings	8
Demonstration of set competence criteria	4
Recognised outstanding performance	16
Undertaking additional work	4
Undertaking work of a more senior grade/rank	6
Reward for good attendance	1
Progression is never accelerated	4
<i>Source: ACPO Pay and Rewards Survey 2010</i>	

- 3.1.8 Twenty forces have provisions in place to delay progression of police staff through the payscale. The most common reason for delay is where formal procedures are being followed in relation to the individual for poor performance. Seven forces never delayed progression.

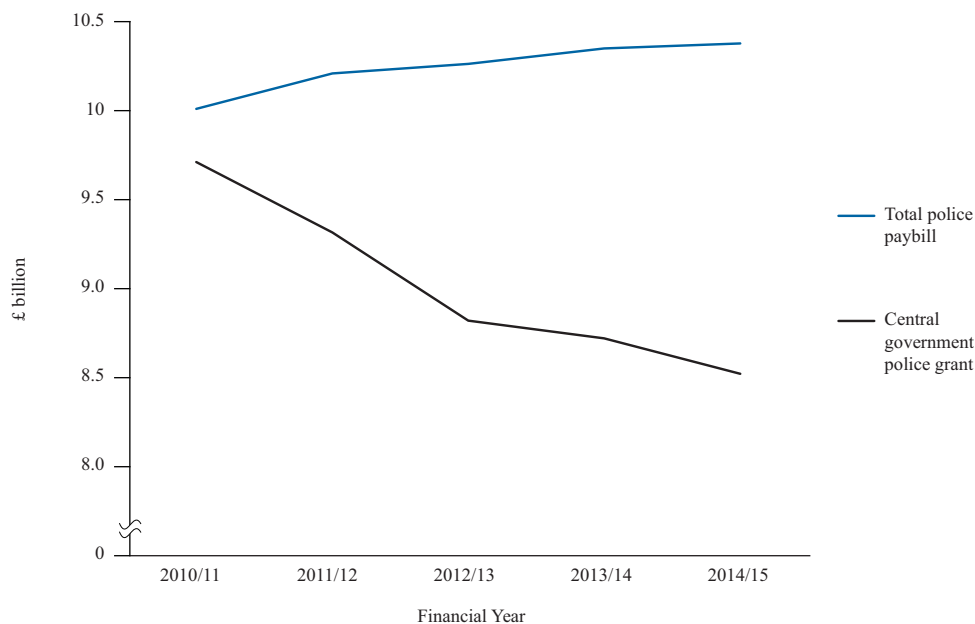
Table 3.3	
Reasons to delay progression by police staff through payscale	Forces
Poor appraisal ratings	9
When attendance is below target	4
When under a capability procedure (sickness)	8
When under a capability procedure (performance)	19
When under a disciplinary sanction	6
Progression is never delayed	7
<i>Source: ACPO Pay and Rewards Survey 2010</i>	

Analysis

- 3.1.9 On 22 June 2010, the Government announced that public sector pay is to be frozen for two years for those earning over £21,000 *p.a.* For police officers and staff, this will come into effect in September 2011, and last until September 2013. However, this does not mean that total wage costs will be frozen for this period. Figure 3.1 shows that, despite the headline pay freeze, continued operation of pay progression will cause costs to continue to rise at a time when total budgets are falling.

Figure 3.1

Total police paybill and central Government allocations to Police Authorities 2010/11 to 2014/15



Source: Home Office Written Ministerial Statement on allocations of grant to Police Authorities in England and Wales, 13 December 2010. Projected police officer basic pay including employer national insurance and pension contributions, 2009/10 CIPFA police staff expenditure and projected staff progression costs. CIPFA data and projected values may not be comparable

- 3.1.10 Progression has the result that police forces' pay bills will continue to rise despite the pay freeze as police officers and police staff continue over time to move up the pay scales. For example, if pay progression were to continue, a police constable with seven years' service would cumulatively receive an additional £4,143 between September 2011 and 2013, irrespective of the pay freeze⁵. This factor alone would cost the police service £257m from September 2011 to 2013. As Figure 3.1 demonstrates, this continued increase in the pay bill would make it even more difficult for police forces to find the necessary savings, and increase the likelihood that jobs will be lost.

Consultations

- 3.1.11 It is notable that the submissions received focused on pay progression almost exclusively as a means of rewarding competence or experience. This is at odds with the original purpose of progression as set out in the Desborough report in 1919 (see above), which was to retain longer-serving officers.
- 3.1.12 ACPO argues that progression based purely on time served cannot be objectively justified⁶. Some people, it notes, will reach competence before they reach the top of their pay scales, whilst others may never reach it at all, despite ten years' service, or may fail to progress in the linear progression contemplated by the pay scale. ACPO argues that a police officer should attain full competence relatively quickly following the end of his probationary period. Thereafter, in ACPO's view, progression to the maximum pay point on the scale should be based not on time-service, but rather on professional qualifications, the use of skills and the individual officer's achievements. This, it argues, would allow exceptional performers to stay within valuable roles at their existing ranks, and to be paid more according to these qualitative criteria, rather than having to seek promotion to raise their incomes. Conversely, those who are formally assessed as not competent should, in ACPO's submission, go down the pay scale. ACPO's view is that it is unsustainable for a police officer who performs at a standard which

⁵ Police constable on rates commencing September 2010: £32,703 for seven years' service, rising to £33,753 in year eight and £35,796 in year nine (see below).

⁶ ACPO submission, pages 29-30

is just enough to avoid being subject to the procedures for tackling unsatisfactory performance to earn the same as an officer who is working harder and has higher skills⁷.

- 3.1.13 The Association of Police Authorities considers the current system, particularly for Federated officers, to be “an unsophisticated, time-based regime of pay progression that is disconnected from officer performance and has fostered a culture of entitlement⁸.” Whilst acknowledging that experience matters in policing, they argued that time served is not, necessarily, the best indicator of experience, nor is experience the sole, or indeed, greatest source of value⁹, they believe that there would be an appreciable and growing difference between a police officer’s experience from the time he has served, after the early phase of a new career. Thereafter, in the APA’s submission, the economic principle of diminishing returns would apply. Where an individual fails to develop or deepen his competence, whether in experience or skills, the APA sees little justification for pay growth.
- 3.1.14 The Confederation of British Industry argued that police progression scales suffer from the same problems as those in the rest of the public sector¹⁰. It argued, that in determining pay, public sector organisations, including the police, tend to emphasise predictability and length of service, whilst the private sector emphasises flexibility and performance. In the CBI’s view, pay scales provide less scope for recognising outstanding contribution. They argue that police pay and conditions should reflect individual contribution in addition to skills and experience. If implemented, it suggests this would ensure that officers do not have to rely on promotion, time served or overtime to increase their earnings.
- 3.1.15 The Police Federation in its supplementary response said that proposals to change the pay system failed to take any account either of the significant costs of introducing such a bureaucratic pay structure or of the fact that the police service has been unable to introduce an effective process for assessing the performance of officers¹¹. It considers that other systems lack transparency, are subjective and would not be understood by officers.
- 3.1.16 The Superintendents’ Association notes that the advantages of the current progression system are that it rewards experience, that progress is dependent on satisfactory performance, that across all ranks it encourages officers to develop themselves professionally over their careers, and that it promotes retention. It recognises, however, that outstanding officers do not progress through the annual increments as quickly as they perhaps should be able to do, and that the lack of rigour in the Performance and Development Review results in officers progressing up the scale irrespective of whether their performance is bordering on, or even manifestly below, competent. It concludes that pay progression on the basis of length of service is justified, provided the officer is deemed to be competent at each point of progression¹².
- 3.1.17 The Superintendents’ Association is correct to argue that pay progression should be based on competence, and in the superintending ranks it is. This is, however, not the case in the Federated ranks, where progression is automatic. It is far from clear that the progression pay approach is any more successful in the retention of officers than other systems. Indeed, as the Superintendents’ Association indicates, it may frustrate outstanding performers. Time-service pay progression can encourage weaker officers to remain in the police service, especially because the relative position of the pay of police officers in local labour markets may mean that the officer in question is unlikely to earn more elsewhere.
- 3.1.18 In its submission, Unison focuses on pay progression in terms of its wider demands for equal pay for police staff, national pay arrangements and job evaluation¹³. It points out that the Police Staff Council 2005 Pay Census showed that female staff, particularly those in part-time jobs,

7 *ibid.* page 23

8 APA submission, page 18

9 *ibid.* page 19

10 *CBI Official Response*, CBI, October 2010, page 7

11 Police Federation submission (II), pages 15-16

12 Police Superintendents’ Association submission (I)

13 Unison submission, page 5

are over-represented on pay points 1-13, the lowest bands. In general, women were in the majority on pay points 1-13 and men were in the majority on pay points 14-45¹⁴.

- 3.1.19 At the review's seminar on performance and post-related pay, many of these concerns were reiterated. Mr John Marsh (Ernst & Young) said, in agreement with the Police Federation's assertion above, that pay scales are vulnerable to equal pay claims, and that without objective justification they could amount to unlawful sexual discrimination. This is particularly the case where, for example, there is an unjustified discrepancy in the pay of two people performing the same role.
- 3.1.20 Ms Sarah Mott (Kent Police) suggested that using service as the basis for pay fails to recognise the differences which, inevitably, do exist between police officers, in addition to the different levels of skills which specialists must obtain and use. She gave the example of forensic collision investigators who complete degrees and become expert witnesses, but who are paid no more than constables lacking these additional skills and qualifications.
- 3.1.21 Mr Kevin Courtney (Head of Pay and Benefits, Metropolitan Police) said that the role of police officers is becoming increasingly specialised, and that police officers are no longer omni-competent and therefore interchangeable. This, he believed, was the principle underpinning the current progression-based pay regime.
- 3.1.22 Mr Alan Williams (Director of Finance, ACPO, Terrorist and Allied Matters) agreed that the days of the generalist police officer are over, and noted the corollary of this, namely that competence is becoming more important than time served.
- 3.1.23 Given the increase in specialisms and discrete posts, Mr Courtney of the Metropolitan Police said that it may now be appropriate to consider some form of job evaluation in the police service. However he also recommended caution, referring to what he described as the National Health Service's mixed experience of its job evaluation programme called 'Agenda for Change'. This began in 2004 with a central aim of delivering a fair system of pay for non-medical staff, based on the principle of equal pay for work of equal value. All NHS staff are now on a national pay scale with transparent justification for differences in the weights of jobs and the resulting pay.
- 3.1.24 The General Secretary of the Police Federation noted that the current basic pay mechanism for police officers is uncomplicated and relatively inexpensive to manage, with no need for an appeals process¹⁵. The Federation believes that moving away from the present, simple system would significantly increase costs and bureaucracy. Any other structure would require job evaluation of some form, which, on its assessment of 'Agenda for Change', would cost significant sums which cannot be justified at a time of national financial austerity. He further stated that parts of the National Health Service are still trying to resolve difficulties created by its job evaluation programme. In the view of the Police Federation, there is nothing materially wrong with the existing structure, and all that may be necessary are relatively minor adjustments concerning the length of police officer pay scales and the ways in which police officers move through the system.
- 3.1.25 Consideration of competence and length of service also featured in the website consultation. One contributor thought that competency should be more closely managed and measured. He said: "Is an officer more competent at four years service than three? You're either competent or not, and this should be reflected".
- 3.1.26 There was also some discussion about whether every police officer at the same rank should be paid the same. Another website contributor asked:

"If a job is highly skilled, then the officer should get more pay; the same with shift work. ... [T]here are some jobs far harder to recruit and more stressful than other[s]; why should the pay be equal?"

¹⁴ *ibid.* page 5

¹⁵ Post and performance related pay seminar, pages 30-31

Conclusions

- 3.1.27 Whilst the current system has the benefit of being simple and relatively easy to administer, it nevertheless has significant problems. Increasing pay for police officers based solely on the time they have spent in a particular rank, without any assessment of the quality of their work, is no longer sustainable. A system designed in 1919 for a police service in crisis, and affirmed in 1978 in circumstances of chronic under-payment of police officers, in both cases involving a hemorrhaging of manpower, should not be continued purely on the basis of its simplicity. Such a system fails to provide taxpayers with value for money. Rather, it rewards individuals without regard to their contribution to the police service, and could violate the provisions of the Equality Act 2010. Such a system can frustrate high performers and encourage underperforming police officers to stay. It is not consistent with the encouragement of individual improvement. It fails to recognise that some jobs are more challenging than others at the same rank. A hard-working and talented police officer who wishes to increase his income should not be faced only with the choice of waiting patiently until his annual increments raise his pay, working overtime, or securing promotion.
- 3.1.28 Automatic pay progression is, therefore, a system of the past which fails to recognise either individual contribution or the weight and nature of the work which that police officer or police staff member does. It therefore appears to me to be right that, pending the establishment of a fairer system of pay (on which I will make recommendations in Part 2 of the review), and in the light of the present conditions of national financial pressure, there should be a suspension of progression for the first two years of the spending review period, which is the period when the greatest savings need to be made. Savings of this nature should be compared with what the police service would otherwise have had to pay in automatic incremental increases in salaries, and will continue to have a saving effect beyond the period of suspension.
- 3.1.29 Such a progression suspension will have the effect of keeping officers and staff on their 2009/10 pay increments. It is therefore not a cash reduction in pay. Savings of this nature and extent will enable police forces to avoid some reductions in their workforces.
- 3.1.30 The public sector is facing significant financial pressures. A recent survey found that 52% of public sector employers intended to make redundancies in the first three months of 2011. More than three-quarters (77%) of local government employers plan to make cuts to their workforces¹⁶. Parts of the public sector, including the armed forces (in which, like the police service, there is no right to strike), are currently making compulsory redundancies. Suspension of progression in the police service is a means of reducing the need of police forces to make police staff redundant. In addition, the savings from such a suspension may allow recruitment of police officers to begin again.
- 3.1.31 Changes to progression for police officers should be taken to the Police Negotiating Board for negotiation. It would then be for the Home Secretary to decide, having considered the Board's recommendations, whether to make any changes by means of a determination under the Police Regulations 2003. It is understood that progression is a contractual right for police staff. Any changes would therefore need to be negotiated with unions as part of a collective agreement. Alternatively, a progression suspension could be introduced through the statutory notification procedures for changes to employment contracts.
- 3.1.32 For the reasons specified above, the current progression-based system is no longer suitable for a modern police service. There are better ways of recognising an individual's skills, experience and performance. It is, therefore, my recommendation that progression should be abolished for the whole workforce in the medium term.

Recommendation 20 – Police officers and all members of police staff below the top of their pay scale should be suspended at that increment for a two-year period commencing September 2011.

¹⁶ *Quarterly CIPD KPMG labour market survey*, CIPD and KPMG, February 2011

3.2 Performance-related pay

3.2.1 All officers are already eligible for a form of performance-related pay. The current system was established for police officers in May 2002 as part of an agreement to reform pay and working conditions. At that time, performance-related pay was being introduced more widely across the public sector, often linked to centrally monitored targets. There is currently no performance-related pay process established nationally through the Police Staff Council, although police staff can have their progression accelerated for excellent performance.

Consultation – submissions

- 3.2.2 In the evidence submitted to the review, there was a variety of opinions on performance-related pay. The majority view was against its introduction to the police. ACPO's view is that performance-related pay is at odds with the vocation of policing. ACPO is concerned that it might have an adverse effect on public perception of the police, particularly at a time of national financial constraint¹⁷. It is not against a focus on achievements, but considers that, instead of assessing and rewarding individual performance, the better approach is a focus on police officers' skills and expertise. ACPO cautions against the use of measures such as arrest rates or numbers of case files completed. It believes that an assessment of quality, complexity and achievement of value for the public are equally important.
- 3.2.3 The Local Government Association said that, despite the growing trend in the public sector towards a greater link between pay and contribution or performance, such approaches are difficult to design and implement. In some cases, the introduction of performance-related pay has caused employment costs to rise appreciably¹⁸.
- 3.2.4 The Police Federation has maintained that until the police service has a consistent system for reviewing performance which is proven to be fit for purpose, there should be no direct link between performance and pay¹⁹. The Federation argues that the police service is far from ready to establish a mechanism for making value judgments on an individual's contribution or performance to the service and to the public.
- 3.2.5 The Police Federation is concerned about forces creating targets for officers which would cause them to focus on easier, lower priority crime and incremental improvements. It believes that activities with targets attached could 'crowd out' the desire to protect vulnerable individuals, and that the complexity of policing means it is hard to take account of the variety of tasks officers undertake. These concerns included the risk of victimisation and bullying of officers through the pay system, as well as favouritism and lack of consistency arising from variable management skills.
- 3.2.6 The Police Federation expresses concern about what it described as an "increasing dislocation of supervision". This refers to the potential for managers not to have any day-to-day contact with their staff and, so being unable properly to monitor their performance²⁰.
- 3.2.7 The Police Federation notes that the Equality and Human Rights Commission has identified schemes which provide for local managerial discretion as contributing to the causes of unlawful unequal pay: the greater the discretion, the higher the risk of anomalies, which may turn out to be indirectly discriminatory²¹. The Local Government Association also comments that "the discretionary elements of a number of these agreements appeared to have had an unintended discriminatory effect on female officers in some forces"²². Managerial discretion on pay means that decisions are no longer made only on objective criteria. Clearly, managers would need training, guidance and support on how to implement performance-related pay in a manner which is fair to all those in their care, and, perhaps, some form of moderation might

17 ACPO submission, pages 23-24

18 *Evidence to the Review on Police Officer and Staff Pay and Conditions*, Local Government Association, October 2010, page 6

19 Police Federation submission (I), page 3

20 Police Federation submission (I), page 8

21 Police Federation submission (I), page 46

22 Local Government Association submission, page 8

- need to be introduced, though this would complicate any system. Forces also need to apply moderation and equality assessment procedures on matters such as pay and progression.
- 3.2.8 The Police Federation also argues that a performance-related pay regime would not be value for money because any increase in performance which the system brings about will not outweigh the money and time expended in first establishing and then operating what they claim will be a bureaucratic system²³. The Federation also claims that police officers will see performance-related pay as a means of denying them extra pay rather than awarding it, and that the system will be found to be unduly subjective and therefore unfair.
- 3.2.9 The Superintendents' Association notes that competent performance should be the minimum standard expected of all officers and staff. There are processes to deal with those who fall below this minimum standard. Where performance exceeds competence, they argue that "consideration could be given to introducing enhanced remuneration or other recognition at all levels". The Superintendents' Association also argued that performance-related pay should be the same at all ranks²⁴.
- 3.2.10 The Association of Police Authorities says that measuring productivity is difficult in any organisation, particularly policing, both for the force as a whole and for individuals²⁵.
- 3.2.11 The Association of Police Authorities argues against the introduction of performance-related pay on grounds of both principle and practicality. In relation to the principle of the system, the APA notes that "bonuses for any police officer sit uncomfortably with the public, who expect commitment and high performance as a matter of course"²⁶. In connection with the practicality of such a system, the APA maintains that all attempts so far to introduce performance-related structures and processes into the police service have been largely unsuccessful. It does not consider that the police service currently has the necessary capability, resources or culture to guarantee the efficacy of such a system²⁷. The APA therefore advocates the abolition of all existing performance-related measures for officers and staff.
- 3.2.12 The National Association of Muslim Police asserts its belief that performance-related payments are vital in retention and development²⁸.
- 3.2.13 The Confederation of British Industry argues that a reformed pay and remuneration system should prioritise the contribution made, not the number of hours or years worked. It indicated that the current system prioritises the latter and only rewards contribution tangentially²⁹.
- 3.2.14 Unison states its firm opposition to the concept and practice of performance-related pay. It argues that policing is about teamwork, and singling out individuals "fails to recognise this most basic of facts about the service"³⁰. They also argued that there is no evidence of its efficacy³¹.
- 3.2.15 Contributors to the review's website had mixed views on performance-related pay. Many shared the concerns of the Federation about the ability of managers to make fair and objective assessments of individual performance.
- 3.2.16 There was also a considerable amount of dissatisfaction with the existing system under which police officers who work hard and are highly effective can be paid no more than, and often (because of progression) less than, another officer whose performance is at or only marginally above the threshold required before the unsatisfactory performance regime is applied. They argued for fair recognition of individual contributions.

23 Police Federation submission (1), page 34

24 Police Superintendents' submission, page 20

25 APA submission, page 42

26 APA submission, page 33

27 *ibid.* page 17

28 *Submission to the Review on Police Officer and Staff Pay and Conditions*, National Association of Muslim Police, October 2010, page 2

29 Confederation of British Industry submission, page 6

30 Unison submission, page 25

31 *ibid.* page 25

3.3 Performance and Development Reviews

- 3.3.1 The reporting process for forces is changing. The previous Performance and Development Review (PDR) originated from Home Office Circular 14/2003, which set out the Integrated Competency Framework which all forces had to use for all police officers and staff up to and including chief superintendents and their police staff equivalents. The activities and behaviours of all officers were assessed against objectives and the Integrated Competency Framework.
- 3.3.2 Reviews by Sir Ronnie Flanagan³² (2008) and an HMIC Thematic Inspection (2008)³³ all identify the process as overcomplicated, particularly since few people appeared to understand the Integrated Competency Framework. HMIC also found that very large amounts of evidence for personal performance were gathered to support the PDR process without discernible benefit. It said that the PDR process had evolved into a structure the chief purpose of which was to review performance, as opposed to developing the individual. Officers and staff became disengaged from the process, particularly as the only Home Office performance indicator linked to it was the completion rate for chief officers. It became a task that had to be performed, rather than something useful.
- 3.3.3 The criticisms of the Integrated Competency Framework and PDR process have led to its being changed. A revised framework, which supports the new Professional Policing Framework, is being introduced in March 2011. The Professional Policing Framework replaces the Integrated Competency Framework, providing a minimum number of role profiles with a minimum number of supporting activities. Forces can add to these but they cannot subtract, nor create their own role profile.
- 3.3.4 The Federation raises concerns that the new National Policing Improvement Agency model will not be mandatory, but enables forces to adopt their own systems³⁴. I believe that this is reasonable. It gives Chief Constables and senior management the ability to tailor performance management to suit the type of force they are creating. I do not believe that this is an area where national standards are essential so long as the outcome is that managers manage their staff effectively.
- 3.3.5 Those officers who are assessed as competent should receive the normal pay for the rank. They will, of course, be most of the holders of that rank. Only underperformers, and perhaps exceptional performers, would differ.
- 3.3.6 In the appraisal process, police forces should operate systems which are designed efficiently to determine the overall performance and achievements of officers, and enable managers to make sound and objective judgments. This does not require voluminous material containing evidence. In some parts of the private sector, individuals are required to provide their self-appraisals in condensed but comprehensible formats. Their managers are correctly expected to know and to have made a continuous assessment of performance, and so the information which is provided on paper serves as a reminder of what the manager ought already to know. If it is inaccurate or otherwise unsatisfactory, that should be immediately apparent. However, it should be unnecessary for any police officer to approach his appraisal in a more elaborate way.
- 3.3.7 In principle, people's pay should reflect how they do their jobs. This is fairest to the majority who are competent performers. An appraisal system should begin with an assumption of competence. Not only does this reflect the position of by far the greatest proportion of officers and staff, it also makes for a simpler system where individuals are not competing against one another.

32 *The Review of Policing*, Sir Ronnie Flanagan, 2008

33 *Leading from the frontline*, HMIC, May 2008

34 Police Federation submission (1), page 34

- 3.3.8 This recognition might be structured in either of two ways. Under the first alternative, basic pay could rise if an individual's performance has been established to be exceptional, and down if his performance has been unsatisfactory. Such a regime has the advantage, particularly pertinent to the greatest proportion of officers who remain constables throughout their careers, that there should be opportunities for financial advancement without having to seek promotion. Alternatively, a proportion of an officer's salary could be at risk of removal if he does not perform satisfactorily.
- 3.3.9 In the medium term, there is a case for the new pay model being focused on those who do not perform satisfactorily. The amounts of pay concerned would not need to be high; of greater importance would be its signification of what the service values. In the longer term, when the success of 'at risk' pay has been assessed and if it is judged practical to introduce additional payments for exceptional performers, I believe there would be scope to publicise exceptional performance within forces so as to secure that recognition has more than a financial element.
- 3.3.10 In the short term – that is until the two year pay freeze and proposed pay progression suspension have ended – I believe that the current systems of performance-related pay should stop in the interests of economy.

Recommendation 21 – The current systems of performance-related pay should be suspended until September 2013.

- 3.3.11 My recommendation in relation to the suspension of performance-related pay in the interim is, as stated, for a temporary measure. It is apparent that a significant proportion of the police service is not yet ready for a more developed system which will attach appreciable financial consequences to assessments of competence and exceptional performance. For such a significant cultural change to work, leadership will be essential. There is little evidence that the current performance regimes in forces would be able to carry the weight of a performance-related pay element, although this should change over the next few years as forces develop better systems.
- 3.3.12 It is apparent that there would need to be a significant change in the capacity and capability of management in these respects before a new, more sophisticated regime could be fairly implemented and accepted by the vast majority of officers. I believe this would take at least two to three years. There would also need to be a change in culture, and as wide a consensus as possible on what 'performance' in the policing environment means. It is quite clear that measures of performance which concentrate on results which are easily measured, such as numbers of arrests made or fixed-penalty notices issued, or crimes solved, can lead to distortions in behaviour and alienate the public. Moreover, such measures fail to take account of the commitments and achievements of police officers who work on the most complex or sensitive cases, involving, for example, the support of victims and the care of vulnerable people. Policing is far more complex and sophisticated than some performance schemes may have supposed.
- 3.3.13 My present view is that performance-related pay should be a medium to long term aim for the police service, introduced gradually. Changes which affect the salaries on which prudent officers and staff may have made important personal decisions such as their mortgages, should be phased so as not to put them at a material disadvantage. I also believe that phasing is necessary to help prepare the police service for what, in all probability, would be a significant change in culture. Managers would need to be trained and become more confident in assessing and making decisions on the performance of their personnel. Personnel would need to become more confident in the abilities of their managers to do this fairly, and to understand the process themselves and what is expected of them.

- 3.3.14 For these reasons, I recommend that forces reviewing their performance and development systems in the light of the new NPIA guidance should consider how they could be made robust, without being overly bureaucratic, in order that they may form the basis of performance-related pay in the future. They should also review their training provision for managers, especially those who manage at distances, so that they will have justified confidence to begin assessing their teams.

Recommendation 22 — Forces reviewing their performance and development systems and training for managers should do so in the knowledge that they may be used in determining pay within the next two to three years.

3.4 Relating Pay to the Market

- 3.4.1 In the longer term, I believe consideration should also be given to the idea of introducing more regional variation into officer pay structures. By this, I mean ensuring salaries paid to officers reflect the relevant labour market in which they work, rather than setting a common rate across a single regional area. I am not convinced it is fair that officers in different areas of England and Wales are comparatively better or worse off whilst doing the same role. For instance, given the differences in the cost of living that exist nationally, I would expect an officer in London to be comparatively worse off, compared with the local population, than an officer in rural Wales. I understand that some organisations within the public sector, for example the Ministry of Justice, have already taken steps to introduce such differentiation into their pay structures, and that others are reviewing whether such reforms are appropriate for their own workforces. I shall be interested in views on how this approach might be applied to police officer pay in the future.

3.5 Officers

Chief Officers

- 3.5.1 Chief Constables and Deputy Chief Constables are, unlike all other officers, on fixed term appointments (FTAs) with their Police Authorities. These can be for up to five years, on initial appointment, and extended by a further three years with the approval of the Secretary of State. Beyond that, appointments can only be made annually, again with the approval of the Secretary of State.
- 3.5.2 Since 1 September 2003, Chief Constables and Deputy Chief Constables (and their Metropolitan Police equivalents) have received a rate of pay based on their ranks and the sizes of their forces. These salaries were developed in 2002/03 using a range of policing measures. They are set out in Determinations Annex F (made under Regulation 24), and include the type of work with which the force deals (such as crime, traffic and public order), and its population density. 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. The pay rates are as follows:

Table 3.4: Commissioner, Assistant and Deputy Assistant Commissioner salaries	
Force – London	Salary (2010)
Metropolitan Police Commissioner	£260,088
Metropolitan Police Deputy Commissioner	£214,722
City of London Commissioner	£160,902
City of London Assistant Commissioner	£132,714
Metropolitan Police Assistant Commissioners (4)	£181,455
Metropolitan Police Deputy Assistant Commissioners (8)	£139,119

Source: Police Regulations and Determinations 2003

Table 3.5: Chief Constable and Deputy Chief Constable salaries		
Force – England and Wales (other than London)	CC Salary (2010)	DCC Salary (2010)
West Midlands, Greater Manchester	£181,455	£139,119
West Yorkshire	£169,359	£135,489
Thames Valley	£160,290	£132,237
Merseyside, Northumbria	£157,260	£129,744
Hampshire	£154,233	£127,248
Kent, Lancashire, Devon & Cornwall	£151,215	£124,749
South Yorkshire, Essex, Avon & Somerset, Sussex, South Wales	£148,194	£122,256
Nottinghamshire	£142,143	£117,264
Hertfordshire, West Mercia, Cheshire, Humberside, Staffordshire, Leicestershire, Derbyshire	£139,119	£114,771
Surrey, Norfolk	£136,092	£112,278
Cleveland, Durham, Cambridgeshire, North Wales, North Yorkshire, Gwent, Northamptonshire, Suffolk, Dorset, Wiltshire, Bedfordshire	£133,068	£109,782
Gloucestershire, Lincolnshire, Cumbria, Warwickshire, Dyfed-Powys	£130,044	£108,873

Source: Police Regulations and Determinations 2003

- 3.5.3 Little comment was received on the current basic pay arrangements for Chief Constables and Deputy Chief Constables. The current approach is based on the relative weights of posts in different areas, rather than paying these most senior officers on a time-served basis. These chief officers therefore already have a pay system based on job evaluation, albeit a crude one. Unless and until a more advanced system is devised, it should remain as it is.

Recommendation 23 – There should be no changes to the present basic pay arrangements for Chief Constables and Deputy Chief Constables.

- 3.5.4 In the medium-term I am inclined to recommend the retention of this approach to basic pay for the more senior ranks, and indeed extend the principles of weighting jobs according to a range of policing measures to Assistant Chief Constables and superintendents.
- 3.5.5 Unlike more senior chief officers, Assistant Chief Constables and Commanders remain on a pay scale. 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.

Table 3.6: Assistant Chief Constable salaries

Pay Point	ACC salary with effect from 1 September 2010
1	£90,726
2	£93,753
3	£96,780
4	£99,798
5	£102,828
6	£105,849

Source: Police Regulations and Determinations 2003

- 3.5.6 As set out above, I believe that in the medium-term, people should be paid for the weight of the job that they do. I, therefore, believe that Assistant Chief Constables should be moved from their current pay scales onto spot rates for the job, with salaries set within the existing range of pay. As with many other posts in the police, Assistant Chief Constable posts vary considerably in their levels of responsibility and difficulty. In smaller forces, an Assistant Chief Constable's portfolio is likely to be broad, with significant time spent on-call. In contrast, Assistant Chief Constables in large urban forces are more likely to deal with complex situations, for instance authorising the use of firearms. Any evaluation process would need to balance complexity with breadth of demand. Further details on the implementation of Assistant Chief Constable spot rates will be considered in Part 2.
- 3.5.7 This move to payment for the weight of the job may be implemented across the police service in the longer term. However, the assessment of posts should be the subject of a pilot scheme within a limited group before full implementation. This concept of pay will need time to become part of the norms of the service, and officers at all ranks need to have confidence that the system would be properly implemented before it could be extended to the Federated ranks, which make up the vast majority of the force.

Recommendation 24 – Assistant Chief Constables should move from their current pay scales onto a single rate for the job based on the weight of what they do, in the same way as their Chief Constable and Deputy Chief Constable colleagues. Part 2 of this review will set out in more detail how such a scheme should be implemented.

- 3.5.8 The APA considers that pay levels for chief officers must attract suitably qualified and able individuals³⁵. It argues that direct comparisons with other public and private sector leaders are difficult because chief officers do not compete in an open market (which reduces competition), and that historically, the internal market was further distorted by the service controlling the supply of prospective chief officers.

³⁵ APA submission, pages 33-34

- 3.5.9 I agree with the APA that pay must attract and retain high performers, although this should be within appropriate public sector parameters. The APA suggests there should be a more direct correlation between chief officer pay and other ranks. They suggest chief officer pay should be a multiple of constable pay, with a premium for local population and other features of the force area³⁶. ACPO also believes that pay relativities across the service should follow Mr Will Hutton’s proposals³⁷.
- 3.5.10 This salary multiple was recommended by Mr Will Hutton in his Interim Report on Fair Pay. This dealt with what should constitute fair pay in the public sector, concluding that a pay multiple, binding executives to the lower earners in their organisation, could be a helpful way of dealing with the current inequalities in pay³⁸. I therefore invite views on this to contribute to Part 2 of the review, including how that “pay” might be defined, given the wide variety of remuneration packages negotiated with chief officers and whether the multiple should be linked to officers, or to the whole workforce.

3.6 Performance-related pay: Chief Officer Bonus Scheme

Background

- 3.6.1 All chief officers are eligible for non-pensionable bonus payments. These are based not on performance against their personal objectives, but on performance against their force’s policing plan, which sets out that which the police force must achieve. Performance is assessed by the relevant Police Authority in consultation with Her Majesty’s Inspectorate of Constabulary.
- 3.6.2 The payments are capped at:
- 15% of pensionable pay for Chief Constables and their Metropolitan Police equivalents. At 2010 rates that maximum is between £19,500 and £39,000 depending on the size of the force.
 - 12.5% of pensionable pay for Deputy Chief Constables and their Metropolitan Police equivalents. At 2010 rates that maximum is between £13,600 and £17,400.
 - 10% of pensionable pay for Assistant Chief Constables and their Metropolitan Police equivalents (Commanders). At 2010 rates that maximum is between £9,000 and £10,600.

Analysis

Table 3.7: Chief officer bonuses					
	Median payment 2008/9	Range of payments 2008/9	Median payment 2008/9 (% of basic pay)	Range of payments 2008/9 (% of basic pay)	Individuals who were awarded but refused bonuses (in 37 forces)
Chief Constables	£15,200	£6,200 – £25,200	10%	5%-15%	13% (3/22)
DCCs	£10,200	£3,000 – £18,800	9%	5%-12.5%	2
ACCs	£8,500	£6,500 – £10,300	10%	7%-10%	0

Bonus payments reported for the three years preceding 2008/9 were broadly similar in relation to basic pay for all three ranks
Source: Local Government Employer Survey

36 *ibid.* page 34

37 ACPO submission, page 27

38 Hutton Review of Fair Pay in the Public Sector – Interim Report, Will Hutton, December 2010

- 3.6.3 There are only limited data on chief officer bonuses. A Local Government Association questionnaire sent to all UK forces found that, of the 37 forces which completed it in full or part, three Chief Constables, out of the 22 forces which answered the question, refused their bonuses³⁹. This is 13% of Chief Constables. Of the Deputy Chief Constables, two refused their bonuses. No Assistant Chief Constables refused their bonuses.

Consultation

- 3.6.4 CPOSA believes that a private sector style pay structure, including performance-related bonuses, does not motivate chief officers and is incompatible with the ethos and culture of the police. It advocates the abolition of bonuses in favour of a modest uplift in basic pay⁴⁰.
- 3.6.5 I recognise that a strong sense of public duty is central to the police service's principles. However, it is fair that those who perform exceptionally should be differentiated from average performers. This can be done through promotion and non-financial recognition. I will consult further on this in Part 2.
- 3.6.6 The Association of Police Authorities considers that the chief officer bonus scheme has proved unnecessary and divisive in practice. The APA argues for the abolition of the bonus system, seeing "no merit in the provision of any form of performance-based pay for chief officers". It also believes that there should be local decision-making on remuneration packages for chief officers, within agreed national frameworks. In this respect, it believes there should be a national charter of principles to govern the actions and behaviours of Police Authorities and, assuming passage of the necessary legislation, Police and Crime Commissioners.
- 3.6.7 I understand, given the policing ethos, why some chief officers may resist the suggestion that they only aim to excel for potential financial reward.
- 3.6.8 In the light of the abolition of performance-related pay for other ranks as an interim measure pending my recommendations in Part 2 of the review, it is appropriate that chief officer bonuses are suspended in the short term, that is for the period until September 2013.

Recommendation 25 – The chief officer bonus scheme should be suspended for a two-year period commencing September 2011.

- 3.6.9 In the medium term, I believe it is only fair that there is differentiation between the competent, high performing and weaker performers. However, I do not believe that it is right for high performers in the chief officer ranks to receive additional payments for exceptional performance. High performance should be expected from the service's leaders, and their basic pay assumes this.
- 3.6.10 To discourage poor performance I am minded to examine the case for a certain proportion of pay for all chief officers to be at risk in the event of poor performance. I acknowledge the concerns of CPOSA that the pay of chief officers should not become politicised. However, if the necessary legislation is enacted, a Police and Crime Commissioner's only lever is dismissal. I believe it is in chief officers' interests that there is a step before that option, especially as many chief officers may not have reached their full pension entitlement when they leave.
- 3.6.11 I should welcome views on whether a Police and Crime Commissioner should be able to decide to reduce a Chief Constable's pay by a specified maximum percentage if the officer in question is found not to have met his objectives. I also invite views on the necessary levels of safeguards to employ alongside this, for example that the Police and Crime Panel must also agree to the reduction or that Her Majesty's Inspectorate of Constabulary must be consulted.
- 3.6.12 For the longer term, I invite views on whether a similar approach should be taken for all staff and officers. Questions on which I should like proposals include: what should constitute good performance? What proportion of pay should be "at risk"? Should the proportion at risk be

³⁹ Local Government Employer Survey, Local Government Employer, April 2010

⁴⁰ CPOSA submission (1), page 3

assessed on an individual's total package or only basic pay, and should there be corresponding pension reductions? Finally, should these apply universally, regardless of seniority?

3.7 Superintendents

Pay Scale and Progression for Chief Superintendents and Superintendents

- 3.7.1 Regulation 24, Determination Annex F provides that progression for superintendents and chief superintendents is based on the officer's PDR ratings: an "exceptional" rating causes the officer's pay to rise by a double increment of the scale; a rating of "competent" means the officer's pay moves up by a single increment; whilst an officer whose performance is determined to be "not yet competent" does not rise at all.

Table 3.8: Chief superintendent salaries

Pay Point	With effect from 1 September 2010
1	£74,394
2	£76,509
3	£78,636

Source: Police Regulations and Determinations 2003

Table 3.9: Superintendent salaries

Pay Point	With effect from 1 September 2010
1	£62,298
2	£64,869
3	£67,437
4	£70,014
5	£72,585

Source: Police Regulations and Determinations 2003

Increments

- 3.7.2 Those at the top of the increment scale can also receive an additional non-pensionable bonus if they are found to be "exceptional" in the PDR process. This is worth two increments (£5,000).
- 3.7.3 Far fewer officers receive double increments than CRTPs. For example, Table 3.10 shows that in 2008/9, 6% of chief superintendents and 14% of superintendents received double increments. This contrasts starkly with the near-full receipt of CRTPs in the Federated ranks.
- 3.7.4 As set out above, I recommend that the whole police workforce eligible for progression should have this frozen for 2 years.
- 3.7.5 As set out above, I recommend that the whole police workforce eligible for progression should have this frozen for 2 years.

Table 3.10: Superintendents' double increments

	Chief Superintendents	Superintendents	Total
2005	5%	17%	13%
2006	7%	19%	15%
2007	7%	18%	14%
2008	6%	14%	12%

Source: LGE (2009) survey.

3.7.6 For the reasons given above, I recommend that chief superintendents, like the rest of the police workforce eligible for progression, should have this suspended for two years, pending a new system which will be set out in Part 2 of this review.

3.7.7 For the reasons given above, in the longer term superintendents and chief superintendents should, like Assistant Chief Constables, move onto spot payments based on the weight of the job.

Chief Superintendents' Post-Related Allowance

3.7.8 The chief superintendents' non-pensionable post-related allowance of £5,001 per annum is designed to recognise that there are a number of chief superintendents' posts, such as the commanders of basic command units, which are significantly more demanding than others⁴¹. The post must be designated as eligible for the post-related allowance by the force's chief officer, following consultation with the local branch of the Superintendents' Association and in agreement with the Police Authority, using the following criteria:

- whether the post is that of BCU Commander, with exceptionally difficult policing conditions, high public profile, and particularly complex community relationships;
- whether the post is otherwise a very demanding post, including one dealing with high volumes of serious crime, high levels of deprivation and difficult conflict in community and partnership working.

3.7.9 Local Government Employers' PNB survey data indicate between a third and a half of all chief superintendents received this allowance between 2005 and 2008, which may be indicative of the occurrence of 'pay creep'.

Table 3.11: Chief superintendents' post-related allowance

	% in receipt	Average amount (£)
2005	36%	4,760
2006	47%	4,675
2007	48%	4,216
2008	44%	4,319

Source: LGE (2009) survey

⁴¹ Police Superintendents' Association submission (1), page 23

- 3.7.10 The Superintendents' Association favours retention of this allowance⁴².
- 3.7.11 Tying the pay of the superintending ranks in the medium term to the role they perform, assessed against their peers and within the existing pay envelope, would eliminate the need for this allowance. In the meantime, the post-related allowance provides a useful reflection of the higher weights of the most onerous posts, and should remain.

Recommendation 26 – The post-related allowance for chief superintendents should be retained at its present level for the short-term, to reflect the different weights of jobs at the same rank.

Performance-related pay: Performance-related bonus

- 3.7.12 Annex F of the Determinations made under Regulation 24, provides that superintendents and chief superintendents who have been at the tops of their pay scales for at least 12 months, and who cannot therefore receive pay increments, are eligible for a performance-related non-pensionable bonus of 5% of pensionable pay – between £3,100 to £4,000.

Analysis

- 3.7.13 Table 3.12 shows that in 2008/9, the latest year for which the survey data is available, 32% of chief superintendents received an average of £3,350, and 16% of superintendents received an average bonus of £3,268. Again, this is significantly less than the 98% of the Federated ranks in receipt of a CRTP.

Table 3.12: Superintendents' performance related bonus

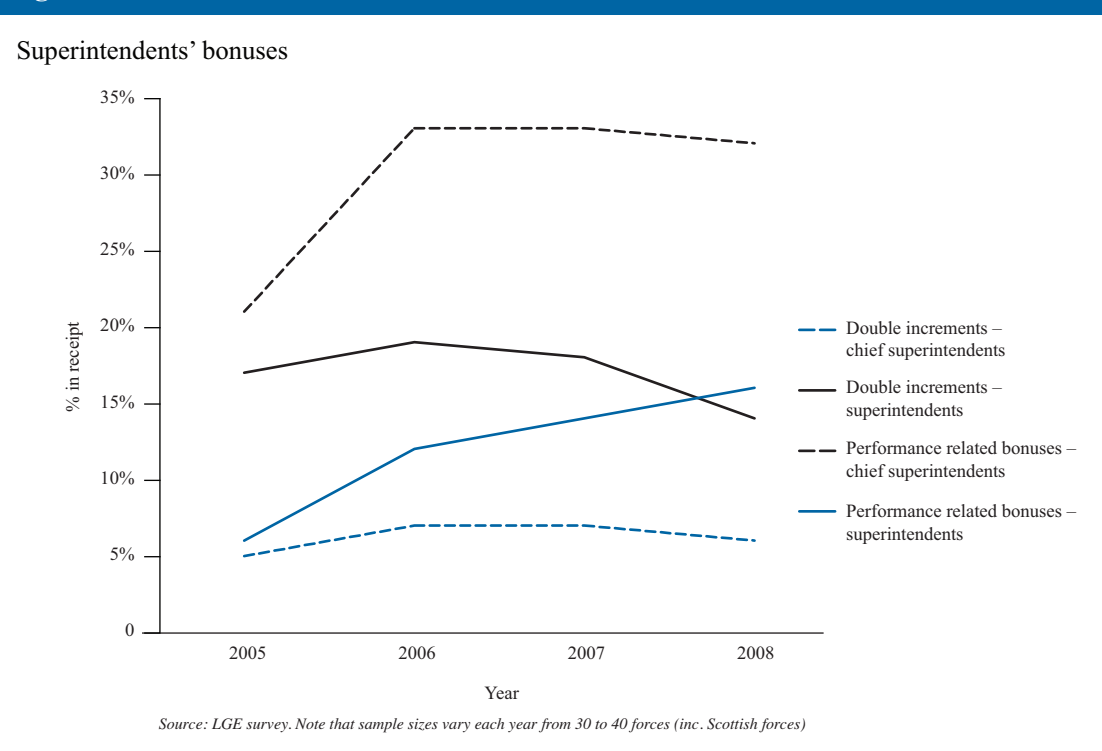
	Chief Superintendents		Superintendents	
	% in receipt	Average amount (£)	% in receipt	Average amount (£)
2005	21%	3,190	6%	2,637
2006	33%	3,344	12%	2,902
2007	33%	3,361	14%	2,928
2008	32%	3,350	16%	3,268

Source: LGE (2009) survey

- 3.7.14 Figure 3.2 shows the percentage of superintendents and chief superintendents receiving double increments, and performance-related bonuses.

⁴² *ibid.*, page 23

Figure 3.2



- 3.7.15 The Superintendents’ Association explained to the review that the award of bonuses across forces has been inconsistent, with some forces restricting access to bonuses⁴³. It noted that some forces’ resistance stems additionally from media interest in the bonus culture of public and private organisations. In their view, the current arrangements should continue. The Superintendents’ Association added that since performance-related pay was introduced in 2003, police performance has improved significantly with reductions in all categories of crime and significant improvements in detection rates.
- 3.7.16 As set out above, I recommend that all current performance pay schemes are halted to help forces work within their budgets for the next two years.

Recommendation 27 – The bonus scheme for superintendents and chief superintendents should be suspended for a two-year period commencing September 2011.

- 3.7.17 In the medium term, as described above, I believe there may be merit in the introduction of “at risk” pay rather than bonuses, coupled with the possibility of additional pay for exceptional performers in the longer term. The Police Superintendents’ Association argues that bonus levels should be consistent across all ranks⁴⁴. It points out that, under the current system, chief officers can receive a considerably higher proportion of their salaries as a bonus (up to 15%) whilst the maximum for superintendents is 5%. For Part 2, I will consult on whether the superintending ranks should have a lower element of their pay put at risk.

3.8 Federated Ranks: Basic Pay

Pay Scale and Progression for Chief Inspectors

- 3.8.1 As set out in Annex F of the Determinations, made under Regulation 24, progression is based on time in the rank.

⁴³ Police Superintendents’ Association submission (1), page 21

⁴⁴ *ibid.*, page 22

Table 3.13: Chief inspector salaries	
Pay Point	Chief Inspector salary with effect from 1 September 2010
1	£51,789 (£53,853)
2	£52,830 (£54,888)
3	£53,919 (£55,980)
<small>(London Salaries) Source: Police Regulations and Determinations 2003</small>	

Pay Scale and Progression for Inspectors

- 3.8.2 As set out in Annex F of the Determinations, made under Regulation 24, progression is based on time in the rank.

Table 3.14: Inspector salaries	
Pay Point	Inspector salary with effect from 1 September 2010
0	£46,788 (£48,840)
1	£48,108 (£50,163)
2	£49,428 (£51,489)
3	£50,751 (£52,818)
<small>(London Salaries) Source: Police Regulations and Determinations 2003</small>	

- 3.8.3 For the reasons given above, I believe that pay progression should be frozen for inspectors and chief inspectors until September 2013.

London Salaries

- 3.8.4 Inspectors and chief inspectors in London receive a higher basic salary than their counterparts elsewhere. This is in addition to London weighting and related allowances. This does not occur for any other ranks.
- 3.8.5 The higher pay for London inspectors dates back to 1919 and was, at the time, related to what were then regarded as the wider duties of London officers. These differences have survived to the present day. As these higher rates are consistent with the principle that officers should be paid according to the weight of their jobs, I recommend that this higher London pay for the inspecting ranks is continued.

Recommendation 28 – The higher basic pay for London inspectors and chief inspectors should be retained in the short term.

Pay Scale and Progression for Sergeants

- 3.8.6 As set out in Annex F of the Determinations, made under Regulation 24, progression is based on time in the rank.

Table 3.15: Sergeant salaries	
Pay Point	Sergeant salary with effect from 1 September 2010
0	£36,519 (a)
1	£37,767 (b)
2	£39,033
3	£39,867
4	£41,040 (c)

- (a) Entry point for officers promoted from constables' pay point 9 or lower
 (b) Entry point for officers promoted from constables' pay point 10.
 (c) Officers who have been on this point for a year had access to the Competence Related Threshold Payment.

- 3.8.7 For the reasons set out above, I believe progression should be frozen for sergeants.

Pay Scale and Progression for Constables

- 3.8.8 As set out in Annex F of the Determinations, made under Regulation 24, progression is based on time in the rank.

Table 3.16: Constable salaries	
Pay Point	Constable salary with effect from 1 September 2010
On commencing service	£23,259
1	£25,962
2	£27,471(a)
3	£29,148
4	£30,066
5	£31,032
6	£31,917
7	£32,703
8	£33,753
9	£35,796
10	£36,519(b)

- (a) All officers move to this salary point on completion of two years' service as a constable (*i.e.* at the end of a two-year period of probation).
 (b) Officers who have been on this point for a year were eligible to apply for a Competence Related Threshold Payment.

- 3.8.9 The length of the ten-year pay scale for constables was the subject of anxious discussion and representations in the review.
- 3.8.10 The Police Federation argues that the majority of police officers will spend all or most of their careers as constables⁴⁵. They add that the relatively high average age of new recruits of 26 means that the starting point of the pay of constables should be set at a level which reflects that higher age, even though the officer may not have been earning as much in his previous employment. The Federation also said that the pay system for constables needs to motivate and compensate officers often for an entire career. The Federation drew my attention to the 2009 PNB Audit of Equal Pay in the Police Service which identified a gender pay gap amongst police officers, partly as a result of the current ten-point pay spine. It believes, however, that the current pay scales help retain police officers and make policing an attractive career. The Federation's suggested solution to the possibility of the ten-year pay scale being contrary to the Equality Act 2010 is a reduction of the pay spine, so that a constable is able to reach the top of the pay spine, currently £36,519, in a shorter period. At one of the seminars conducted by the review, the General Secretary of the Federation said the scale should be shortened to two years for probation and five years thereafter⁴⁶. For many police constables this would have the effect of an immediate and substantial increase in pay. The Federation did not suggest alternatives to length of service for deciding pay.
- 3.8.11 I agree with the Federation that the pay of constables needs to ensure officers, the majority of whom will remain at that rank for the whole of their careers, are and remain motivated. However I do not agree with the Federation that the *status quo* should be maintained with only minor changes. Police officers can be more properly motivated by a pay system which provides a fair rate of pay for the rank, together with adjustments which recognise factors such as skills, application, attendance and performance. I believe that such a system is significantly more likely to incentivise the most effective, hard-working and skilled officers on whom the police service most relies.
- 3.8.12 In its evidence, the Confederation of British Industry noted that constables' pay progression is based heavily on ordinary performance over a very long period with little opportunity for enhancement thereafter⁴⁷. It explained that the private sector tends to assume satisfactory performance will be reached at or near the midpoint of the salary range for a particular job. Such a system leaves room for progression beyond that level for those assessed as performing to a higher standard. They argue that private sector firms expect a satisfactory performer would typically reach his target of full competence in a relatively simple role within one to two years of appointment, and within three to four years for more complex posts. They remarked that constables take a decade to move from probation to the top of the pay scale.
- 3.8.13 I agree with the Federation that the current length of the constable pay scale may be susceptible to challenge under the Equality Act 2010. Women are most likely to take maternity leave within the first ten years in service, when they are likely to be under the age of 35. Depending on when they return to work, such an interruption in service can mean that it will take a woman longer than a man to reach the top of her pay scale. If it could be successfully argued that the higher pay is justified because longer service leads to greater competence, this would not necessarily be an issue. However, the fact that pay increases even after competence could reasonably be assumed to be reached, means that women, in particular, are disadvantaged.
- 3.8.14 For both the reasons set out above, I recommend that all officers of the Federated ranks should have their progression suspended for two years.
- 3.8.15 From September 2013, a new system for determining basic pay for the Federated ranks should be introduced. As explained, I believe here is considerable merit in a system of pay which is based on the job the individual undertakes as well as how well it is done. Regard may also have to be paid to the location of the post. Such a system would take into account the skills and qualifications needed for each post, its level of responsibility, and any factors which make it

45 Police Federation submission (1), pages 45-46

46 Performance and post related pay seminar, page 30

47 Confederation of British Industry, page 8

especially demanding, such as the community in question. However, I do not believe that this is practical in the short term. Experience gained in moving Superintendents' onto "spot salaries" from September 2013 should assist with developing longer-term plans for the Federated ranks.

3.9 Performance-related pay: Competence Related Threshold Payment

Background

- 3.9.1 Constables have had a regime of performance-related pay in the past⁴⁸. Constables used to be eligible for accelerated increments on their pay scale for good conduct and service "marked by special zeal, general intelligence and proficiency and passing a qualifying examination in educational subjects and police work of the standard required for promotion". A second increment advance could be achieved "if considered justified by the constable's conduct and efficiency". The retention of the special increments was dependent on "continued good conduct and efficiency". and the constable could revert to the standard scale if this condition was not met. Furthermore, there was a separate system of merit pay available to constables "for acts of courage or special merit".
- 3.9.2 Officers in the Federated ranks who have reached the top of their pay scales for a year or more, and who can demonstrate high professional competence are eligible for an additional £1,212 *per annum*⁴⁹. This supplement, called a Competence Related Threshold Payment, is pensionable. Officers receiving a CRTP are expected to maintain their levels of performance and commitment. The payment can be reassessed by managers if formal disciplinary procedures are initiated.
- 3.9.3 The officer in question must, himself, apply for a CRTP. In so doing, the officer must set out how he meets the qualifying criterion of high professional competence. The officer must explain how he meets each of the following four national standards:
- *Professional competence and results* – the effective organisation of work, commitment to police values and health and safety requirements, and compliance with discipline;
 - *Commitment to the job* – commitment to achieve the police force's objectives, to personal and professional development, and to high levels of attendance;
 - *Relations with the public and colleagues* – promoting equality, diversity and human rights, contributing to the police force's response recognising the needs of all communities and working as part of a team;
 - *Willingness to learn and adjust to new circumstances* – making best use of available technology and demonstrating openness to change.
- 3.9.4 Applicants are not required to provide evidence, though the assessing officer may ask for additional evidence or information if necessary to make an informed decision. Unsuccessful applicants receive written feedback and are entitled to appeal against the decision on the basis of presented material not having been considered, or irrelevant or inaccurate factors having been considered.
- 3.9.5 In 2002 the Police Negotiating Board stated that the CRTP scheme was designed to be rigorous in ensuring that successful applicants meet the required standard, and that it was fair, consistent, transparent and straightforward to administer⁵⁰.
- 3.9.6 PNB Circular 02/17⁵¹, which announced details of the scheme, anticipated "at least 75% of those eligible will be successful".
- 3.9.7 Because of the criteria for their award, CRTPs are a form of performance-related pay for the Federated ranks. They were introduced in 2003 and accepted by the Federation.

48 Desborough report, paragraph 40

49 Annex F of the Determinations made under Regulation 24

50 PNB Circular 02/17

51 PNB Circular 02/17

Analysis

- 3.9.8 According to the Police Federation, approximately one in three officers receives a CRTP, and 99% of those who apply are successful⁵². Data from PNB surveys support this assertion; 33% of officers surveyed in 2009 were in receipt of a CRTP. Table 3.16 shows that the 99% success rate has been stable for the last four years, rising from a 98% success rate in 2005.

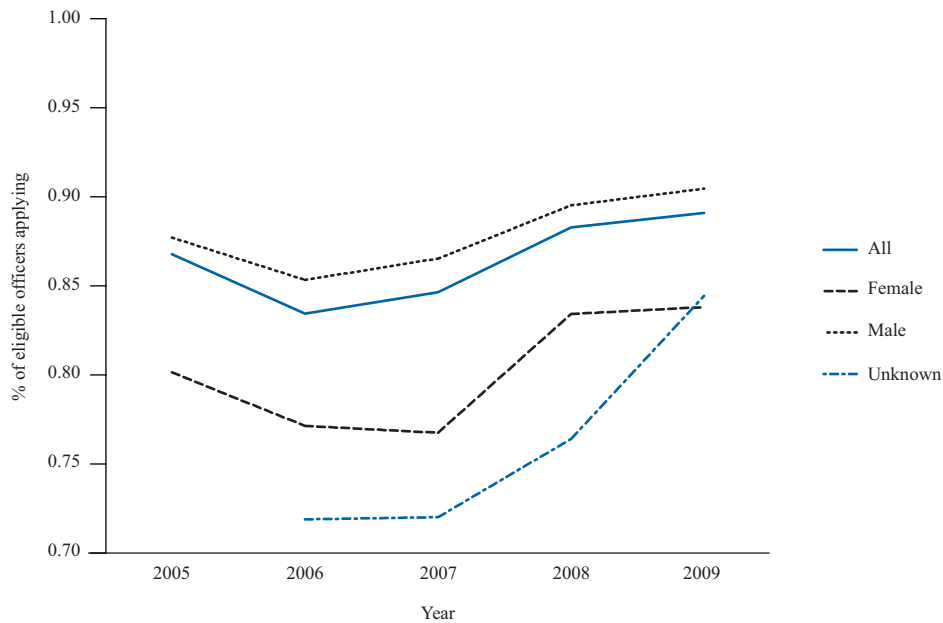
Table 3.17: Percentage of applying officers awarded a CRTP					
	2005	2006	2007	2008	2009
All	98%	99%	99%	99%	99%
Male	98%	99%	99%	99%	99%
Female	98%	99%	99%	99%	99%
Unknown	*	100%	100%	100%	100%
Non-disabled	99%	99%	99%	99%	99%
Disabled	99%	100%	100%	100%	98%
Unknown	*	98%	99%	99%	99%
Full-time	98%	99%	99%	99%	99%
Part-time	98%	98%	99%	100%	99%
Unknown	*	100%	100%	98%	99%
White	98%	99%	99%	99%	99%
Mixed	99%	100%	99%	99%	99%
Black or Black British	97%	98%	99%	100%	99%
Asian or Asian British	96%	96%	99%	99%	98%
Chinese or other ethnic group	100%	100%	100%	99%	99%
Unknown	*	98%	100%	97%	98%

*Source: PNB Surveys 2005-2009. Data are based on an average sample of 32 forces *Data not available*

- 3.9.9 PNB survey data show that far fewer women receive CRTPs than men. In the years from 2005 to 2009, 31,648 female officers received CRTPs, compared with 183,156 male officers. This is partly because there are fewer female officers and fewer of those have reached the top of their pay scales. However, while the success of an officer's application is not related to gender; Table 3.17 above shows that both sexes have a success rate of 99% in 2009, and noticeably fewer women apply in the first place. Figure 3.3 shows these gender differences in the number of eligible officers applying for a CRTP. In 2009, 84% of eligible female officers applied, compared with 90% of eligible male officers. This difference in applications according to gender has reduced since 2007, when only 77% of eligible female officers applied compared with 86% of male officers.

Figure 3.3

Percentage of eligible officers applying for a CRTP – by gender



Source: PNB Surveys 2005-2009. Data are based on an average sample of 32 forces

3.9.10 Table 3.18 shows the different application rates for all categories, as above. These rates are lowest for part-time officers.

Table 3.18: Percentage of eligible officers applying for a CRTP

	2005	2006	2007	2008	2009
All	87%	83%	85%	88%	89%
Male	88%	85%	86%	89%	90%
Female	80%	77%	77%	83%	84%
Unknown	*	72%	72%	76%	84%
Non-disabled	86%	82%	84%	89%	90%
Disabled	93%	93%	88%	91%	90%
Unknown	*	85%	87%	85%	86%
Full-time	87%	85%	86%	89%	90%
Part-time	71%	67%	72%	78%	78%
Unknown	*	78%	73%	81%	82%

Table 3.18: Percentage of eligible officers applying for a CRTP (continued)

	2005	2006	2007	2008	2009
White	87%	83%	85%	88%	90%
Mixed	90%	80%	77%	85%	84%
Black or Black British	64%	50%	65%	78%	80%
Asian or Asian British	81%	84%	68%	85%	86%
Chinese or other ethnic group	93%	89%	68%	78%	86%
Unknown	*	86%	80%	89%	86%

*Source: PNB Surveys 2005-2009. Data are based on an average sample of 32 UK forces *Data not available*

- 3.9.11 Of those who are eligible and apply, 99% are successful (see Table 3.16, above). The Federation believes this is because “within the context and volume of issues within policing the majority of officers do a good job”⁵³. It points out that when officers in receipt of a CRTP have failed to continue meeting the requirements of the scheme “they have had their CRTPs removed”.
- 3.9.12 The only national review of CRTPs was an unpublished, internal report for the Home Office shortly after implementation in the autumn of 2003⁵⁴. It looked at four case-study forces selected for their range of geographies and perceived success in implementing CRTPs. The study undertook data collection and held focus groups. The situation it found was very similar to today, with high application rates and almost universal success, again with fewer women applying than men.

Consultations

- 3.9.13 In its evidence to the review, ACPO states that there is no evidence that the annual cost of CRTPs, which they estimate at £96m, has any impact on output or performance in any way⁵⁵. As an award for competency or performance, it believes it is ineffective because full competence is actually reached within a year or two of commencing in a rank. It argues for its removal in its present form, although they point out that CRTPs are pensionable, which means that any change would have a long-term as well as a short-term effect on officers. For the short term, ACPO proposes a payment based on the use of advanced-level skills and continuing professional development, which they see as more properly calibrated to the officer and the needs of the police force⁵⁶. For the longer term, ACPO suggests moving to a practising certificate similar to the existing Professionalising Investigation Programme for detectives.
- 3.9.14 The APA supports the abolition of CRTPs and the introduction of a new reward system which encourages development of, and improvement, in an officer’s skills⁵⁷. The APA does not, however, advocate any additional payment for this, because it says that officers should be sufficiently motivated by new career opportunities without payment.
- 3.9.15 In his evidence to the review, Mr Paul Kernaghan, Chief Constable of Hampshire Police between 1999 and 2008, stated that the concept of CRTPs was without merit. He said it was puzzling why an officer should be paid more merely for being competent, and that a better approach would be to penalise those who are incompetent⁵⁸. He said he is in favour of financial rewards for officers who improve their professional knowledge.

53 Police Federation submission (1), page 36

54 *Police Pay Reform Assessment – Interim Report: Attitudes towards Competency Related Threshold Payments – Payments and the 30+ Scheme, HO RDS, December 2003*, page 6

55 ACPO submission, page 23

56 *ibid.* page 24

57 APA submission, page 17-18

58 *Submission to the Review of Officer and Staff Pay and Conditions*, Paul Kernaghan CBE, QPM, October 2010, page 5

- 3.9.16 In its evidence, the Police Federation said that CRTPs recognise and reward continued performance by officers at the top of their pay scales and must be retained⁵⁹. It acknowledges that more eligible female officers need to be encouraged to apply for CRTPs. It points out that the PNB equal pay audit in 2009 found that the CRTP scheme contributes to the unequal pay gap by effectively extending the length of each pay scale⁶⁰.
- 3.9.17 At the review’s seminar on post and performance-related pay, the General Secretary of the Police Federation said CRTPs were introduced because APCO wanted to ensure those at the top of the pay scale remained motivated, competent and performing⁶¹. Although he accepted that the system is criticised for not meeting its objectives, he said that CRTPs were negotiated as part of a wider package. He explained that managers have the power to remove a CRTP if the officer in question no longer fulfils the applicable criteria. He added that, as a management tool, CRTPs have reduced sickness levels significantly, since good attendance is one of the qualifying criteria for the payment.
- 3.9.18 Chief Superintendent Rob Price (ACPO), asserts that competency is about doing the job, and is what the public expect⁶². Mr John Marsh (Ernst and Young)⁶³ and Inspector Knight (Surrey Police)⁶⁴ said that those who are incompetent should not simply have their CRTP removed. Instead they should be closely managed to return to a level of competency or, if necessary, taken through the unsatisfactory performance procedure.
- 3.9.19 Mr Alan Williams (Director of Finance, ACPO TAM)⁶⁵ and Ms Carol Brady (Greater Manchester Police)⁶⁶ have both recalled their experience of forces paying CRTPs unless a report was put in arguing otherwise, for instance because of a disciplinary failure. This was because the bureaucracy involved was too great. Ms Sarah Mott (Kent Police) asked why administration was required to award the payment when almost everyone who applies receives it. She believed that since the introduction of CRTPs in 2003 there is only one officer in Kent who has been refused a CRTP, even following an appeal⁶⁷. None of this indicates that the CRTP scheme is performing as envisaged, namely rigorously, “to ensure that successful applicants meet the required standard”⁶⁸.
- 3.9.20 Ms Sarah Mott (Kent Police) suggested two main reasons for officers failing to apply: either they did not wish to claim for altruistic reasons, or they did not realise they were eligible⁶⁹. Performance issues were only a factor in a very low number of cases. Many agreed with her assertion that CRTPs had effectively become an extra pay point.

Conclusions

- 3.9.21 The Federation argues for the retention of CRTPs, even though it is opposed to performance-related pay.
- 3.9.22 The CRTP regime has not worked as it was intended to. If an officer applies for a CRTP, the evidence shows that he is almost certain to receive it as a matter of course, often with little management scrutiny or anything approaching rigorous application of the national standards. CRTPs have become another pay point on the scale.
- 3.9.23 I believe in an assumption of competence – that most officers are working to the standard that would be expected of them. I do not believe that anyone should be paid more for doing that which is expected of them, but that they should receive less if they underperform and, in the longer term, that individuals should be paid more if their work is exceptional. I therefore

59 Police Federation submission (1), page 3

60 *ibid.* page 36

61 Performance and post related pay seminar, page 42

62 *ibid.* pages 42-43

63 *ibid.* page 46

64 *ibid.* page 46

65 *ibid.* page 48

66 *ibid.* page 49

67 *ibid.* page 48

68 PNB Circular 02/17, page 1

69 Performance and post related pay, page 47

recommend that Competency Related Threshold Payments be abolished. I believe that the resources currently used to support this system would be better used recognising the challenges faced by those officers in the Federated ranks who work unsocial hours.

Recommendation 29 – Competence Related Threshold Payments should be abolished from 31 August 2011 and all outstanding CRTP payments up to that date should be paid on a pro-rated basis.

3.10 Performance-related pay: Bonus payments

- 3.10.1 As set out in Determination Annex U, Regulation 34, a Chief Constable can award an officer of any rank a payment of £50-£500 to recognise a piece of work which is outstandingly demanding, unpleasant or important.
- 3.10.2 While I have recommended that all other performance pay should be halted, I believe the bonus payments for the Federated ranks should be retained. I believe they give managers a way of rewarding their staff for exceptional actions. It is used sparingly. It rewards individuals and is separate to the new Team Recognition Award described below.

Recommendation 30 – Chief officers should continue to be able to make *ex gratia* payments of £50 to £500 to any officer to recognise a piece of work which is outstandingly demanding, unpleasant or important.

3.11 Staff

Police staff progression

Background

- 3.11.1 The Police Staff Council agrees the pay spine for staff for almost all forces in England and Wales. Those forces outside the Police Staff Council negotiating framework have their own systems⁷⁰. The PSC's 2010-2011 pay spine is set out in Table 3.19.

Pay Point	£pa
4	14,529
5	14,913
6	15,345
7	15,774
8	16,167
9	16,551
10	16,938
11	17,316
12	17,703
13	18,093
14	18,471

⁷⁰ The Metropolitan Police, City of London Police, Surrey Police, Kent Police

Table 3.19: 1 September 2010 (continued)	
Pay Point	£pa
15	19,128
16	19,770
17	20,484
18	21,099
19	21,747
20	22,392
21	23,046
22	23,799
23	24,606
24	25,449
25	26,394
26	27,267
27	28,107
28	28,947
29	29,784
30	30,633
31	31,437
32	32,226
33	33,033
34	34,005
35	35,076
36	36,030
37	36,963
38	37,908
39	38,862
40	39,807
41	40,755
42	41,697
43	42,639
44	43,581
45	44,526

*n.b.: * Pay points above £44,526 may be constructed by adding consecutive points above this sum which are equivalent to 2.2% extra above each preceding pay point.*

- 3.11.2 Individual police forces decide where to place staff posts on this scale. According to the Police Staff Council Joint Survey of Job Evaluation and Equal Pay (June 2010) 87% of police forces which responded to the survey (34 out of 39 covered by the Police Staff Council Agreement) use some form of analytical job evaluation scheme for staff posts, the others using other methods⁷¹. Each post has a range within which the staff member may progress.
- 3.11.3 Police staff pay can include a performance element which determines whether the police staff member in question will progress up his scale. It states in the Police Staff Council Handbook that progression through a scale is normally one point a year, subject to satisfactory performance, but that progression may be accelerated for excellent performance⁷². However, in its evidence to the review ACPO notes this performance element is rarely used⁷³. Some police forces also have locally-negotiated bonus systems. Furthermore, ACPO states that some types of police staff, often in professional specialisms such as accounting, analysis and human resources, may have “competency based bars” to progression⁷⁴. These might include pay not rising until a professional qualification has been achieved.

Consultations

- 3.11.4 ACPO’s view is that the national pay framework for police staff should be retained, and all posts should be governed by objective job evaluation schemes, but with pay rates and pay lines being determined locally⁷⁵.
- 3.11.5 As set out above, Unison has said that it is against the concept and practice of performance-related pay⁷⁶.
- 3.11.6 In its submission to the review, Prospect (the principal trade union for police staff working in the Metropolitan Police) states it is against the reintroduction of performance-related pay on the grounds that it does not incentivise performance. Prospect draws attention to the potential for discrimination in performance-related pay, and while it acknowledges that the culture of the police service has improved in the last ten years it continues to believe that it could lead to favouritism and unlawful discrimination. It believes that reintroducing performance-related pay could break the public sector’s statutory equality duty.
- 3.11.7 Performance-related pay is widely used in the public and private sectors and is not unlawful in principle. However, because it is based on drawing distinctions between staff, it has the potential for unlawful discrimination. This can arise in particular where groups of workers are excluded from the scheme, difference schemes are applied to different groups of workers, performance criteria are used that are potentially discriminatory, for example by being more characteristic of male than female behaviour, and when subjective systems of assessment are used, giving rise to risk of bias. A performance related pay scheme should generally deliver equal average payments to men and women. There have been a number of successful legal challenges to individual schemes where this has been found not to be the case based on the design and implementation of a particular scheme. However provided that an employer assesses the impact of a proposed scheme before implementing it, and continues to monitor its operation to ensure that there is no unlawful discrimination, introducing a performance related pay scheme should not breach the organisation’s public sector equality duty. Forces will apply their own moderation and equality assessment procedures to ensure equality of opportunity.
- 3.11.8 At the review’s seminar on post and performance-related pay, Ms Caryl Nobbs (Chairperson, Unison’s Police and Justice Executive and the Police Staff Council Trade Union Side) noted that it is within an individual police force’s discretion where to place individual salaries on the national pay spine⁷⁷. Different police forces use different job evaluation schemes, and there is

71 cited Unison submission, Annex B, according to *Police Staff Council Joint Survey of Job Evaluation and Equal Pay* (June 2010) p.63-64 (see Unison Annex B)

72 *Police Staff Council Handbook: Pay and conditions of service*, Police Staff Council, April 2004, page 13

73 ACPO submission, page 29

74 *ibid.* page 23

75 *ibid.* page 27

76 Unison submission, page 25

77 Performance and post related pay seminar, pages 36-38

considerable disparity in salaries nationwide. Some forces use career grades, whilst others do not. Unison advocates national pay and grading based on a single national job evaluation scheme to reduce costs, complexity and unfairness. Ms Nobbs explained that a suitable national scheme already exists, namely the 13-factor job evaluation scheme agreed at the Police Staff Council.

- 3.11.9 At the same seminar, Ms Sarah Mott (Kent Police) said that while her force, which is outside the Police Staff Council structure, has tried to link police staff progression to performance, progression is fairly limited. Kent Constabulary does, however, have spot points of pay for staff in their operations centre, and these spot points are based on the staff members' levels of technical skill. Police staff members' pay rises as they undertake more skilled jobs. Kent Police wishes to expand this approach to other areas, though Ms Mott thought that would work only in areas where there are distinct professional or technical qualifications⁷⁸. Ms Carole Brady (Greater Manchester Police) agreed that it would be difficult to implement such a regime for general clerical staff⁷⁹.

Conclusion

- 3.11.10 I do not believe there should be changes to the manner in which police staff pay is set in the short term. However, for the reasons set out earlier in this chapter, in relation to police officers, I consider that police staff should not be paid progression increments from September 2011 for two years. I understand that progression is likely to be a contractual right for staff. As such, I recommend that staff, and those representing them, consider the benefits of negotiating a pay progression suspension, in the likelihood that such a step could lead to fewer police staff losing their jobs as police forces reduce their expenditure.
- 3.11.11 In Part 2 of the review, consideration will be given to moving police staff onto the same pay approach as that devised for officers. This means that there would be an assumption of competence rather than pay scales, and individuals would have a proportion of their pay at risk in cases of poor performance. This degree of harmonisation would make personnel systems more efficient, but would need to be balanced with local decision-making.

3.12 Other forms of recognition

- 3.12.1 In the contributions to the review's website, there was an appreciable degree of support for non-monetary awards which recognise good work.
- 3.12.2 I understand that some forces already have in place local arrangements for other forms of recognition. These should remain matters within the discretion of management, and they should continue.
- 3.12.3 Nationally, I consider that there is a gap in the system by which the police service recognises the importance of teamwork in policing, and makes formal non-financial rewards to individuals.

Team recognition

- 3.12.4 Whilst it is important to recognise individual performance and contribution, it is equally important to acknowledge and provide for the fact that successful policing is predominantly the achievement of a team.
- 3.12.5 Chief officers should be able to recognise successful teams collectively, in the same ways in which they can make bonus payments to individuals for work of an outstandingly demanding, unpleasant or important nature (Determination Annex U made under Regulation 34). These payments should apply to both staff and officers when appropriate.

⁷⁸ Performance and post related pay seminar, pages 9-11

⁷⁹ *ibid.*, page 12

Recommendation 31 – Chief officers should recognise whole teams, both officers and staff, with a team recognition award payment of £50 to £100 each for outstandingly demanding, unpleasant or important work, or outstanding work for the public.

Awards

Background

- 3.12.6 Whilst financial recognition of performance can motivate individuals, it is abundantly clear to me that the recognition of peers and the wider community is important to officers and staff. There are already a range of awards and medals for which officers and staff are eligible.
- 3.12.7 ***The national honours system:*** Like others in the UK, officers and staff are eligible for civil decorations for bravery, including the George Cross, the highest civilian decoration for gallantry, the George Medal, The Queen’s Gallantry Medal and The Queen’s Commendation for Bravery. They are also eligible for honours recognising excellence and achievement with particular reference to service to the community, including awards at the various levels of the Order of the British Empire. Police officers are also eligible for the award of The Queen’s Police Medal, which is now largely awarded for distinguished service.
- 3.12.8 Civilian awards for bravery are rare and are only awarded after rigorous scrutiny. To qualify, an individual must consciously decide to put himself in danger of death, rather than be caught up in a train of events or react by reflex. These tightly drawn criteria correspond with those used in assessing recommendations for bravery in the military. In the case of DC Stephen Oake, who was stabbed in a counter-terrorism raid in January 2003, his posthumous award of The Queen’s Gallantry Medal came almost six years after his death.
- 3.12.9 ***Community recognition:*** There are a number of organisations which honour officers annually for both bravery and excellence. These include the Police Federation Bravery Awards, which recognise the contribution made by officers to their communities. Nominations come from Federation Branch Boards for the regional and overall national winners. The Jane’s Police Review Gala Awards recognise and reward excellence in community policing. Nominees for the five categories, including one for police community support officers, are put forward by forces across England, Wales, Scotland and Northern Ireland (including the British Transport Police and the Ministry of Defence Police). The Royal Humane Society awards an annual Police Medal to honour the most outstanding act of heroism by a police officer during the preceding year, chosen from the previous year’s general award-winners for acts of bravery in the saving of human life.
- 3.12.10 ***Local recognition:*** Officers and staff can receive Chief Constable and Police Authority commendations for exceptional police work or duty which require outstanding courage and bravery. These are often awarded in ceremonies alongside the Police Long Service and Good Conduct Medal, for officers who have served for 20 years. Special constables are honoured for nine years’ willing and competent voluntary service. For each additional ten years’ service, a special constable receives a bar to his medal. Some forces, such as Norfolk, have instituted their own, local awards for long service by staff.

Analysis

- 3.12.11 Despite the various awards open to police officers, and to a lesser extent police staff, there is a gap in the ways in which bravery and excellence are recognised. At present, there is a clear split by rank in the way recognition is given. In the national honours system, The Queen’s Police Medal, whilst open to all officers, tends to be awarded mainly to senior officers. In the most recent honours list, on 31 December 2010, the Federated ranks from territorial forces in England and Wales were awarded five medals, while those in the Superintending and Chief Officer ranks received eleven, despite the Federated ranks making up by far the greatest number of officers. Awards made by voluntary or media organisations in contrast tend to focus on the Federated ranks. At the Police Federation Bravery Awards 2010, all recipients of police

awards were constables. At the Jane’s Police Review Gala Awards 2010, all individual officer recipients came from the Federated ranks, and all ten recipients of the Royal Humane Society’s Police Medal have been constables.

Conclusions

- 3.12.12 There should be greater official recognition at national level of the bravery and excellent performance of officers, particularly those in the Federated ranks, and staff for whom little exists at all. There should be an award or set of awards between local force awards and awards in the national honours system. Awards given by civil society are much valued, coming as they do from peer nomination and the community. The police service has a role in recognising the bravery and excellence of its workforce. There is room for awards assessed and given by the police to the police, standing directly between local recognition and the national honours system in terms of prestige.
- 3.12.13 ACPO would be best placed to pursue this, organising the awards process and evaluating and moderating nominations for awards from forces and Police Authorities or Police and Crime Commissioners to ensure national consistency.
- 3.12.14 ACPO should consider creating a national tier of policing awards. This might be done as part of wider consideration of awards and recognition in the police. I recommend it invites its counterparts in Scotland and Northern Ireland to consider whether officers from other nations of the UK should also be eligible for such awards.

Recommendation 32 – ACPO and the Police Federation of England and Wales, along with other interested parties, should convene a working group to establish a series of new national policing awards.

- 3.12.15 There should be three awards made on an annual basis with recipients broadly proportionate with the number in each rank and the number of officers in each force, and distributed appropriately between officers and staff:
- ***ACPO Commendation.*** This would be one level above Chief Constable and Police Authority commendations, available to officers (including special constables) and staff for bravery or excellence worthy of recognition at a national level. Perhaps 200 commendations would be awarded each year.
 - ***Police Award for Gallantry:*** This would be available to officers, special constables and staff.
 - ***Police Award for Distinguished Service:*** This would be available to officers and staff for outstanding individual acts worthy of recognition at a national level. Perhaps around 50 awards would be made each year.

4 Recognising posts and skills

Existing post-related pay systems already recognise that not all police roles have equal weight. Whilst I have recommended that the current systems for police staff and more senior police officers should remain, at least for the short term, the current post-related model for the Federated ranks should end. Special Priority Payments have not met their objectives, have been divisive and represent poor value for money. In the longer-term, pay for both police officers and police staff should reflect and facilitate the continuing trend in policing which moves it from a craft towards a profession which has a more structured approach to standards and development. Until the necessary infrastructure is in place, however, there is a need to recognise the importance of retaining in specialisms police officers who are in the posts which are of the greatest importance to the public and the efficiency and effectiveness of the police service.

- Special Priority Payments should be abolished with effect from September 2011.
- A new allowance of £1,200 *p.a.* – the Expertise and Professional Accreditation Allowance (EPAA) – should be paid to officers in four areas of particular importance to the public and the police service in the immediate future.
- The EPAA should last in its proposed form until it is replaced or expanded once the future of proposals to create a professional body for policing is known; Part 2 of the review will consider longer-term arrangements for providing financial reward for the acquisition and use of specialist skills.
- Police staff should not be eligible to receive the EPAA because their pay is already calculated in part according to the weight and skills requirements of their posts.
- In the longer-term, pay should be linked to a national policing skills framework, including police officers and police staff, recognising the value which the police service places on relevant professional development.

- 4.0.1 For many years, police officers were assumed to be omni-competent; able to turn their hands to any kind of crime prevention or detection. Police regulations permit senior officers to require a police officer to work anywhere, at any time and in virtually any post although some posts (such as firearms or police divers), now require the possession of accredited skills and physical fitness¹.
- 4.0.2 In the modern police service, many police officers are far more expert and specialised than their predecessors, reflecting the much greater complexity of modern life and the increasing sophistication of criminals and their methods. Many tasks previously done by police officers are now undertaken by more specialised police staff.

4.1 Officers

- 4.1.1 Whilst the police service continues to increase and intensify its specialisations, its basic pay model for police officers has remained largely unchanged since the 1970s. However, in recognition of the fact that not all jobs at a given rank are equally challenging, post-related pay re-entered the pay model for most ranks in 2003. As set out in Chapter 3, Chief Constables and Deputy Chief Constables have their salaries set using various measures which are intended to reflect the relative weights of policing their areas. Those in large urban forces, such as the Metropolitan Police, Greater Manchester and the West Midlands, receive higher salaries than those in smaller and rural forces. The chief superintendents' post-related allowance (see Chapter 3) recognises that some posts at this rank carry greater weight, and some are closer to those previously carried out by Assistant Chief Constables².

¹ Police Federation submission (1), page 2

² Police Superintendents' Association submission (1), page 23

- 4.1.2 The most widespread post-related payment, also brought in at that time, is the Special Priority Payment for the Federated ranks.

Post-related pay: Special Priority Payments

Background

- 4.1.3 The arrangements for making Special Priority Payments (SPP) to officers are set out in Determination Annex U made under Regulation 34 of the Police Regulations 2003. Further details of how the SPP regime was intended to work are contained in a number of PNB Circulars³.
- 4.1.4 An SPP is a payment of between £500 to £5,000 a year, although it is normally between £500 and £3,000. It is available only to police officers and is non-pensionable. Payment is normally retrospective as a lump sum each December. The criteria for a post to qualify for an SPP are that it:
- carries a significantly higher responsibility level than the norm for the rank; or
 - presents particular difficulties in recruitment and retention; or
 - has specially demanding working conditions or working environments.
- 4.1.5 In addition, to receive the payment the police officer in question must demonstrate that he is fully competent and highly committed to his duties and responsibilities. In some cases, police forces have added additional requirements, for instance eligibility based on length of service.
- 4.1.6 The official guidance on SPPs is prescriptive. It requires that no fewer than 20% and no more than 40% of officers in a force may receive the payment. Since 2005/6, police forces have been expected to spend 2% of their budgeted basic pay bill, for ranks up to and including chief superintendents, on SPPs. However, the Police Superintendents' Association told the review that officers in the superintending ranks do not qualify for or receive these payments. Funding for SPPs was originally provided by the Home Office, but is now included in the general grant to police.
- 4.1.7 SPPs were designed to be targeted at those police officers “in the most demanding and difficult frontline operational roles”⁴, and to give Chief Constables more local flexibility as to how they remunerate their police officer workforce. Each year, most police forces reassess the posts to which SPPs should be attached in the following year. This can mean that a police officer will receive a payment one year and lose it the next. It cannot be relied upon.

Analysis

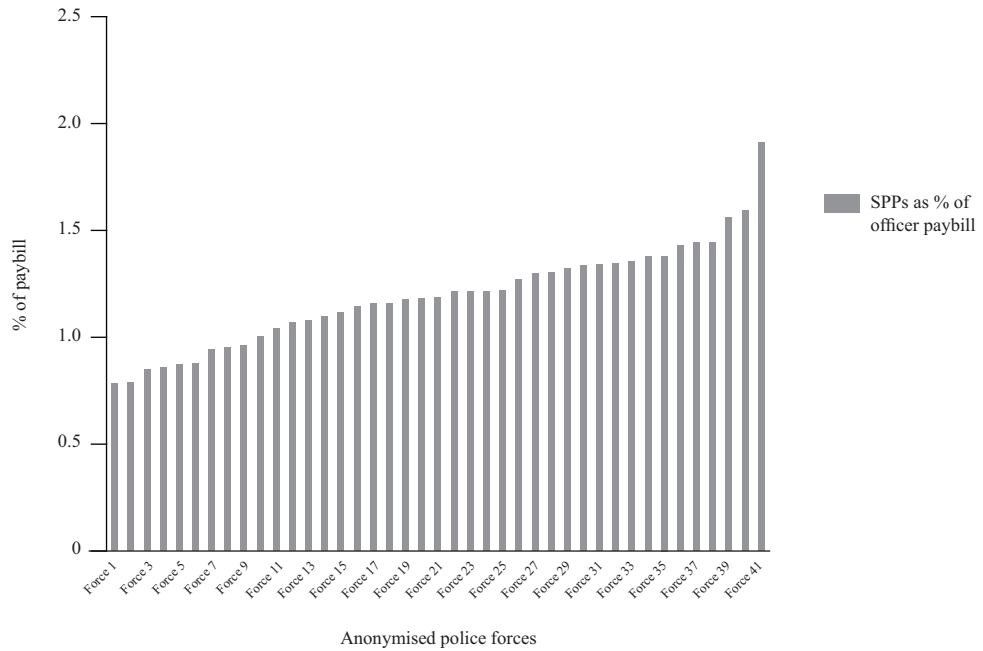
- 4.1.8 Data on the use of SPPs indicate that across England and Wales, 45% of Federated officers were in receipt of an SPP in 2008/09. As these data are held at a local force level, the review conducted its own data collection exercise. Data were received from 41 of the 43 territorial police forces and indicates that SPPs cost approximately £84m in 2009/10. Figure 4.1 demonstrates that there are significant levels of diversity in the proportion of the pay bill that forces spend on SPPs:

3 PNB Circular 03/16

4 PNB Circular 03/16

Figure 4.1

SPPs as a percentage of the officer paybill by force

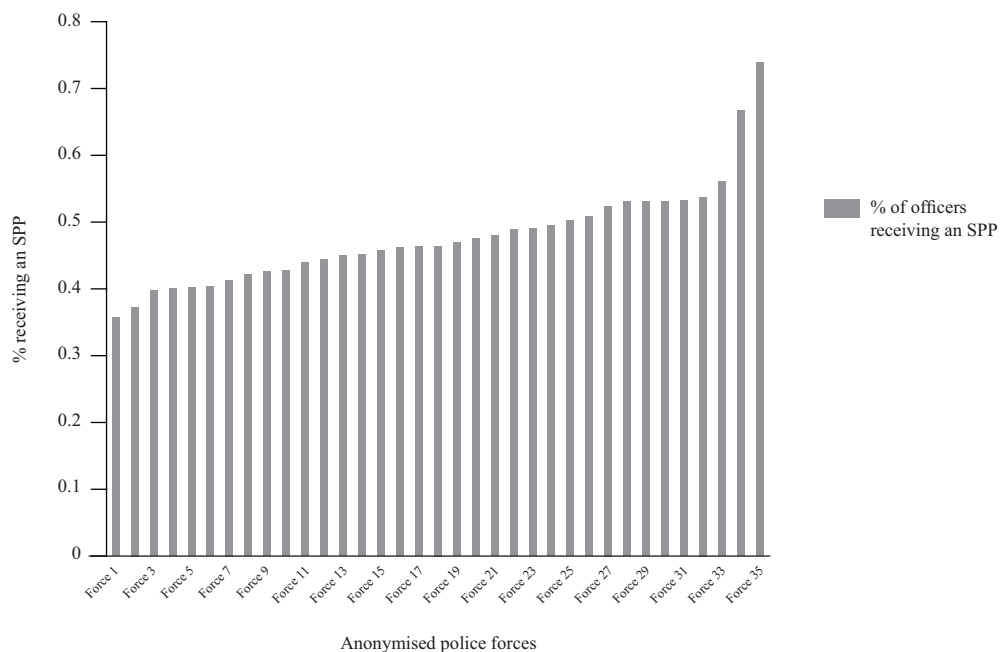


Source: Paybill data; CIPFA Actuals 2009/10, SPP costs collected from forces for the review, unverified

4.1.9 It is clear that police forces approach the distribution of SPPs in different ways, with payments ranging from 0.8% to 1.9% of forces' officer pay bill. As set out above, forces are still officially bound by the PNB agreement on SPPs, which defined the spend on SPPs at 2% of the basic pay budget, though all of the forces which provided data pay below that figure. Additional data gathered from forces indicate that the percentage of officers who receive an SPP also varies widely between forces, ranging from 36% to 74% of officers in the 35 forces which provided data. This range is shown in Figure 4.2, whereby (anonymised) forces are ranked according to the proportion of their officers receiving an SPP.

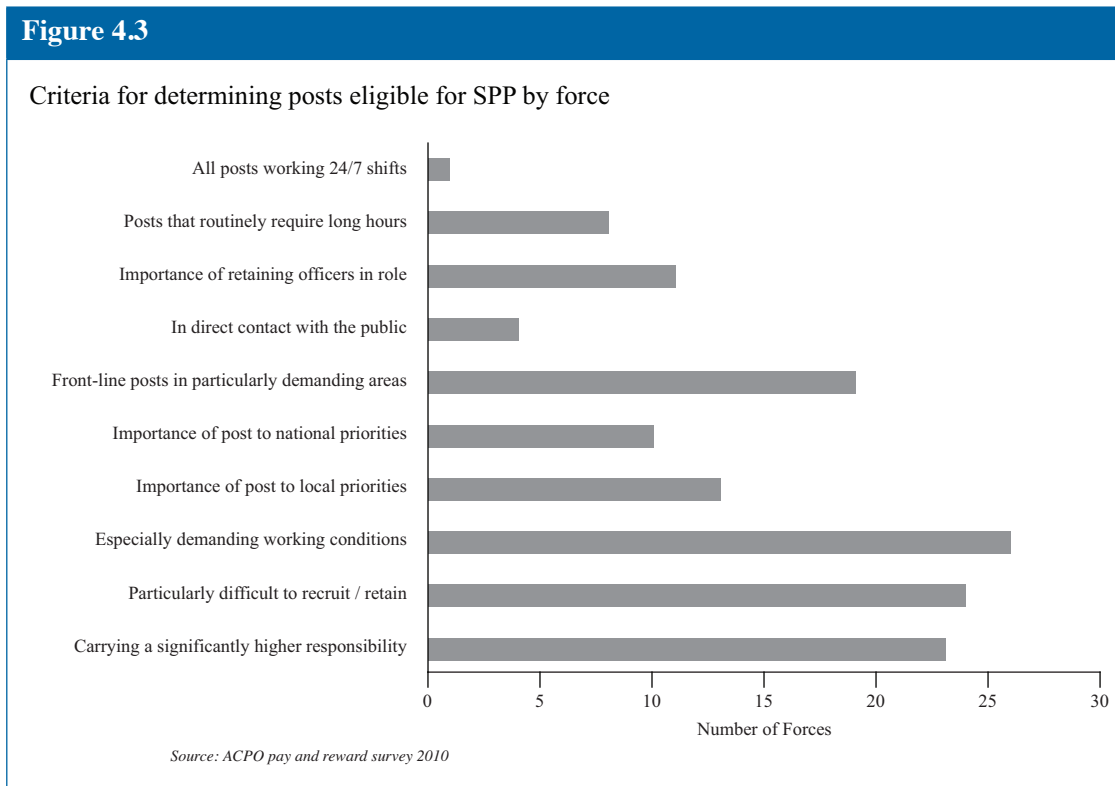
Figure 4.2

Proportion of officers receiving an SPP by force



Source: Home Office Annual Data Return no.502, Data submitted by forces to the review, unverified

4.1.10 This disparity between forces also extends to the roles for which officers received SPPs. The huge range of officer role titles has prevented the review from directly comparing eligible roles with each other across police forces. However, those provided did include roles as diverse as response, dog handlers, child abuse investigators, and professional development unit officers.



4.1.11 Data from the ACPO pay and reward survey 2010⁵ (see Figure 4.3) indicate that while SPPs were originally intended especially for those involved in operations on the front line, “frontline posts in particularly demanding areas” was only the fourth most popular criterion; being used by 21 forces. Furthermore, criteria such as “direct contact with the public” and “all posts working 24-hour shifts”, which would also be characteristic of front-line roles, were the least used criteria, being used in only four and one force respectively. The principle criteria used by forces were “demanding working conditions”, “recruitment and retention” and “higher responsibility”.

Table 4.1: Length of service for eligibility for SPP by police force

	None	1 year	2 years	3 years	4 years	5 or more years
All eligible posts	6	0	5	2	2	3
Some eligible posts	2	0	1	0	4	5

Source: ACPO Pay and Reward Survey 2010

4.1.12 The survey also found wide variation in applying a length of service qualification required to receive an SPP (see Table 4.1). There appears to be no underlying trend in the choices made by forces and the wide variety infers that there is no national empirical agreement on the extent to which experience can be quantified by length of service. Length of service is not a specific criterion in the guidance, and it is up to individual forces to decide whether to apply it and what length of service they wish to set. As with pay based on progression (see Chapter 3),

⁵ Analysis of Pay and Reward Practices and Terms and Conditions for Police Officers and Police Staff, ACPO, October 2010, page 17

length of service criteria assume a link between value of contribution and tenure which I would not support, except in circumstances when no other measure were possible.

- 4.1.13 The ACPO Pay and Reward Survey also found that a minimum level of attendance is generally a criterion, being applied by 26 out of 27 responding forces. Attendance is determined by the number of days that an officer works when they are required to, so it is primarily a tool for addressing sickness rates. However it is applied differently across forces. Most forces consider only absence in the current year, but some consider attendance records over two or more years as an eligibility factor.
- 4.1.14 Only one force added a competence-related element to SPP eligibility, by making officers on a final improvement notice under the Police (Performance) Regulations 2008 ineligible for an SPP.
- 4.1.15 Data from the 2009 LGE survey of Special Priority Payments shows a gender disparity in both the percentage of officers in receipt of SPPs, and the average amount given each year for 2005-2008.

Table 4.2

Percentage of officers in England & Wales in receipt of an SPP by male and female officers

Year	Full time			Part time			Overall		
	Female	Male	Total	Female	Male	Total	Female	Male	Total
2005	27	43	39	37	35	37	29	43	39
2006	29	45	41	36	38	36	30	45	41
2007	37	48	45	36	38	36	37	48	45
2008	33	50	46	38	37	38	34	50	45

Source: LGE (2009) survey of Special Priority Payments, payments for exceptional performance, and post-related allowance

Table 4.3

Average SPP awarded (£) by male and female officers

Year	Full time			Part time			Overall		
	Female	Male	Total	Female	Male	Total	Female	Male	Total
2005	1,015	1,133	1,114	780	883	789	977	1,132	1,103
2006	1,101	1,258	1,232	792	951	806	1,052	1,257	1,218
2007	1,187	1,275	1,259	872	1,016	884	1,140	1,274	1,247
2008	1,185	1,304	1,282	869	1,016	881	1,137	1,303	1,268

Source: LGE (2009) survey of Special Priority Payments, payments for exceptional performance, and post-related allowance

- 4.1.16 The PNB Equal Pay Audit (2009) gives further data on the gender split for SPPs. The table below shows that, with the exception of chief inspectors, more male officers than female officers received an SPP at each rank, and that the amount given is also higher for men at all ranks⁶.

6 *Police Advisory Board of England and Wales Amended Equal Pay Audit, Preliminary Report, Office of Manpower Economics, May 2010, page 4*

Table 4.4: Average SPP received by men and women officers at each rank

	Men	Women	Pay Gap
Constable	£1,333	£1,162	12.8%
Sergeant	£1,408	£1,275	9.4%
Inspector	£1,697	£1,577	7.1%
Chief Inspector	£1,840	£1,689	8.2%

2009 PABEW Equal Pay Audit – Preliminary Report (Amended May 2010)

- 4.1.17 The pay gap ranges from 7% for inspectors to almost 13% for constables, in all cases in favour of men. This clearly demonstrates inequality in the way in which SPPs have been applied. The Equal Pay Audit found that women appeared to be concentrated in roles that did not attract an SPP, which the authors thought might reflect the value forces place on roles undertaken by women⁷.

Consultation

- 4.1.18 In its submission to the review, the Police Federation argued that the funding presently allocated for the payment of SPPs should be redistributed into other, “less divisive” elements of police pay⁸. By “divisive”, it is understood that the Police Federation means that SPPs are not considered by police officers as rewards for officers who perform particularly demanding or unpleasant tasks, but as penalties for officers who do not receive them. This view was shared by the Police Superintendents’ Association which advocated the abolition of SPPs⁹.
- 4.1.19 The Police Federation also explained that when SPPs were introduced, a number of allowances and payments were removed, including the frozen undermanning allowances, the firearms users standby allowance, the plain clothes allowance and the refreshment, subsistence and lodgings allowance¹⁰.
- 4.1.20 ACPO and the APA did not support the continuation of SPPs, believing that they have created dissatisfaction from police officers who do not receive them, and insufficient satisfaction from those whose posts have been included in the scheme¹¹. Strong views have also been expressed by individual chief officers, both present and past. The Chief Constable of Northumbria advocates the abolition of SPPs, suggesting that funding should be equally redistributed among all officers¹². This has been implemented elsewhere in the United Kingdom; for example, in 2009 Grampian Police took this approach, with all Federated officers receiving a payment of £700¹³. In this case, it is understood that the police force considered that it would harm morale if management were to choose between posts. Mr Paul Kernaghan, Chief Constable of Hampshire from 1999-2008, also believes that SPPs have been a “disaster”¹⁴.
- 4.1.21 The Police Federation also argues that there are inconsistencies between forces in their implementation. A role may attract an SPP in one force but not another¹⁵. However, it should be noted that to a great extent the Police Federation is not in favour of any local discretion on pay. The Association of Police Authorities, which also believes SPPs should be abolished,

7 *ibid.* page 2

8 Police Federation submission (1), page 3

9 Police Superintendents’ Association submission (1), page 22

10 Police Federation submission (1), page 38

11 ACPO submission, pages 25-26 and APA submission, page 23

12 cited Police Federation Submission (1), page 38 *Qualified cops first in line for priority pay*, Police Review, 13 February 2009

13 Police Federation submission (1), page 38

14 *Submission to the Review of Remuneration and Conditions for Officers and Staff*, Paul Kernaghan CBE QPM, October 2010, page 3

15 Police Federation submission (1), page 38

also believes that their original purpose has been seriously diminished by the wide-ranging reinterpretation of the rules by forces¹⁶.

- 4.1.22 Given that the guidance provides that it is for each chief officer and Police Authority to make a local determination as to the posts which will receive the payment and its amount¹⁷, this differentiation, or “inconsistency” as the Federation calls it, suggests that SPPs have been successful in delivering a degree of local flexibility. Therefore, it is inevitable that different forces have applied SPPs in different ways. Some, according to ACPO, have used SPPs *in lieu* of an on-call allowance¹⁸. Surrey Police has used SPPs to respond to local labour market pressures, paying it to officers in areas bordering the higher-paid Metropolitan Police Service, to retain those police officers who might otherwise have transferred to London. They have also used payments to reward constables and sergeants who have taken on additional responsibilities leading mixed teams as part of Surrey’s workforce modernisation¹⁹. The Metropolitan Police has used the SPP scheme to support its Safer Neighbourhoods Initiative, and to improve retention of police officers in inner London²⁰.
- 4.1.23 Chief Constable Mark Rowley of Surrey Police argued that more local flexibility is needed, not less²¹. In view of the creative use of SPPs in his force in particular, I am inclined to agree that, in the longer term, forces do need more tools to accommodate local circumstances. However, the evidence indicates that SPPs themselves are not the best way to achieve this. Part 2 of the review will consider if and how local flexibility in officer pay may be achieved (see Chapter 5).
- 4.1.24 ACPO argues that the current costs of administering SPPs have been prohibitive when compared with the benefits²². Even Chief Constable Mark Rowley, a supporter of the local flexibility SPPs have brought, argues that SPPs and CRTPs (see Chapter 3) have largely failed due to the combination of strangulation by guidance, and a police culture ill-prepared to make the hard decisions required.
- 4.1.25 The National Policing Improvement Agency’s view is that SPPs have not been a universally effective way of supporting recruitment and retention²³. It points out that an inadvertent consequence of SPPs has been to create a reluctance of officers to move into posts which do not attract SPPs, decreasing the flexibility of the workforce. This, in turn, has created new unpopular posts which have been difficult to fill, despite the fact that payments for unpopular posts were one of the scheme’s purposes.
- 4.1.26 Many of these issues were expanded upon at the seminar on performance and post-related pay. Ms Carol Brady of Greater Manchester Police said that she had worked with SPPs since 2003 and that they have caused problems every year because the police officers who receive them have changed so often²⁴. She regards SPPs as badly designed, bureaucratic and divisive. Inspector Knights also raised the issue of bureaucracy: he maintained that Surrey Police found the prescriptive regulations frustrating, although they were paying more officers than the scheme allows for²⁵.
- 4.1.27 The General Secretary of the Police Federation argues that the SPP scheme has not been a success²⁶. However, whilst the Police Federation did not at first support the SPP regime, and believes that SPPs have been shown to be divisive, difficult to manage and bureaucratic, he concludes that, in the final analysis, there is “nothing wrong” with the present scheme. He adds that the principles might be restrictive but such difficulties can be resolved.

16 APA submission, page 23

17 PNB Circular 03/16

18 ACPO submission, page 25

19 Post and performance related pay seminar, pages 58-59

20 *ibid.* page 54

21 Submission to the review, Chief Constable Mark Rowley, October 2010

22 ACPO submission, page 25

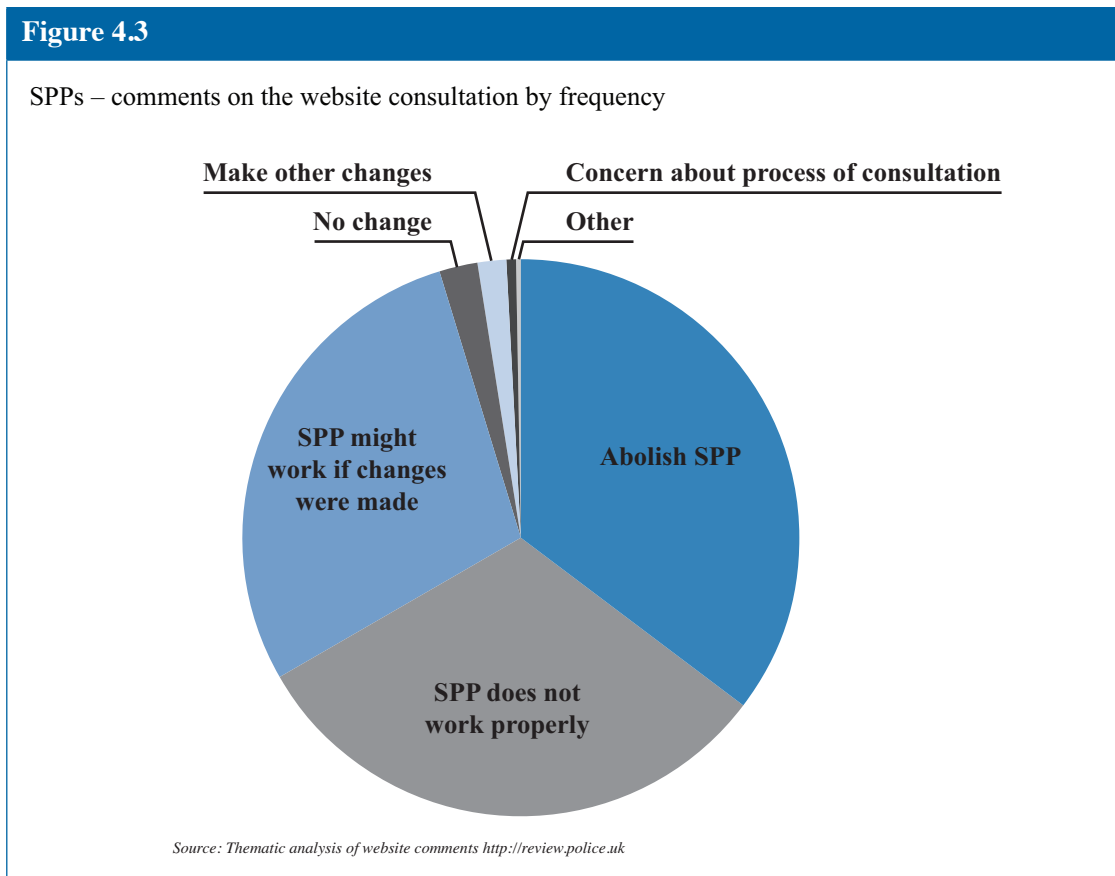
23 *Initial Response to the call of evidence*, National Policing Improvement Agency, October 2010, page 21

24 Post and performance related pay seminar, page 50

25 *ibid.* page 52

26 *ibid.* pages 55-56

4.1.28 In the website consultation there were few correspondents in favour of the retention of SPPs²⁷. Almost all believed that SPPs were ineffective, with some believing that they should be stopped altogether, some simply stating that they do not work as intended, and others suggesting that SPPs might work if changes were made²⁸. Figure 4.3 shows the popularity of each theme, by frequency.



Conclusions

- 4.1.29 As set out in Chapter 3, I believe that variable pay is the best approach for the modern police service, with those who contribute more receiving more. The Police Federation believes variable, post-related pay is divisive. In my view, the contrary is the case. Many police officers resent a regime which provides equal pay for jobs of appreciably unequal weight. Officers who perform well, work unsocial hours and develop their skills do not, in the main, support a regime under which they are paid the same as (and, because of the progression system, may be paid significantly less than) other officers who perform only just above the minimum standard required to avoid disciplinary action.
- 4.1.30 That SPPs are widely considered to be divisive was also clear from the review’s website consultation and my discussions with officers in several police forces. However, like ACPO, I believe this stems less from the principle that some receive the payment whilst others do not, and more from the uncertainty of its receipt each year, the criteria which are applied by some police forces, and dissatisfaction at the removal of the payment in later years²⁹.
- 4.1.31 The significant shortcomings of the SPP scheme do not mean that a system of paying more to the holders of especially demanding posts, or those with higher responsibilities, is wrong.

²⁷ Analysis of responses to police review of remuneration and conditions for officers and staff, Greensheet Berman, December 2010, page 11 <http://review.police.uk>

²⁸ *ibid.*, page 11

²⁹ ACPO submission, page 26

The contrary is the case. A properly designed, competently operated system of that kind would bring considerable benefits and treat police officers more fairly.

- 4.1.32 I do not agree with those who assert that SPPs have had no benefits. They have been helpful in some respects, allowing forces to use a small proportion of their pay budgets to meet specific local needs. Some have used this power creatively, whilst others have not. SPPs have also secured a measure of acceptance that not all posts at a particular rank are equal.
- 4.1.33 My view is that the notion that SPPs should be used to incentivise posts which are considered hard to fill does not withstand critical scrutiny. The police service is a disciplined service and therefore, as the Police Superintendents' Association remarked, there should be no such posts; any officer can be posted by the Chief Constable to almost any post at any time³⁰.
- 4.1.34 The uncertainty about the continued eligibility of posts for SPPs has created difficulties. Police officers who have moved to a particular job because it attracted an SPP could well discover that, a year or two later, the payment is no longer available. That could act as an incentive to move out of a role which was previously considered to be hard to fill. A senior officer explained to the review that once a role has been determined to be eligible for an SPP on the ground that it is hard to fill – for instance because of its location – it becomes difficult for the police force to remove it because the original recruitment or retention problem may immediately recur. I do not therefore believe that the element of SPPs which is designed to solve local labour market issues is right in principle, nor has it been effective.
- 4.1.35 The review received convincing evidence that SPPs are paid predominantly to male police officers and therefore contribute to the gender pay gap in the police. The Equality and Human Rights Commission recommends that pay gaps of more than 3% should be investigated, if there is a pattern of difference at all or most levels³¹. With SPPs, there is a pay gap of at least 7%, rising to 13%, across all eligible ranks. This alone should give cause for concerns about the fairness of the system.
- 4.1.36 For these reasons, I recommend that SPPs are abolished with effect from 31 August 2011. Their disadvantages and acquired discredit outweigh the benefits of the small amount of local flexibility they have brought. The scheme does not represent value for money at a time when all public sector organisations must achieve the greatest efficiency and economy in their operations.

Recommendation 33 – Special Priority Payments should be abolished from 31 August 2011 and all outstanding SPPs up to that date should be paid on a pro-rated basis.

- 4.1.37 In making this recommendation, it should be noted that I have reached the same conclusion as the Scottish Executive, which has agreed with the police staff associations in Scotland that SPPs should be abolished from 1 April 2011. However, my reasons may be different. There is considerable value in post-related pay for the Federated ranks. As set out in Chapter 3, in the longer term the relative weight of the job should be directly reflected in basic pay. I have suggested that the simplest way to do this may be to band roles, and have asked for views on this and other potential solutions for Part 2 of the review
- 4.1.38 The issue of competition for police officers amongst the police forces which border London, and which some forces have used SPPs to address, will also be considered in Part 2 of the review.

Skills

- 4.1.39 The designers of the SPP scheme obliquely attempted to create a system which, at least in part, contained a recognition of the differing value of police officers' skills. Police officers are increasingly becoming specialists, with forces supporting their development both on the job and through formal training. This is expensive in both time and resources, and so forces need

³⁰ Police Superintendents' Association (1), page 22

³¹ Equal Pay Audit 2010 – Preliminary Report, page 1

a return on their investment, particularly when budgets for training and development are likely to be constrained.

- 4.1.40 In practice, police officers have a considerable degree of freedom as to how long they remain in particular posts. Evidence received by the review shows that in some cases officers receive training and sometimes accreditation for particular roles, and then, only shortly afterwards, move to different posts which do not require the qualifications in question. In such cases, the police force loses the value of its investment in that officer's acquisition of his qualifications. This is an issue which forces must manage. Individual forces have different policies. A number of larger forces operate a system of minimum tenure for specialist roles such as firearms officers or detectives. This not only addresses the need to recoup the investment in training the officers in question but is also concerned with ensuring that officers develop the experience and competence to put their learning into practice.
- 4.1.41 ACPO has recently been engaged in work which is directed towards raising the status of policing to a level closer or equivalent to that of a profession. Most professions have regulatory bodies which accredit their members, uphold and enforce standards, and manage qualifications and professional development.
- 4.1.42 ACPO has argued that to achieve the full and appropriate modernisation of the police service, it needs a professional organisation. In its submission to the review, ACPO proposed a regime of external accreditation for roles and learning, with police officers eventually receiving practising certificates³². Such a system would, in the medium term, be linked to the pay policy of the service, with remuneration reflecting the relative skills and professional development of police officers.
- 4.1.43 Mr Peter Neyroud, formerly the chief executive of the National Policing Improvement Agency, has carried out a review of police leadership and training. In particular, he has considered how ACPO might proceed with the establishment and development of policing as a profession. Mr Neyroud's review has not yet been published by the Home Office. However, my discussions with him have enabled this review to take account of what I understand his arguments, findings and conclusions to be.
- 4.1.44 Mr Neyroud believes that moving policing further away from a craft and closer to a profession, without placing police officers at a distance from the public they serve will not be easy. However, he considers that there would be significant benefits in a system of clearer standards, a qualification framework for which the service takes primary responsibility, and a greater focus on professional development. He argues that this would be a natural continuation of developments over the last two decades to expand the policing knowledge base, and to understand the skills and set standards for policing, thus putting them on a formal footing and consolidating regulatory responsibility in a single body.
- 4.1.45 The police service may, in time, establish an independent but accountable professional body. It could become a chartered body, being both a repository of expertise and having a regulatory role, accrediting training and providing assurance in relation to the standards of its members. The review will pay close attention to Mr Neyroud's report when it has been published, and in Part 2 will consult with him and all other interested parties in relation to the development of a system for the accreditation of professional policing skills.
- 4.1.46 In its submission to the review, ACPO said that pay should, in the longer-term, recognise skill as well as competence and achievement³³. ACPO proposes that those possessing a practising certificate issued by a new professional body for policing should receive additional remuneration. As a short term measure, ACPO proposes that SPP funding be redirected into pay to police officers for the utilisation of advanced skills and evidenced continuous professional development.

³² ACPO submission, page 25

³³ *ibid.*, page 27

- 4.1.47 In contrast, the Police Federation says it would reject any direct link between pay and skills because officers can be lawfully ordered to perform any role³⁴. Were such a connection to be proposed, the Federation also argued that there would be a serious practical problem in that many officers have significant difficulties gaining access to training³⁵.

Conclusion

- 4.1.48 Recognising in pay the skills and professional development an individual has undertaken is part of acknowledging his contribution to the police service. Policing has many job categories, from emergency response and neighbourhood policing to investigation and forensics. To operate a pay model which fully recognises skills in all their variety would require a formal framework for these career strands, in which an individual and his role can be assessed and paid. Initial steps towards this have been taken with the Professionalising Investigation Programme, in which officers and staff become nationally accredited at a number of levels, achieving their professional status through a mixture of training and portfolio work. Unfortunately, such professional development models do not yet exist in other areas of the police service, such as emergency response and neighbourhood policing.
- 4.1.49 It is time that the public is made aware of the levels of skill in the police. The police can only benefit from a process which acknowledges the reality of growing specialisation in the service and the associated need for appropriate professional development. This is already occurring in other traditionally generalist organisations, including the civil service, with its programme to professionalise government skills over the past eight years.
- 4.1.50 Police officers with specialist skills should be encouraged to work and develop in their areas of expertise, increasing their knowledge and using it for the good of the public and the police service. There is, of course, a balance to be struck between retaining experience and ensuring all officers have a sufficient understanding of general policing to keep forces flexible, by continuing transfers between posts. Police forces should also promote training opportunities for all officers, and take steps to ensure that their workforces develop as they should.
- 4.1.51 Any longer-term move towards recognising skills in pay would require professional development opportunities to be available at all levels and allocated on a fair and transparent basis. An increased focus on professional development brought about by a new professional body would assist in establishing confidence in the fairness of a system of training.
- 4.1.52 In practice, the creation of a professional body, a development framework, and the building of capacity in forces to deliver development programmes are unlikely to occur rapidly. This is therefore a matter for the longer term. In the short term, the public and the police service will benefit considerably from a new pay regime which recognises and rewards skills.

Expertise and Professional Accreditation Allowance

- 4.1.53 For the reasons given in relation to the value of recognising and rewarding the acquisition and use of skills in policing, I recommend the creation of an allowance to be known as the Expertise and Professional Accreditation Allowance (EPAA) of £1,200 *per annum*. This is to be paid to officers working in one or more of four categories of policing, which have been assessed as the most strategically critical. Those categories should be prescribed at national rather than force level.
- 4.1.54 The EPAA should be an interim allowance, to be replaced when a fuller and more sophisticated system of job evaluation and professional accreditation has been established and introduced. In Part 2 of the review, I will consider the nature of such a system, how quickly it might be established, and the conditions and mechanisms which should apply to its being brought into effect. I anticipate that the EPAA system will last at least three years from September 2011.

³⁴ Police Federation submission (1), page 3

³⁵ *ibid.*, page 37

Functions

- 4.1.55 In determining which policing functions should qualify for the EPAA, it is necessary to consider the needs of the public and the challenges facing policing and society.
- 4.1.56 Each year, ACPO and the NPIA produce the “National Strategic Assessment of Policing” which identifies current, emerging and future threats and challenges over the following three years³⁶. Important areas identified in the 2010 assessment included public protection (for instance domestic abuse, sexual offences and child protection), violent crime and drugs. Terrorism remains a threat, as does domestic extremism and the risk of public disorder. This assessment, together with additional discussions with ACPO and the NPIA about their forthcoming 2011 assessment, have enabled the review to focus on four types of policing which are likely to be especially important in the near future and which will require specialist skills which police forces need to retain. They are:

- *Investigation*: The Professionalising Investigation Programme (PIP) is a system of professional accreditation applying to police officers whose roles require them to conduct or manage investigations, and interview suspects, victims and witnesses. PIP covers officers working in a wide range of specialisms, including in drug-related crime, child protection and domestic violence, as well as those investigating serious, organised and other crime.

The majority of detective constables and sergeants working on investigations will be PIP Level 2 trained, with those responsible for managing major investigations at inspector level and above being trained to Level 3 standard. There are no national data for the number of PIP-accredited officers applying their skills. However, for the purposes of financial modelling, it is estimated that these number approximately 32,000 Federated officers (based on data from the Home Office Annual Data Requirement, wherein forces divide their workforce into different categories of post).

- *Public order*: Recent events, such as the violent protests in connection with the funding of higher education, have demonstrated the need to maintain an experienced body of officers trained to police public demonstrations and deal with disorder. Officers trained in public order are often used to support other police forces through mutual aid arrangements. There is a national accreditation scheme for Public Order Level 2. Such officers usually have other full-time roles; their public order skills are called upon when necessary, and they can be rapidly deployed to police gatherings which may become disorderly. Level 1 trained officers are normally found in more permanent public order roles, such as the Metropolitan Police Service’s Territorial Support Group (TSG).

All officers accredited to Public Order Level 1 or 2 should receive the EPAA. Data from ACPO and the NPIA indicate that 23,675 officers are trained to these standards.

- *Specialist operations (firearms)*: The requirement for experienced firearms officers is particularly high given the present security situation and the London Olympics in 2012. Following completion of an assessment and initial firearms training, an officer receives Authorised Firearms Officer status. It would be the possession and use of that status which would entitle an officer to the EPAA. Data provided to the Home Office for 2009/10 indicate that there are approximately 3,000 Federated firearms officers in England and Wales³⁷.
- *Neighbourhood policing*: This function has been one of the most significant policing initiatives of the past decade. It aims to improve public engagement in policing, increase the visibility of the police at local level, and help to tackle neighbourhood priorities³⁸. In 2008, Ms Louise Casey’s *Engaging Communities in Fighting Crime* review found that the public wants to see named local contacts and clear information about responsibilities when it comes to deterring and fighting crime in their local area³⁹. The public also wants to see continuity in local policing teams, and the Home Office’s 2008 Green Paper *From the*

36 *National Strategic Assessment*, ACPO, April 2010, page 6

37 Annual Data Requirement 2009/10

38 *From the Neighbourhood to the National – Policing our Communities Together*, Louise Casey, 2008, page 19

39 cited *ibid.* page 28

Neighbourhood to the National recommends that officers and PCSOs served a minimum of two years so they become intimately familiar with their areas and communities thus gaining respect and trust. HMIC's 2008 thematic report into neighbourhood policing established that a consistent approach to neighbourhood policing is essential⁴⁰.

- 4.1.57 Officers who commit a significant proportion of their careers to working directly with their local communities should be recognised. Unlike the functions listed above, there is presently no national accreditation for neighbourhood policing. For this reason, it is recommended that an officer should also receive the EPAA after working in a neighbourhood policing team for three years. As explained in this report, tenure-based payments are not a sound basis for a long-term pay structure, as there is no evidence that tenure automatically equates with experience, performance or skills. However, until an accredited training programme for neighbourhood policing has been established and introduced, it is the only practicable measure which is available.
- 4.1.58 Approximately 16,000 Federated police officers worked in neighbourhood policing in 2009/2010. There were no data available on how many of these officers are likely to fulfil the three-year tenure criterion, but in my calculations I have chosen to over-estimate rather than under-estimate, to ensure that police forces can afford to pay the allowance.
- 4.1.59 The EPAA should apply to police officers with one or more of the specified skills. It should be payable only whilst the police officer maintains and uses the skills in question, and should be removed if he loses his professional accreditation, no longer uses the stated skills, or is transferred out of a neighbourhood policing team. If an officer falls into more than one of the qualifying categories, he should receive only one EPAA.
- 4.1.60 Since police staff members are already in a pay system which evaluates their jobs and remunerates them accordingly, the EPAA should not apply to them. This is explained more fully at the end of this chapter.
- 4.1.61 The functions listed above will exclude some officers who have specialist skills which are valuable to the work of the service and who have lost their SPPs. In designing the EPAA, attention has been focused on the functions which are of the greatest importance and require the highest professional skills. It is not possible in the short term to design a more sophisticated system which evaluates every job in the police service. The EPAA regime must be both fair to individual officers and be simple and straightforward for forces to introduce and operate with the least bureaucracy. As explained, it should be replaced, or expanded, when a more detailed system of evaluation and accreditation has been devised.
- 4.1.62 The equality impact assessment which the review has made of the EPAA system indicates that it will be broadly equal in its treatment of male and female officers. It is not possible to determine its likely effect on black and minority ethnic officers.

Implementation

- 4.1.63 The operation of the EPAA must be kept simple. I have heard the criticisms of the SPP process, and recognise that at a time of significant budget reductions the administrative burden on forces must be kept low. For this reason, it is recommended that the EPAA is set nationally in respect both of the policing functions to which it applies and its amount. This will not provide local flexibility in the short term. However, the steps which I recommend in relation to pay focused on individual contribution in the medium term, and pay which takes into account job weight and labour market forces in the longer term, are likely to return a degree of local flexibility to police forces.
- 4.1.64 The payment should be £1,200 *per annum*. This amount has been chosen as balancing, on the one hand, the need for a payment which will make an appreciable difference to officers, and, on the other hand, considerations of affordability at a time of national financial constraint.

⁴⁰ *Serving Neighbourhoods and Individuals: A Thematic Report on Neighbourhood Policing and Developing Citizen Focused Policing*, HMIC, 2008

- 4.1.65 The total cost of the EPAA is assessed at £52m in financial years 2011/12 and £90m in 2012/13. Approximately one third of Federated officers may be eligible for the payment, and officers will be predominantly in front-line and operational support functions. By contrast, those in middle- and back-office roles are less likely to be eligible.

Recommendation 34 – An interim Expertise and Professional Accreditation Allowance of £1,200 *per annum* should be introduced from September 2011 for officers meeting the skills or length of service criteria in the four stated priority functions. It should be paid monthly and pro-rated where an officer works part-time. It should be removed when an officer leaves the qualifying role.

Recommendation 35 – The Expertise and Professional Accreditation Allowance should be expanded or replaced when a more sophisticated system of job banding or professional accreditation is established and has been introduced.

4.2 Staff

- 4.2.1 Police staff are paid according to the roles in which they work. Local force policies vary, but posts are generally placed on a pay spine according to a job evaluation system (see Chapter 3). This includes an assessment of the skills required for the post.
- 4.2.2 Staff pay, therefore, already takes into account the skills required for each job. For that reason, it is unnecessary for police staff to be included in the EPAA scheme.
- 4.2.3 As police staff are appointed to specific posts, they are also less likely to move around a police force to the same extent as police officers. For police staff members with skills which forces wish especially to retain and for which there is high demand, forces already have the flexibility to pay market supplements. The ACPO Pay and Reward Survey 2010 showed that 24 forces, out of the 27 which responded, operate market supplements for certain police staff functions, particularly in areas such as information technology. Most forces (62.5%) review market supplements annually. To calculate pay in these areas, many forces use externally collated market data as a benchmark.

Table 4.5	
Number of forces that pay police staff groups market supplements	Forces
Information technology	16
Communications	3
Human resources	2
Finance	4
Press/Public Relations	0
Occupational Health	4
Vehicle technicians	3
Procurement	3
Property/estates	5
Fingerprints	4
Intelligence	3
Legal	3
Forensics	1
Supplies	1
Training	1
Geographical	0
Other	17
<i>Source: ACPO Pay and Reward Survey 2010</i>	

Recommendation 36 – Arrangements for police forces to recognise the skills of police staff should remain unchanged in the short term.

- 4.2.4 In the longer term, the interests of the public and the police service would be best served by police staff members becoming part of the same professional development framework as police officers, and being recognised for their skills in a similar way.

5 Allowances

There is a range of allowances, entitlements and other payments which supplement the basic pay of police officers and police staff. The prompt reimbursement of reasonable expenses incurred in the course of police work is entirely justified. There are also circumstances where policing places special demands on police officers and police staff which deserve compensation. Police officers and staff should neither benefit nor suffer in this respect. Most of the existing system of allowances already reflects this principle. However, some reform is needed to ensure that the system is fair.

The changes recommended in this chapter include:

- the introduction of a national on-call allowance for Federated officers at the rate of £15 *per* period on call; police staff standby allowance should be set at the same level;
- the reinstatement of the link between police officers' Motor Vehicle Allowance and local authority car rates;
- an increase from 13 to 18 weeks on full pay in the maternity entitlement for police officers;
- the retention of housing allowance, but the amount an officer receives should not increase if he is promoted or his personal circumstances change after 31 August 2011;
- police officers seconded to national policing services organisations should be accommodated in police accommodation or be provided with private rental accommodation within 30 minutes' travelling distance of their place of work;
- senior officers and staff who use first class travel should have their expenses published quarterly on their force internet site;
- when chief officers relocate to a different police force, all reasonable expenses should be paid, including tax liabilities;
- when Police Authorities provide chief officers with benefits in kind, these should be reported in their Annual Reports, and all expenses above £50 should be published on their internet sites.

- 5.0.1 Allowances exist for a variety of reasons and have evolved over time. There is now a wide range of entitlements, allowances and other payments for which police officers and police staff members may be eligible. Some involve the reimbursement of expenses incurred in the course of duty, such as for food and accommodation, travel, moving house or working in certain regions. Police officers and police staff also have entitlements to annual leave and time off to have, care for or adopt children. Other allowances are attached to certain posts; these are considered in Chapter 4.

Allowances

- 5.0.2 At local level, chief officers have a measure of discretion in relation to allowances and payments which are not provided for in national regulations. In the case of staff, that discretion is wide. In the case of police officers, it is understood such arrangements are introduced through each police force's Joint Negotiating and Consultative Committee (JNCC). This mechanism was created following a recommendation of the Edmund-Davies committee in 1978. Each JNCC comprises the Chief Constable and his fellow chief officers on one side, and representatives of the local Superintendents' Association and the Police Federation on the other¹. The purpose of the JNCC is to discuss major matters affecting the whole force. It has the power to agree, within the context of the applicable regulations and determinations,

¹ Edmund-Davies report, *Report III*, Recommendation LVI, page 99

on the creation of allowances which may not be explicitly provided for in national agreements through the Police Negotiating Board².

Consultation

- 5.0.3 Allowances were raised in the consultation undertaken for the review. ACPO argued that all allowances require review to establish their validity, although it said that the geographical payments for officers in London and the south-east of England should remain. ACPO said that many ‘*ad hoc*’ allowances are costly and bureaucratic to administer, including dog-handling and Motor Vehicle Allowances³.
- 5.0.4 Bureaucracy was also raised by the Local Government Association. They said that allowances add complexity to police pay⁴. They argued that a pay system with large numbers of possible additional payments encourages an undesirable culture of entitlement.
- 5.0.5 The Association of Police Authorities advocated the abolition of all allowances in police regulations and those created by individual forces⁵. It believes that such allowances are inefficient and crude mechanisms for rewarding additional role responsibilities, and for recruitment and retention. In its view, allowances lead to what it described as ‘wage creep’⁶, which distort natural wage levels. It believes that they are bureaucratic and costly to administer, and obscure the pay to which individuals are entitled. It further believes that allowances are now regarded as entitlements and perquisites, and their original purpose has been forgotten.
- 5.0.6 There were fewer submissions in favour of the current system of allowances. The principal point of the Police Federation’s submission in this respect is that existing allowances should continue, and there should be new ones such as a national on-call payment for police officers. The Police Superintendents’ Association believes that all allowances should be established on a national basis⁷. It is against locally agreed allowances.

Conclusions

- 5.0.7 All systems of allowances for expenses which are intended to ensure with precision that the recipient is no worse or better off involve a degree of administration and bureaucracy.
- 5.0.8 In recent years, many allowances have been removed⁸. Allowances which have lost their relevance to the ways in which a modern organisation works should be eliminated. Those which remain relevant should be retained.

2 For instance, uniformed personnel in Kent Police have a non-taxable dry cleaning allowance which allows for the cleaning and pressing of four garments each year. It is understood that this arrangement is made for the purposes of Determination Annex W, made under Regulation 45 of the Police Regulations 2003, which provides that sergeants and constables are entitled to the uniform and equipment they need free of charge and in a clean, serviceable condition.

3 ACPO submission, page 26

4 *Submission from Local Government Association*, October 2010, page 7

5 APA submission, page 22

6 APA submission, page 23

7 Police Superintendents’ Association submission (1), page 25

8 For instance, the Police (Amendment) (No. 2) Regulations 1994 list eleven allowances which were removed in 1994. As well as some housing-related allowances, these included the bicycle, typewriter and women’s stockings allowances.

5.1 Officers

Chief Officer Benefits

- 5.1.1 Chief officers are entitled to the standard allowances and expenses specified in police regulations and determinations. They may also negotiate relocation packages and benefits-in-kind with their Police Authorities. It is understood that smaller forces in particular enhance the national pay scales for chief officers with substantial additional allowances⁹. These negotiations usually take place when chief officers move between forces, as they are often required to do. Under Determination Annex B, made under Regulation 11 of the Police Regulations 2003, chief officers must move forces at least once to become eligible for promotion to Chief Constable. This is designed to ensure the most senior officers have an appropriate breadth of experience, and to ensure forces are exposed to new ideas and approaches.
- 5.1.2 These chief officer appointment packages vary considerably. In order to facilitate a relocation, some Police Authorities buy a chief officer's house to enable him to move, and sell it for him. Other Police Authorities provide bridging loans or pay chief officers' relocation expenses. Not all Police Authorities pay the tax on these benefits.
- 5.1.3 Benefits-in-kind provided to chief officers vary from force to force. For instance, according to the Metropolitan Police Authority accounts (2009-10), benefits-in-kind for chief officers may include:
- private health care;
 - provision of a vehicle and driver (the Commissioner's arrangements are exceptional because of the security considerations which apply to his position); and/or
 - accommodation provided to the Commissioner, Deputy Commissioner and two Assistant Commissioners, required for the effective execution of their duties.

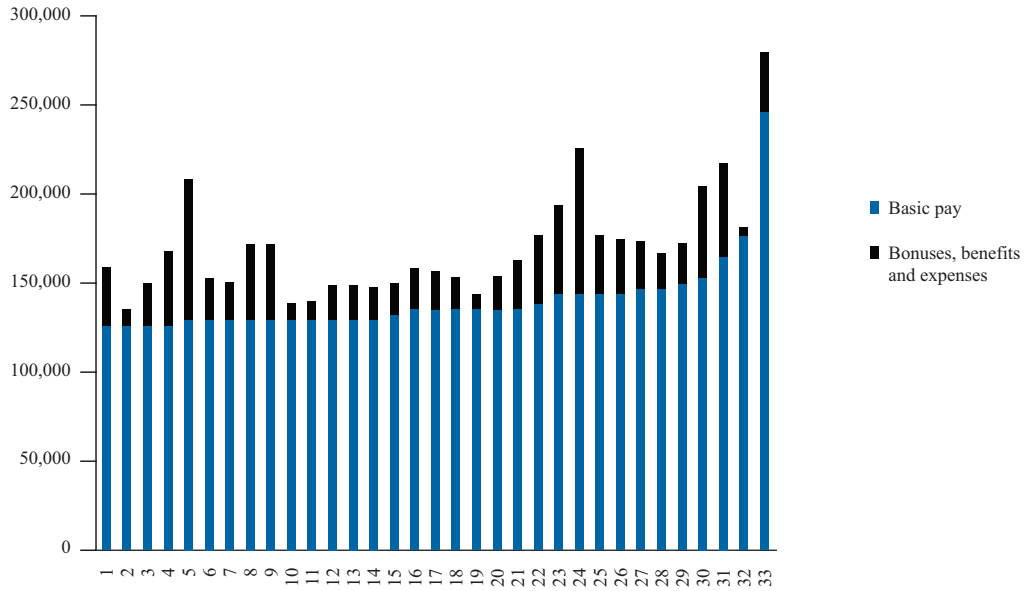
Analysis

- 5.1.4 Benefits for chief officers have been included in Police Authority accounts for the 2009/2010 financial year. In 2009/2010, the accounts show that, for the 41 forces in England and Wales whose accounts were available, spending on benefits totalled £924,306 and expenses were £427,802. The accounts vary in how they present chief officer benefits.
- 5.1.5 Professor Richard Disney used these data to illustrate the spread of payments across police forces. It is clear that there is a degree of disparity between how Police Authorities treat these benefits and expenses. Professor Disney found that additional remuneration, such as bonuses, in-kind benefits, expenses, and additional payments, adds approximately £30,000 to the Chief Constable scale. This increases pay by an average of 21% above the basic rate. Deputy Chief Constables receive an average of an additional 14%, and Assistant Chief Constables receive an average of 10% above their basic pay.
- 5.1.6 Figures 5.1 and 5.2 below show the proportion of basic pay and additional payments made to Chief Constables and Deputy Chief Constables respectively in 2009/10.

⁹ CPOSA submission (1), page 2

Figure 5.1

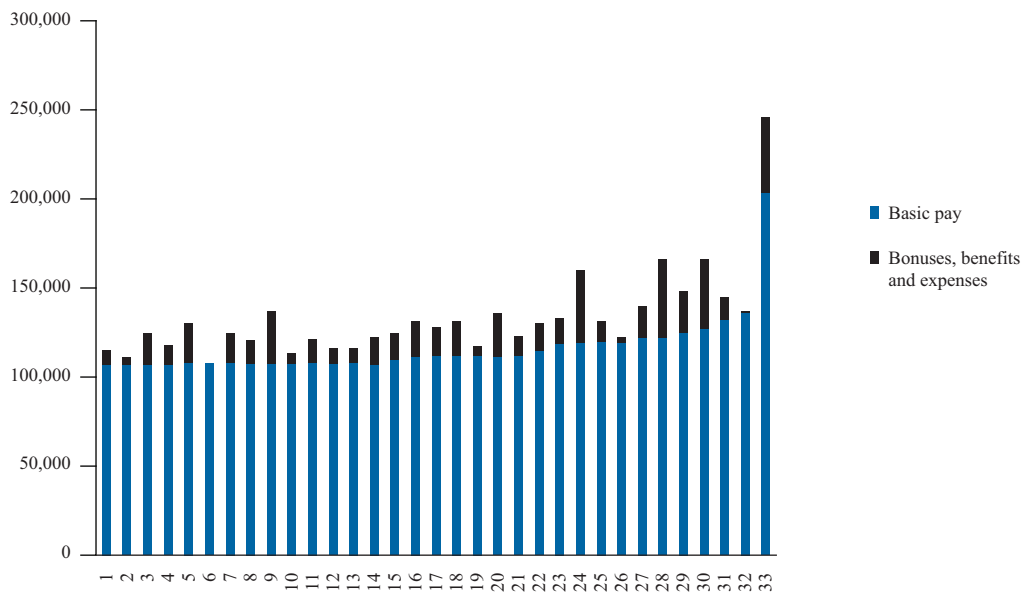
Basic pay and additional payments to Chief Constables
by police force: 2009-2010; £ annual



Source: Appendix 4

Figure 5.2

Basic pay and additional payments to Deputy Chief Constables
by police force: 2009-2010; £ annual



Source: Appendix 4

Consultation

- 5.1.7 The Chief Police Officers' Staff Association (CPOSA) argued that the variety of local arrangements for allowances has undermined the credibility of the 2004 national pay agreement, and has resulted in a number of less demanding chief officer roles being rewarded at significantly higher rates than more challenging ones, leaving the police service open to public criticism¹⁰. They argued that the pay structure should be transparent, consistent, equitable and covered by an appropriate code of practice.
- 5.1.8 CPOSA also argued that a minimum appointment package should be established for all chief officers to ensure that successful candidates are not financially disadvantaged when taking up new posts¹¹. It said that many relocation packages do not provide adequate financial compensation¹². It proposed a basic package including:
- full compensation for all reasonable expenses incurred in the sale and purchase of a house;
 - the gross additional payment should be calculated to compensate the officer in full for any tax liabilities incurred resulting from relocation;
 - Police Authorities should be empowered to purchase a chief officer's present home, if that would facilitate his move to his new post;
 - provision of a suitable official vehicle, owned or leased by the Police Authority, available for the officer's private use whilst off duty, with the mileage and tax liability attributable to the officer's private use of the vehicle being payable by the officer;
 - payment of the officer's premium for his CPOSA annual legal expenses insurance;
 - private medical health insurance cover.
- 5.1.9 CPOSA provided a number of case studies which illustrated what it regards as a particular problem, namely that of officers being out-of-pocket through moving forces. For instance, when one officer moved to become a Deputy Chief Constable of a medium-sized force, his move cost £75,000, which the Police Authority paid, but cost the officer an additional £24,000 in tax¹³. This officer said that whilst he had been recently canvassed about several Chief Constable jobs, they were not attractive because the irrecoverable costs of moving were so high. Given limits on the advertised packages for removal expenses, he calculated that taking up one Chief Constable post would cost him approximately £50,000 more than the value of the available relocation package.
- 5.1.10 The Association of Police Authorities argued that local decision-making in relation to chief officer pay packages should be retained, but that it should remain within a national framework of principles¹⁴. Competition for posts and the creative approaches taken by Police Authorities to attract and retain top talent has, it said, driven up the cost of pay packages for Chief Constables. It also pointed out that chief officer benefit packages lack transparency.
- 5.1.11 Few respondents to the review's online consultation remarked upon allowances for chief officers. Those who did were generally adversely critical of them, arguing that they are over-generous.

Conclusions

- 5.1.12 As explained, chief officers must move forces if they wish to achieve promotion to Chief Constable rank. I do not believe this should change. It is in the interests of the police service that officers have experience in other forces before they achieve appointment to the highest rank. It is also in those interests that officers are not discouraged by the prospect of very significant personal financial disadvantage from moving in order to qualify for promotion to the rank of Chief Constable.

10 CPOSA submission (1), page 2

11 CPOSA submission (1), page 4

12 CPOSA submission (2), page 4-5

13 CPOSA submission (2), page 13-14

14 APA submission, page 33

Recommendation 37 – Police Authorities should be 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.

- 5.1.13 I do not agree with CPOSA that Police Authorities should provide public servants with benefits such as vehicles for personal use, private medical insurance or other benefits which are unconnected with the duties of the chief officer in question. Benefits should be justified by reference to the needs of the police force and the protection and efficiency of the officer in question. I therefore recommend that all benefits which are provided to chief officers, and their value, should be itemised (by reference to each chief officer) in the Police Authority’s annual report. Officers should also provide receipts for expenses claimed. Information as to expenses above £50 paid to chief officers should be published quarterly on the Police Authority’s website, but the location of a chief officer’s residence and other security-sensitive information about the chief officer, his family or his personal circumstances should not be published. Such a requirement will not inhibit the payment of reasonable expenses, and will provide additional transparency to assure taxpayers that their money is being spent correctly.

Recommendation 38 – Police Authorities should publish details of all benefits for chief officers and their values in their annual reports, itemised by officer.

Recommendation 39 – Chief officers should provide receipts for all expenses, and information as to expenses above £50 paid to chief officers should be published quarterly on the Police Authority’s website.

Secondments to Central Services

- 5.1.14 Section 97 of the Police Act 1996 provides the framework for officer secondments outside a police force, primarily to other policing bodies¹⁵. These include officers working in and for central services, namely the National Policing Improvement Agency, the Serious and Organised Crime Agency, the Home Office and HMIC. The term ‘secondments’ also covers collaborative arrangements under section 23 of the Police Act 1996, where the officer works away from his force for a significant period, for example on attachment to a national unit hosted by another police force or a loan to another organisation.
- 5.1.15 Officers on secondment to central services are covered by terms and conditions which are different from officers in police forces, other than in respect of disciplinary matters. Under section 97 of the Police Act 1996, secondees are not treated as being a member of their home police force, with terms and conditions set instead by the receiving organisation. The Home Office issues guidance in consultation with the Treasury, the ‘Guide to conditions of service for police officers seconded to central services’, which recommends that receiving organisations should follow the terms and conditions set out in regulations.
- 5.1.16 The Guide was last published in 2003. A revision was debated by the Police Advisory Board for England and Wales during the early part of 2010, but it is understood that this process was suspended pending this review.
- 5.1.17 The Guide provides that, in relation to an officer’s housing whilst on secondment, he may:
- (a) be paid a fixed allowance of £2,500;
 - (b) receive reimbursement of his actual accommodation costs (if agreed in advance with his force); or
 - (c) in an exceptional case, buy a property.

¹⁵ Police Federation submission (1), page 27

- 5.1.18 The guidance also allows officers who joined the police service before 1994 to continue to receive their housing allowances¹⁶ even when their secondment housing is provided free or at a subsidised rate. Normally, those receiving police housing rent-free are ineligible for housing allowance (see below).

Analysis

- 5.1.19 As of March 2010 there were 501 officers on secondment to central services¹⁷. It is understood that officers are usually reimbursed for actual accommodation charges. All of the organisations to which chief officers are seconded have offices in central London, although officers can also be seconded to regional offices. It is understood that an internal audit for the Home Office suggested that accommodation costs for an officer on secondment could be in the region of £25,000 to £30,000 *per annum*, with properties frequently rented in prime central London locations such as Pimlico. The total cost of accommodation for seconded officers to the taxpayer was between £3-4m.

Submissions

- 5.1.20 The Police Superintendents' Association said that, in principle, no police officer should suffer a financial detriment on secondment¹⁸. It argued that a number of allowances can be paid to police officers on secondment, but many of these have not been increased for many years and all are non-pensionable. It suggested that an officer should be supplied with reasonable accommodation at no cost, and reasonable travelling expenses should be paid to allow the seconded officer to travel to and from home every weekend. It further argued that officers who have been provided with accommodation are liable to be taxed on the benefit of the free accommodation after two years' secondment.
- 5.1.21 The Police Federation also argued that secondees should not be disadvantaged by reason of their secondment. It said that contracts of secondment should always adhere to police regulations and determinations and applicable PNB agreements¹⁹. It stated that arrangements for accommodation, travel and subsistence should be made clear before a secondment begins²⁰. The Federation also proposed a central services allowance for working long hours, domestic disruption, or in recognition of particular skills required for certain relevant posts.

Conclusions

- 5.1.22 I agree with both the Police Superintendents' Association and the Police Federation that no officer should be worse off as a result of a secondment. Nor, however, should he be better off than his home-force colleagues. Secondments are prestigious; they are ways in which officers can develop new skills, make new contacts and improve their career advancement prospects. These are substantial non-financial benefits, and it is unnecessary for them to receive additional allowances to which other officers are not entitled.
- 5.1.23 It is not necessary for seconded officers to live in prime London locations at public expense. This is partly an issue for the Home Office, since the question whether an officer receives a lump sum or a paid-for flat is a matter for negotiation. The current annual fixed accommodation allowance of £2,500 is plainly inadequate for the lease of a property in London. It is therefore understandable why officers choose to have their accommodation costs met directly by the organisation to which they are seconded.

¹⁶ Housing-related allowances are explained later in this Chapter. For ease of comprehension, the term 'housing allowance' has been used to describe the modern allowance which is called 'replacement allowance' (because it is an allowance which, broadly, has replaced a variety of housing-related allowances which were in existence before 1994, when replacement allowance was established).

¹⁷ *Home Office Statistical Bulletin 13-09: Police Service Strength*, Home Office, 31 March 2010

¹⁸ Police Superintendents' Association submission (1), page 18

¹⁹ Police Federation submission (1), page 26

²⁰ Police Federation submission (1), page 28

- 5.1.24 Secondments should not be opportunities for officers to live in expensive accommodation. I recommend that the sections on housing entitlements in the Home Office ‘Guide to conditions of service for police officers seconded to central services’ are revised. The presumption should be that officers are, in the first place, accommodated in property owned by the organisation to which they are seconded, or owned by the police service. More use should be made of arrangements with the Metropolitan Police Service which has some properties in central London. Only if there are no available properties in the MPS estate should officers be accommodated in private rented properties.
- 5.1.25 Officers on secondment do not normally need to live within walking distance of a central London office. I can see no reason why such an officer should not be expected to travel approximately 30 minutes to his place of work. Rented accommodation outside central London (zone 1) would be significantly cheaper. The same arrangements as apply to the publication of chief officer’s expenses should apply in these cases, with disclosure in the annual report of the organisation to which the secondment is made.

Recommendation 40 – The section on officer accommodation in the ‘Guide to conditions of service for police officers seconded to central services’ should be revised. The presumption should be that officers are accommodated in property owned by the relevant organisation or wider police service. Only when no such property is available should private rental property be used, and the cost of accommodation should be kept to a reasonable minimum, including an expectation of approximately 30 minutes’ travelling time to work. Officers should only be reimbursed for actual accommodation or purchase of a property in exceptional circumstances.

Recommendation 41 – Receiving organisations should list where they have agreed exceptional accommodation charges with officers in their annual report on an anonymised basis.

Regional Allowances

- 5.1.26 Officers working in London and the south-east are entitled to allowances in addition to their basic pay. Payments known as London weighting began in 1949 when the Oaksey Committee on Police Conditions of Service recommended the introduction of a non-pensionable London allowance of £10 per year for constables and sergeants²¹. The allowance was designed to compensate police officers for the higher cost of living in London. Over time, it was extended to other ranks and became pensionable. In 1978, Edmund-Davies recommended that an additional payment, called the London allowance, should be created, to deal with problems of recruitment of police officers in London²².
- 5.1.27 The recruitment difficulties of the Metropolitan Police subsequently continued and it was recognised that officer pay was insufficiently high to recruit and retain London officers in the numbers required. To address these problems, additional payments were negotiated through the Police Negotiating Board, and officers working for the Metropolitan Police had their travel concession extended to up to 70 miles outside London. This had a positive effect on recruitment, and helped with retention²³. However, the special treatment of London officers in turn led to retention problems for police forces surrounding London. In 2001, a south-east allowance was created to counter the magnetic effect of the Metropolitan Police²⁴.

21 Edmund-Davies report, page 53

22 Edmund-Davies report, page 54

23 Post and performance related pay seminar, page 84

24 PNB Circular 01/4; PNB Circular 01/21

5.1.28 The payments can be summarised as follows:

- *London weighting*: Determination Annex F, made under Regulation 24 of the Police Regulations 2003, provides that officers working in the City of London and Metropolitan Police forces are entitled to London weighting, a pensionable amount which is currently £2,277. It increases in line with the annual increase in basic pay, and its purpose is to compensate for the higher cost of living and working in London²⁵.
- *London allowance*: Determination Annex U made under Regulation 34 of the Police Regulations 2003 provides that officers in the City of London Police and the Metropolitan Police are entitled to London allowance, which is non-pensionable. Its purpose is to tackle recruitment difficulties in London²⁶. The amount of the London allowance has not increased since 2000 and depends on an individual officer's position in relation to his entitlement to housing allowance.
- *Subsidised travel*: In a local agreement between the Metropolitan Police, the City of London Police, Transport for London and the Association of Train Operating Companies, officers in these forces are entitled to free travel using their warrant cards on London Underground, buses, trams and the Docklands Light Railway, as well as certain routes on the overground national rail system up to 70 miles outside London. They may use this concessionary travel at any time. In 2008-2009, travel concessions cost the Metropolitan Police £24m, including its payment of officers' tax liabilities on the benefit in-kind²⁷. From April 2011 the tax liability will be transferred to individual officers at a cost of £96 for higher rate tax payers, and £48 for basic rate taxpayers each year. Those officers who have applied to join the scheme will, from April 2011, require a special rail card to travel.
- *South-east England allowance*: The south-east allowance is provided for in Determination Annex U, made under Regulation 34 of the Police Regulations 2003. In February 2001, the PNB agreed an annual a non-pensionable allowance of £2,000 for officers in police forces bordering the MPS (Essex, Hertfordshire Kent, Surrey and Thames Valley) and £1,000 *per annum* for the remaining south-east England forces (Bedfordshire, Hampshire, Sussex), for officers appointed on or after 1 September 1994²⁸. The allowance has been payable since April 2001, and was introduced because of higher living costs and recruitment and retention difficulties in those forces.

5.1.29 As with the London allowance, officers receiving housing allowance do not receive the south-east allowance, unless, because of their individual circumstances, their housing allowance is below £2,000 *per annum*. In such a case, a South-East England Transitional Supplement is paid to raise the allowance to £2,000 *per annum*.

5.1.30 A PNB Circular in January 2011²⁹ announced that the five police forces currently paying south-east allowances of £2,000 *per annum* to officers who joined after 1994 would have the flexibility to increase the allowances to £3,000 *per annum*, whilst the three forces currently paying £1,000 *per annum* would have the flexibility to increase their allowances to £2,000 *per annum*.

Analysis

5.1.31 In 2010, 58,273 officers – 41% of all police officers in England and Wales – were eligible to receive regional allowances. Data on the cost to police forces of regional allowances were unavailable to the review.

²⁵ APA submission, page 24

²⁶ Police Federation (1), page 41

²⁷ *Free travel for police costs taxpayer £24m a year*, The Times, London, September 29 2008, <http://www.timesonline.co.uk/tol/news/uk/crime/article4842434.ece>

²⁸ PNB Circular 01/ 4

²⁹ PNB Circular 11/1

Consultations

- 5.1.32 Whilst ACPO believes other allowances require review, it considers the London weighting and south-east allowances to be essential recruitment and retention tools in those local labour markets³⁰.
- 5.1.33 The Metropolitan Police Service’s submission to the review argued that London’s labour market has resulted in pressures on both officer and staff recruitment³¹. Officers tend to join the Metropolitan Police and then, after probation, move to another force. Some might subsequently return to gain promotion or a specialist role. This situation has led to conflict between forces over accusations of ‘poaching’, claims which all parties denied. Forces were competing for scarce, highly-trained and experienced officers operating in a closed market and a small geographical area. The allowances and other incentives available to Metropolitan Police officers, together with the national pay uplifts of earlier years, have enabled the Metropolitan Police to attract and recruit large numbers of officers, which has, in turn, helped to make the force more diverse, increasing the representation of women and those from black and minority ethnic communities.
- 5.1.34 The Police Federation does not believe that regional allowances should be abolished. Instead it believes that police forces should pay the south-east allowance increase of £1,000 *per annum* to all officers in the relevant forces³².
- 5.1.35 The Police Federation proposed an increase of £1,871 *per annum* in the level of London weighting. They argued that pay levels in London are very different from the rest of the United Kingdom³³, and cited the Annual Survey of Hours and Earnings data for October 2009 which they said produces a median pay figure of £30,000 *per annum* for workers in London compared with £21,320 *per annum* for the UK as a whole. The London median pay figure is 41% higher than that for the rest of the country. In the Federation’s view, the difference between the mean pay figures is striking, with average earnings in London of £40,686 *per annum* compared with £26,470 in London in the UK as a whole. This represents a London premium of more than 50%. The Federation explained that housing costs in London are significantly higher than in other parts of the country. It provided evidence which showed that the average price of a house in the UK is £167,354, whereas in London it is £293,582³⁴.
- 5.1.36 The Metropolitan Police Authority considers that the basic pay of a police officer should be sufficient to recruit, retain and motivate people of the right calibre. They suggest that police forces should be given a greater degree of pay flexibility, to enable them to pay the rate for the job in the pay market in question.
- 5.1.37 In contrast, the Association of Police Authorities questioned the validity and relevance of regional allowances. They believe such allowances lead to what they have described as ‘pay creep’ and pay market distortion³⁵. The APA advocates the abolition of regional allowances, especially the London travel concession. They also question whether recruitment and retention are still problems for the Metropolitan Police and south-east forces in the current national economic circumstances.
- 5.1.38 Chief Constable Mark Rowley of Surrey Police said that Surrey encountered difficulties in local labour markets. The force lost many officers on transfers outside the south-east, to areas where living is less expensive, and to London where pay is significantly higher³⁶.
- 5.1.39 At the seminar on performance and post-related pay, regional allowances were discussed. The general secretary of the Police Federation said that regional allowances have not been raised for several years, even though police forces have been given the power to increase them³⁷. The

30 ACPO submission, page 26

31 *Submission from Metropolitan Police Service*, November 2010, page 2

32 Police Federation submission (1), page 41

33 *ibid.* pages 41-42

34 Nationwide Housing Price Index, Quarter 3 2010

35 APA submission, pages 23-24

36 *Submission from Chief Constable Mark Rowley*, October 2010, page 3

37 Post and performance related pay seminar, page 70

Police Federation believes that the current London allowance does not adequately reflect the cost of working and living in London.

- 5.1.40 Mr Kevin Courtney, Head of Pay and Benefits at the Metropolitan Police, accepted that London allowances (including free travel) may have had adverse consequences for surrounding police forces, but said that they are essential to tackle the MPS's difficulties with recruitment and retention³⁸. He said that overall London pay rates for police officers have allowed the MPS to develop a more diverse workforce.

Conclusions

- 5.1.41 Living in London and the south-east of England is more expensive than other parts of the country. In the UK, the objective of home-ownership is a reasonable one, and is certainly one which should be within the capacity of police officers. A police officer in the south-east of England who faces severe difficulty in affording a family home may be compelled to leave the police service for better paid work, or move to a cheaper part of the country. Employers in London and the south-east of England must pay the rate for the job in the local labour market. The police service is no different. It is therefore reasonable for police forces in the part of the country which has the highest cost of living to be enabled to pay more to police officers in order to recruit and retain men and women of the necessary calibre.
- 5.1.42 The numbers of police officers who commute very long distances into London is a matter of considerable concern. In some cases, police officers use motor-cycles to travel as many as 70 miles to and from work, and may be working ten or 12-hour shifts. Many jobs in the police require physical resilience, strength, stamina and sustained concentration. It is not desirable for police officers who must satisfy such onerous demands regularly to travel such great distances, especially when they are in control of motor vehicles or motor cycles. As police officers know very well, on-the-road fatigue is a killer. The time taken in travelling to and from duty when shifts are very long also diminishes the amounts of time which police officers can spend with their families and at leisure. These considerations are relevant to the questions which will be considered in Part 2 of the review when it deals with geographical pay differentials.

Recommendation 42 – Regional allowances should remain unchanged in the short term.

Housing-related payments

- 5.1.43 Housing allowances have their origins in a period when police officers were regarded as being on a par with manual, and in particular agricultural, workers, who were expected to live in accommodation provided by their employers. In the police of the first half of the 20th century, in particular, there were very strict controls applied by police forces in relation to where police officers lived. Police officers could be – and were – required to live either in police stations or in police houses, which were often located next to the police station. Police houses, known as section houses, were owned or rented by the Police Authority. The obligations of police officers to live in them provided chief officers with a degree of confidence as to the deployability of their officers, and enabled the police force to ensure that its police officers did not live in premises or areas in which they and their families might come into inappropriate off-duty or domestic contact with criminals, or find themselves in circumstances of temptation or persecution. If a police officer wished to live in accommodation not owned or leased by the Police Authority, he needed his chief officer's permission; he still does³⁹. As late as the 1960s, in some forces police officers were not allowed to live further than a 40-minute bicycle ride from their police station.

³⁸ Post and performance related pay seminar, page 83

³⁹ Police Regulations 2003, Schedule 1, paragraph 2 provides: "A member of a police force shall not reside at premises which are not for the time being approved by the chief officer."

- 5.1.44 Housing-related payments for police officers were introduced as a result of the report of the Desborough Committee in 1919 which proposed that all ranks should be provided with houses or quarters rent-free, or given non-pensionable allowances *in lieu*⁴⁰. This proposal was given statutory effect in the Police Regulations 1920. The purpose of rent allowance was to secure that an officer who provided his own accommodation, rather than living in a police house, should be in broadly the same financial position as one who lived in free accommodation provided by the Police Authority⁴¹. It is therefore a form of reimbursement, not pay.
- 5.1.45 Police officers who joined the police service before 1 September 1994 continue to be entitled to some form of housing-related payment.
- 5.1.46 Schedule 3 to the Police Regulations 2003 sets out the position on the allowance known as the replacement allowance, which took the place of a variety of housing and rent allowances under earlier regulations. In essence, under the replacement allowance police officers receive amounts equal to the payments to which they would have been entitled if they had still been receiving the pre-1994 housing-related payments. Therefore, officers who previously received housing allowance have since 1994 received a replacement allowance equivalent to housing allowance under Regulation 49 of the 1987 Regulations.
- 5.1.47 Officers who joined the police service before 31 March 1990 were entitled to rent allowance. As set out in the Police (Amendment) Regulations 1990, and the Police (Amendment No. 2) Regulations 1990, from 1 April 1990 officers in receipt of rent allowance transferred onto transitional rent allowance on the same terms. It is understood that rent allowance was more generous than housing allowance, and was based on the value of property in a given area. The Police (Amendment) Regulations 1990 imply that housing allowance was intended in time to equal transitional rent allowance. At this point, the officer would transfer on to housing allowance. However, as all payments were frozen in 1994, this does not appear to have occurred. As with housing allowance, officers who previously received transitional rent allowance have since 1994 received a replacement allowance equivalent to a transitional rent allowance under Regulation 49B of the 1987 Regulations.
- 5.1.48 The Police (Amendment) Regulations 1990, and the Police (Amendment No. 2) Regulations 1990 provided that from 1 April 1990 recruits would receive housing allowance unless they were provided with rent-free police accommodation, were on unpaid leave, or living in rent-free police accommodation provided to another officer.
- 5.1.49 An officer received housing allowance at a standard rate if he was married, although not to another officer, except when on unpaid leave, or if he was unmarried or separated and was over 30, had more than five years' service and was the owner or tenant of his accommodation. The Police Authority could choose to pay housing allowance to an officer even if he did not meet these criteria as long as he had a dependent relative living with him, was separated or divorced or was a widower.
- 5.1.50 The cost of housing allowance was calculated at force level using a formula based on previous rent allowance. The allowance varied by the rank of the recipient. Officers in the ranks up to chief inspector received the payment at the flat rate. Those in the superintending ranks received an additional 16%, Assistant Chief Constables and Deputy Chief Constables, and their Metropolitan Police equivalents, received an additional 35%, and Chief Constables and their Metropolitan Police equivalents a further 56%.
- 5.1.51 The rates at which housing allowance is currently paid to Federated officers, since 1994, are set out below.

40 Desborough report (Part 1), paragraphs 63-65

41 Edmund-Davies report, page 61

Table 5.1: Housing allowance amounts (£) by force	
	Rate*
Avon and Somerset	2,374.80
Bedfordshire	2,876.96
Cambridgeshire	2,312.38
Cheshire	2,952.43
City of London	5,095.93
Cleveland	2,403.43
Cumbria	2,390.76
Derbyshire	3,667.20
Devon and Cornwall	3,144.38
Dorset	2,582.01
Durham	2,072.04
Dyfed Powys	2,161.34
Essex	4,275.60
Gloucestershire	3,190.41
Greater Manchester	2,365.67
Gwent	3,006.52
Hampshire	3,882.04
Hertfordshire	3,379.96
Humberside	2,860.24
Kent	3,865.85
Lancashire	2,096.42
Leicestershire	2,910.00
Lincolnshire	2,779.85
Merseyside	2,132.97
Metropolitan Police	5,126.70
Norfolk	3,026.28
Northamptonshire	3,188.12
Northumbria	1,777.66
North Wales	2,361.17
North Yorkshire	2,510.30
Nottinghamshire	2,632.84
South Wales	3,535.10
South Yorkshire	2,344.99
Staffordshire	2,263.48
Suffolk	3,732.69

Table 5.1: Housing allowance amounts (£) by force *continued*

	Rate*
Surrey	3,438.35
Sussex	2,845.70
Thames Valley	4,022.46
Warwickshire	3,643.33
West Mercia	3,176.91
West Midlands	2,950.99
West Yorkshire	2,691.53
Wiltshire	3,769.33

*Source: England & Wales – Home Office (Table D2) as at 1 April 1993, uprated by 4.2% for all forces which last uprated on 1 April 1992, to give rates applicable as at 1 April 1994
Northern Ireland – RUC, rate paid as at 1 April 1994
Scotland – individual Scottish forces, rates paid as at 1 April 1994

- 5.1.52 Housing-related allowances ceased to be available to new officers from 1 September 1994, under the Police (Amendment) (No. 2) Regulations 1994. This means that from this date, recruits no longer receive any housing-related payments. It is understood this change followed a recommendation by Sheehy who recommended that new recruits should not be entitled to housing emoluments⁴².
- 5.1.53 Sir Patrick Sheehy’s review also recommended that remaining housing-related allowances should be ‘red circled’, that is frozen, on the date these new arrangements were put in place⁴³. The housing allowance has since been frozen at the same rates as housing-related payments in 1994. However, officers still receive the relevant increases and decreases depending on their personal circumstances. For instance, on promotion from chief inspector to superintendent, an eligible officer will see his allowance increase by 16%. Where officers, who are both entitled to the housing allowance, share accommodation, they both have their allowances reduced by half so that the household does not receive two allowances.
- 5.1.54 The review also proposed that over time these existing allowances should be bought out for all officers, with a payment of up to five years’ worth of the allowance⁴⁴. This has not occurred. The housing allowance continues to be paid to officers in service before 1 September 1994.
- 5.1.55 In the 18 years since the Sheehy review, restrictions on where officers can live have become easier. Most police houses have been sold, and I have been informed by the Chartered Institute of Personnel and Development Human Resources Directors’ forum that, in the main, officers are now allowed to live where they wish. The only exception is in Northern Ireland where there are security considerations. Nevertheless, the power of the police force to impose and enforce restrictions on where police officers live remains in the Police Regulations 2003.

Analysis

- 5.1.56 The number of officers who began their police service before 1994 has, of course, been decreasing, mainly through retirements. This will continue.
- 5.1.57 Quantitative data were not readily available on the cost of housing allowances to individual forces. However, information disclosed under the Freedom of Information Act 2000 shows that, in relation to housing allowances:

42 *Inquiry into Police Responsibilities and Rewards Volume 1*, Sir Patrick Sheehy, Cmnd 2280.I, June 1993, page 89

43 *ibid.* page 101

44 *ibid.* page 101

- Sussex Police paid 1,308 officers £3,401,921 in 2007-8; £3,076,053 were paid to 1,187 officers in 2008/9, a 10% decrease on the previous year. In the incomplete year of 1 April 2009-31 December 2009, 1,068 officers received the allowance at a cost of £2,118,503⁴⁵, an 18% decrease in officers receiving the payment since 2007-8.
- Avon and Somerset Police paid £3,555,598 in 2007-08, and £3,348,254 in 2008-09, a decrease of 6% on the previous year. The £238,229 paid for the period from April to 31 December 2009, represents just under 1% of the force's budget of around £250m⁴⁶.

- 5.1.58 This indicates that the total cost to the police service of housing allowances, whilst still substantial, is declining as longer-serving, eligible officers retire. To receive the allowance now, an officer must have almost 17 years' service, and so must be over half way through his 30 years' police service (assuming he is a member of the Police Pension Scheme 1987).
- 5.1.59 This is further demonstrated by the PNB data in Table 5.2 below. More high-ranking officers receive housing allowance than constables (97.4% of chief superintendents compared with 29.6% of constables). This is because the high-ranking officers are more likely to have been in the police service for longer.

Table 5.2: Percentage of ranks in request of housing allowance and amount (£)

	% of officers in receipt	Average weekly amount received (£)
Constables	29.6%	65.67
Sergeants	63.2%	71.52
Inspectors	89.6%	75.01
Chief Inspectors	90.2%	77.10
Superintendents	94.0%	85.05
Chief Superintendents	97.4%	87.05

Source: PNB Annual Survey (2009)

Consultation

- 5.1.60 The housing allowance was rarely mentioned during the consultation process. The Police Federation said that officers who joined the police service before 1 September 1994, and who are not provided with rent-free accommodation by their force, should continue to receive a housing emolument as compensation for their accommodation costs⁴⁷.
- 5.1.61 The Local Government Association argued that, in the current economic climate, it would be hard to justify maintaining the frozen replacement housing and rent allowance for pre-1994 officers⁴⁸. They pointed out that few frozen elements of pay receive lifetime protection. They argue that there may be objections to the continuation of housing allowances on equal pay grounds since the overwhelming majority of police officers receiving housing allowances is men. The LGA says that housing allowances contribute to the gender pay gap. The Association of Police Authorities also advocated their abolition⁴⁹.

45 *Sussex Police Spend Millions on Outdated Payments*, The Argus, 9 March 2010. http://www.theargus.co.uk/news/5048208.Sussex_Police_spend_millions_on_outdated_payments/

46 Scheme still costing force £3m a year, Bristol Evening Post, 29 July 2010. <http://www.thisisbristol.co.uk/news/Scheme-costing-force-163-3m-year/article-2468841-detail/article.html>

47 Police Federation submission (1), page 27

48 *Submission from Local Government Association*, October 2010, page 7

49 APA submission, page 22

Conclusions

- 5.1.62 Housing allowance could have been abolished in 1994, as recommended in the Sheehy review. At the time, the Home Secretary decided to freeze the amount of the payment rather than take it away altogether.
- 5.1.63 Although it is perhaps anomalous for police officers to receive housing subsidies in the modern age, these payments have been regarded as part of the overall stable pay settlement for police officers for many years. More significantly, in making my recommendations I must assess the overall effect on police officers of all my proposed reforms. Housing allowance is, as explained, in decline and will disappear in time. I believe that removing it now from a diminishing number of police officers would be unduly onerous, and I therefore do not recommend its abolition.
- 5.1.64 The existing framework, in which the amount of housing allowance an officer receives is reduced when accommodation is shared with another officer who is also in receipt of the allowance, should remain. This is fair to the taxpayer, as it would not be right for a household to receive an allowance for housing twice.
- 5.1.65 However, in the interests of economy, in my view the housing allowance should no longer rise when an officer is promoted. An officer has no right to promotion, and therefore has no proper expectation of a higher income from an allowance which was designed for a very different age. For each entitled officer, housing allowance should be frozen at its level on 31 August 2011.

Recommendation 43 – The replacement allowance for housing should remain. However, the amount an officer receives should not increase from 31 August 2011 with changes in personal circumstances, such as promotion. The existing framework, by which the amount an officer receives reduces when he lives with another officer also receiving the allowance, should remain.

On-call Allowance

- 5.1.66 There is currently no national on-call allowance for officers. Section 2 of Regulation 25 of the Police Regulations 2003 specifies that being recalled to duty does not include a warning to be in readiness for duty if required. This means that being on-call, or on a warning to be in readiness for duty, does not qualify for overtime. A sergeant or constable only receives overtime once the recall has taken place, whilst police officers at inspector rank and above in any event receive no additional payment for a recall to duty. Some forces have decided to stretch the existing pay mechanisms to recognise the disruption to officers of being on-call, by using Special Priority Payments and *ex-gratia* bonuses (see Figure 5.3).
- 5.1.67 On-call arrangements help forces to cope with unexpected peaks in workload and provide cover in unforeseen situations⁵⁰. They are particularly useful for smaller forces and in areas with few specialists where round-the-clock cover in areas other than response is impractical or uneconomic. Officers may be put on-call during their rest days, on public holidays or on annual leave, depending on the needs of the force. A joint survey conducted by the Office of Manpower Economics for the PNB Joint Secretaries in May 2008 was cited by the Staff Side of the Federated Ranks Committee of the Police Negotiations Board as finding that four main restrictions were placed on officers on-call, namely obligations to be contactable by mobile phone or pager, to be available to return to duty within a reasonable time, to be fit for duty (which would include not having consumed alcohol), and to have access to transport⁵¹. One force prohibits officers on-call from social activities such as attending concerts or swimming.

⁵⁰ ACAS 101/2009, *On-Call Duty Allowance: Decision of the Police Arbitration Tribunal*, Police Arbitration Tribunal, August 2009, page 4

⁵¹ *ibid.*, page 5

- 5.1.68 The question whether an on-call allowance should be introduced has been under discussion in the police service since 2005, when a claim for the payment was tabled by the Staff Side at the Police Negotiating Board Federated Ranks Committee⁵². This claim suggested that the allowance should be given for a period of on-call at the following rates:
- on a normal-duty day, a daily allowance of 0.1% of annual basic pay; for a constable with ten years' service, this amount to £36.52.
 - on a weekly rest day, public holiday or free day, a daily allowance of 0.2% of annual basic pay; for a constable with ten years' service, this would amount to £73.04.
 - if on-call whilst on annual leave, a daily allowance of 0.5% of annual basic pay; for a constable with ten years' service, this would amount to £182.60.
- 5.1.69 The Official Side of the PNB rejected this claim because basic pay already takes account of the need for officers to be recalled to duty if so required⁵³. It argued that on-call is not necessarily more onerous than other police work, and that Special Priority Payments and bonus payments could be used to remunerate officers on-call. No agreement was made at the PNB, and a resolution was referred to the Police Arbitration Tribunal.

The Tribunal's Consideration

- 5.1.70 The Tribunal commented that its consideration was hampered by the lack of data, with what little there were being of variable quality or incomplete. Both parties however appeared to accept that on-call affects a relatively small proportion of the officer workforce in England and Wales, perhaps 5% in a restricted number of police roles and sometimes at specific ranks.
- 5.1.71 Neither side disputed that a significant number of forces made no on-call payment at all. The Tribunal found this to be a cause for concern. There was considerable variation in how on-call was defined and in the mechanism through which payments were made.
- 5.1.72 The Tribunal also noted the large disparity between the Official and Staff Sides estimates of the costs of the allowance. The Staff Side considered that its proposal would cost approximately £2.5m *per annum*, whereas the Official Side's estimate ranged from £30m to £150m *per annum*. The Tribunal was unable to take a firm view on the likely costs of the allowance. It encouraged both sides to agree a methodology for the calculation of the projected costs of the allowance.
- 5.1.73 The Tribunal's conclusion was that a nationally determined 'recompense' for on-call should be introduced⁵⁴, though it considered it to be inappropriate for it to make a judgement on the details. It decided that the details should be negotiated between the two sides directly. It emphasised that this did not mean the arrangements had to be determined nationally, as it recognised the strong case for local flexibility within national parameters.
- 5.1.74 It is understood that no agreement was subsequently reached once the Tribunal had remitted the matter back to the Police Negotiating Board⁵⁵. Continuing negotiations were deferred in the Police Negotiating Board following the announcement of this review⁵⁶.

Analysis

- 5.1.75 With the exception of the material considered by the Police Arbitration Tribunal, there is little evidence in respect to on-call. There are some more recent data on the types of payments being used by police forces. Of those forces which replied to the 2010 APCO pay survey, most forces remunerated officers who undertook standby or on-call duties⁵⁷. Eleven forces made bonus payments and seven forces used Special Priority Payments. Only four out of 35 forces which

52 *ibid.* page 2

53 *ibid.* page 2

54 *ibid.* page 22

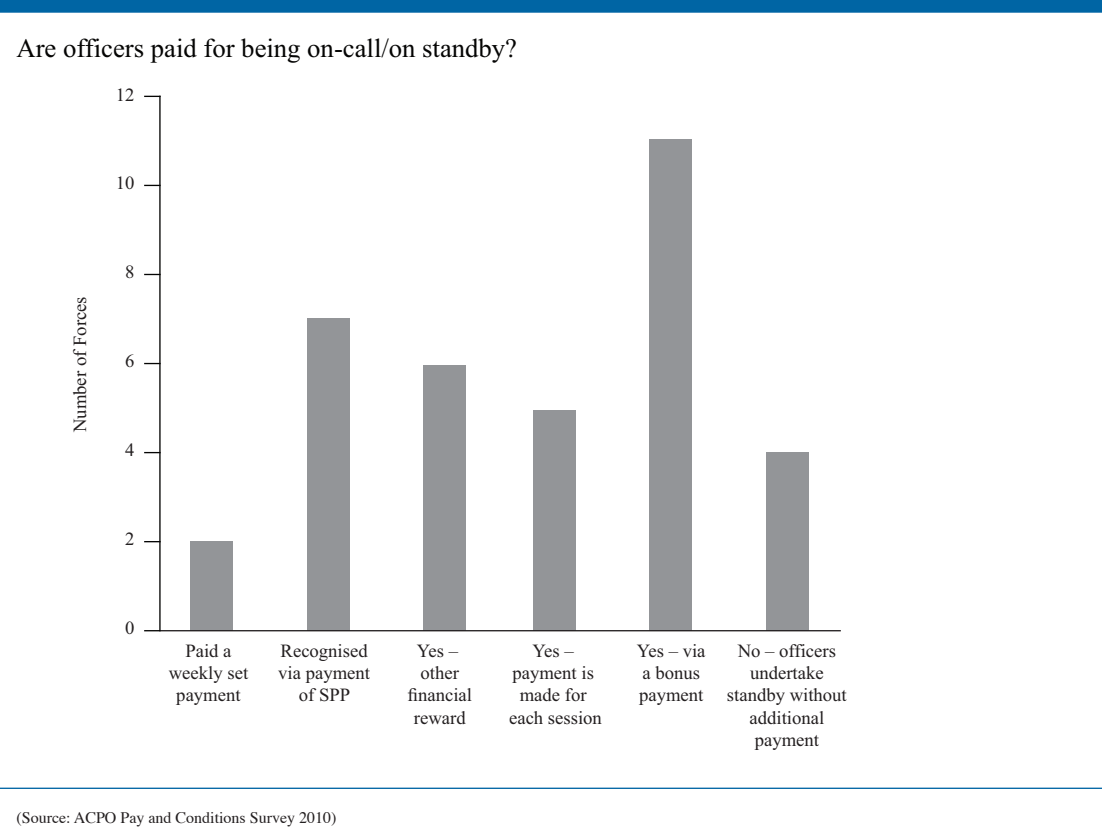
55 ACPO submission, page 39

56 ACPO submission, page 25

57 ACPO submission, page 17

responded gave no additional payments for on-call. This indicates that the great majority of forces believe that officers on-call deserve some remuneration.

Figure 5.3



Consultations

- 5.1.76 There was very little additional discussion of an on-call allowance in the formal submissions made to the review, perhaps because the arguments were so comprehensively dealt with in the Police Arbitration Tribunal.
- 5.1.77 The Police Federation has argued that performing on-call must be voluntary, and that there should be a national on-call allowance for officers⁵⁸. They argued that being on-call places severe restrictions on the personal lives of officers⁵⁹. The General Secretary of the Federation said that on-call allows police force to make significant savings because they do not have to have an officer on duty and available. In his submission, it is fair for officers to be compensated accordingly⁶⁰.
- 5.1.78 The Police Superintendents’ Association stated that it is in favour of the creation of an on-call allowance⁶¹. They told the review that the superintending ranks do not receive any payment for on-call, even though they are probably the ranks which are most likely to be on-call⁶². It explained that superintendents’ on-call commitments are rising as the numbers of superintendents are falling. Superintendents are often on-call during annual leave or on rest days because there is usually no alternative officer. It added that superintendents are assuming more of the operational policing responsibilities which were once shouldered by chief officers, with the inevitable consequence that the amount of on-call which superintendents have to do increases.

58 Police Federation submission (1), page 3
 59 Police Federation submission (1), page 39
 60 Deployment seminar, page 49-50
 61 Police Superintendents’ Association submission (1), page 23
 62 Deployment seminar, page 52

Conclusions

- 5.1.79 Having considered the evidence, particularly the Police Arbitration Tribunal's decision on whether there should be an allowance for officers on-call, I agree with the Tribunal's findings that police officers, like police staff, should receive a payment for being on-call. When an officer is on-call, the disruption to his domestic circumstances can be substantial, and when an officer is on-call it affects his family too.
- 5.1.80 The majority of forces already remunerate being on-call. I believe the position should be formalised in police regulations and determinations. This will have the added advantage of bringing on-call into purview of disciplinary rules which would apply when officers fail to comply with the restrictions imposed on those on-call.
- 5.1.81 Since being on-call is analogous to working overtime, the rate and terms of on-call should be established nationally.
- 5.1.82 Larger forces are better able to manage cover for critical roles because they can afford to have a larger standing resource of specialist officers. For smaller forces, having on duty sufficient numbers of specialist officers for any eventuality is rarely practical, and so the few available specialist officers are required to be on-call more often. ACPO and Chief Constables should tackle over-use of on-call by better collaborative arrangements, so that forces can rely on shared resources.
- 5.1.83 The correct way of preventing abuse of on-call is for forces to manage it properly. In this respect, the apparent lack of data in forces can only be a hindrance. I therefore suggest that forces improve their management information in respect of on-call arrangements and associated matters.
- 5.1.84 When considering the level at which an on-call allowance should be set, I have taken into account both the need for the payment to compensate an officer for disruption to his private life, and the need for police forces not to have a disincentive in relation to its use. The allowance must, of course, be affordable.
- 5.1.85 The Scottish Executive has recently agreed with the Scottish Police Federation that an on-call allowance of £23, increased in line with future pay awards, will be paid for each occasion on-call from 1 April 2011. This agreement includes a provision under which the operation and costs of the allowance must be reviewed 12 months. The Staff and Official Sides have also agreed to try to devise national guidance, including an agreed mechanism for measuring its use. It is understood that the Scottish negotiations were successful, in part, because sufficient management information existed for both Sides to make confident judgments as to the affordability of the scheme. As explained, this is not the case in England and Wales. This lack of an evidence base means that I do not believe it would be prudent for England and Wales to follow Scotland in the amount set. I propose that the on-call allowance for England and Wales should be set at £15 for each on-call period. Once more relevant data exist, the Police Negotiating Board should review the established amount of the allowance.
- 5.1.86 In relation to the circumstances in which an on-call allowance is payable, I believe that some amount of on-call is to be expected in certain jobs, particularly specialist roles. I therefore propose that officers become eligible for the on-call allowance after they have undertaken 12 sessions of on-call in an annual period starting on 1 September in each year. I accept as reasonable the Staff Side proposal that an on-call occasion should be defined as the requirement to be on-call within any 24-hour period determined as the force day by the Chief Constable.
- 5.1.87 Eligibility for the allowance should be restricted to the Federated ranks. Whilst inspectors and chief inspectors would not receive overtime once recalled to duty, this payment is concerned with compensating officers for the disruption to their private lives. I have therefore decided that they should also be eligible for the payment. I am sympathetic to the position of the superintendents who find themselves increasingly on-call. However, those in the most senior command positions should expect to be called upon in the most pressing circumstances when

required by their subordinates. This is the case in many other occupations, and is an incident of senior management.

Recommendation 44 – A national on-call allowance for the Federated ranks should be introduced from September 2011. The amount of the allowance should be £15 for each occasion of on-call after the officer in question has undertaken 12 on-call sessions in the year beginning on 1 September. An on-call occasion should be defined as the requirement to be on-call within any 24-hour period related to the start-of-the-police-day.

Recommendation 45 – The national on-call allowance should be reviewed by the Police Negotiating Board three years after its introduction in the context of better management data.

Motor Vehicle Allowances

- 5.1.88 The arrangements for providing a Motor Vehicle Allowance to officers are set out in Determination Annex U, made under Regulation 34 for Schedule 2 of the Police Regulations 2003. The allowance is paid if it is essential or desirable that an officer has access, at all times, to a vehicle, and the chief officer authorises the officer to use his own vehicle in the performance of his duties.
- 5.1.89 There is no definition in the regulations or the determinations of what an essential or casual user is. However, the Police Staff Council Joint Circular number 60⁶³ explains that an essential user is a member of staff for whom it is deemed essential that he has a motor car at his disposal whenever required. By contrast, a casual user is one for whom it is merely desirable that a car should be available when required. In the absence of other information, these definitions appear equally applicable to officers.
- 5.1.90 The essential user's rate comprises a fixed element and a mileage element. The fixed element is a lump sum calculated using the number of completed months in the year that the officer was authorised to use his vehicle. It is currently between £795 and £1,170 a year. The mileage element takes into account the cylinder capacity of the car and the number of miles driven to calculate the amount per mile to which the officer is entitled.
- 5.1.91 The current rates for the Motor Vehicle Allowances that came into force on 1 April 2009 are listed below⁶⁴.

Engine size	451-999cc	1000-1199cc	1200-1450cc
Lump sum per annum	£795	£906	£1,170
Per mile – first 8,500 miles	33.6p	37.1p	46.4p
Per mile – after 8,500 miles	11.7p	12.2p	14.2p
Petrol element	7.433p	8.207p	8.953p
Amount of VAT per mile in petrol element	0.969p	1.070p	1.167p

63 PSC Joint Circular No. 60

64 HO Circular 14/2010

Table 5.4: Casual users of the Motor Vehicle Allowance rates from 1 April 2009			
Engine size	451-999cc	1000-1199cc	1200-1450cc
Per mile – first 8,500 miles	42.9p	47.7p	60.1p
Per mile – after 8,500 miles	11.7p	12.2p	14.2p
Petrol element	7.433p	8.207p	8.953p
Amount of VAT per mile in petrol element	0.969p	1.070p	1.167p

- 5.1.92 The casual user is not entitled to payment of a lump sum, reflecting the fact that he does not use his vehicle in the course of his duties to the same degree as an essential user. However, the mileage rate for the first 8,500 miles is between 28% and 30% higher than an essential user.
- 5.1.93 Until 2010, the Motor Vehicle Allowance was set at the same level as that agreed for local authority workers. Further inquiries into how long this approach has been taken and for how long the rates for officers and local authority staff have been linked, have not been successful. The local authority rates are set following a technical advisers' report to Local Government Employers. Local Government Employers is the organisation that represents local government as an employer, working with local authorities, regional employers and other bodies in matters concerning pay, pensions and the contracts of employment. However, the link between police and local authority agreed mileage rates changed in 2010, when the proposed increase in the rate for officers was not approved by the Home Secretary. As a result, Motor Vehicle Allowance for the police is still paid at the 2009 rates, whereas for local authority workers, it is paid at the 2010 rates.

Analysis

- 5.1.94 The latest mileage rate for local authority workers (which take into account the January 2011 VAT increase from 17.5% to 20%) is set out in the table below⁶⁵.

Table 5.5: Essential users of the local authority Motor Vehicle Allowance from January 2011			
Engine size	451-999cc	1000-1199cc	1200-1450cc
Lump sum per annum	£846	£963	£1,239
Per mile – first 8,500 miles	36.9p	40.9p	50.5p
Per mile – after 8,500 miles	13.7p	14.4p	16.4p
Petrol element	9.406p	10.366p	11.288p
Amount of VAT per mile in petrol element	1.567p	1.727p	1.881p

⁶⁵ NJC Car Allowances 2010/11, Change to VAT: 4 January 2011, Local Government Employers, July 2010.

Table 5.6: Casual users of the local authority Motor Vehicle Allowance from January 2011

Engine size	451-999cc	1000-1199cc	1200-1450cc
Per mile – first 8,500 miles	46.9p	52.2p	65.0p
Per mile – after 8,500 miles	13.7p	14.4p	16.4p
Petrol element	9.406p	10.366p	11.288p
Amount of VAT per mile in petrol element	1.567p	1.727p	1.881p

- 5.1.95 Comparing the January to April 2011 mileage rates for local authorities with those for police officers indicates a growing disparity between the respective car allowance rates.

Consultation

- 5.1.96 The Police Federation argued that the Motor Vehicle Allowance should be retained⁶⁶. It considers that officers who are required to use their own cars for police duties should receive an allowance which reflects the relevant costs⁶⁷.
- 5.1.97 The Police Superintendents' Association⁶⁸ believes that the current situation in respect of Motor Vehicle Allowance is in need of reform. However, it did not make a specific proposal in this respect.
- 5.1.98 ACPO explained that car allowances are one of a range of *ad hoc* allowances which exist for certain posts and circumstances which are costly and bureaucratic to administer⁶⁹.
- 5.1.99 There was considerable criticism of the decision of the Home Office in early 2010 to refuse approval of a rise in the rate of the allowance.

Conclusions

- 5.1.100 A Motor Vehicle Allowance for police officers should be retained. It provides officers with fair reimbursement of their motoring costs incurred in the performance of their duties. There is no material distinction to be made between reimbursement of these costs and other travel expenses.
- 5.1.101 Officers should be fully reimbursed if they use their personal cars for their official duties. The calculation of the relevant amounts should be based on independent technical advice, using the same approach adopted by local government. Use should be made of technical reports which review the costs of motoring, taking account of issues such as increasing fuel and consumption costs, insurance and servicing costs, taxation and depreciation. Evidence received by the review showed that there is currently a significant disparity (18%) between the rates of Motor Vehicle Allowances payable to police officers and those available to employees in local government. This disparity will increase as fuel costs and fuel duty rise.
- 5.1.102 The Motor Vehicle Allowance needs to be calculated so as to ensure that it provides full reimbursement of the reasonable costs in question. The regime should be transparent, and it is desirable that police officers and local government employees should receive reimbursement on the same basis. Having a single set of mileage costs and rates for use in local authorities and police forces will assist in the minimisation of bureaucracy in the public sector. It will avoid the anomaly and unfairness of police officers and police staff being paid different rates

66 Police Federation submission (1), page 3

67 Police Federation submission (1), page 40

68 Police Superintendents' Association submission (1), page 18

69 ACPO submission, page 27

of allowances for car use (since police staff members are entitled to the higher local authority car allowance rates). As the police service had argued it had sufficient resources to meet the proposed rise in 2010/11, which was rejected by Ministers, it is deemed that the police service will still have requisite resources to continue for the future, and no specific allocation has been identified in the costings of this report.

Recommendation 46 – The link between the Motor Vehicle Allowance for police officers and that for local authorities should be re-established from September 2011.

Travelling Expenses

- 5.1.103 A police officer is entitled to be reimbursed for relevant travelling expenses if he is required to perform his normal daily period of duty in more than one tour or is recalled to duty between two tours of duty, and travels to and from his home between tours or in consequence of his recall.
- 5.1.104 Determination Annex V, made under Regulation 35 of the Police Regulations 2003, provides that an officer of the rank of superintendent or above may travel in first class accommodation on trains in the execution of his duties.
- 5.1.105 There are no available data on the total amount of travelling expenses paid to police officers in England and Wales.
- 5.1.106 No representations concerning the reimbursement of travelling expenses were received during the review's consultation period. In particular, I received no submissions in connection with first-class rail travel for officers at superintendent rank and above.
- 5.1.107 Officers should be reimbursed their reasonable out of pocket travel expenses incurred in the performance of their duties. In most cases, this should take the form of the cheapest form of transport reasonably available, which would be standard class for rail travel. However, I do not recommend that first-class travel should be completely abolished for senior ranks. A senior officer has a relatively high hourly pay rate. If he is prevented from working whilst travelling because he is in standard class, that is inefficient and wasteful of his time.
- 5.1.108 I consider that it is appropriate for senior officers to make judgments in relation to the most appropriate circumstances for their use of first class travel, having regard to the needs of the force to operate with the greatest possible efficiency and effectiveness, and placing appropriate weight on the need for economy. If first-class travel has been used, appropriate details should be published on the force's website.

Recommendation 47 – First-class travel expenses for the ranks of superintendent and above should be published quarterly on the force's website.

5.2 Officers – leave and maternity issues

Maternity Leave and Pay

- 5.2.1 Determination Annex R, made under Regulation 33 of the Police Regulations 2003, provides that officers can take a maximum of 15 months' maternity leave, beginning at the earliest six months before the expected week of birth, and ending no later than 12 months (52 weeks) after the baby is born. Therefore, an officer who takes a month's leave before the birth can only take up to 12 months' leave afterwards, whereas an officer who takes 6 months' leave before the birth can take up to nine months' leave afterwards. Officers are not allowed to return to work until at least two weeks after the birth.
- 5.2.2 Determination Annex L, made under Regulation 29 of the Police Regulations 2003, provides that officers are entitled to be paid their full salary for the first three months of each maternity leave. During the three month period during which an officer is entitled to police maternity

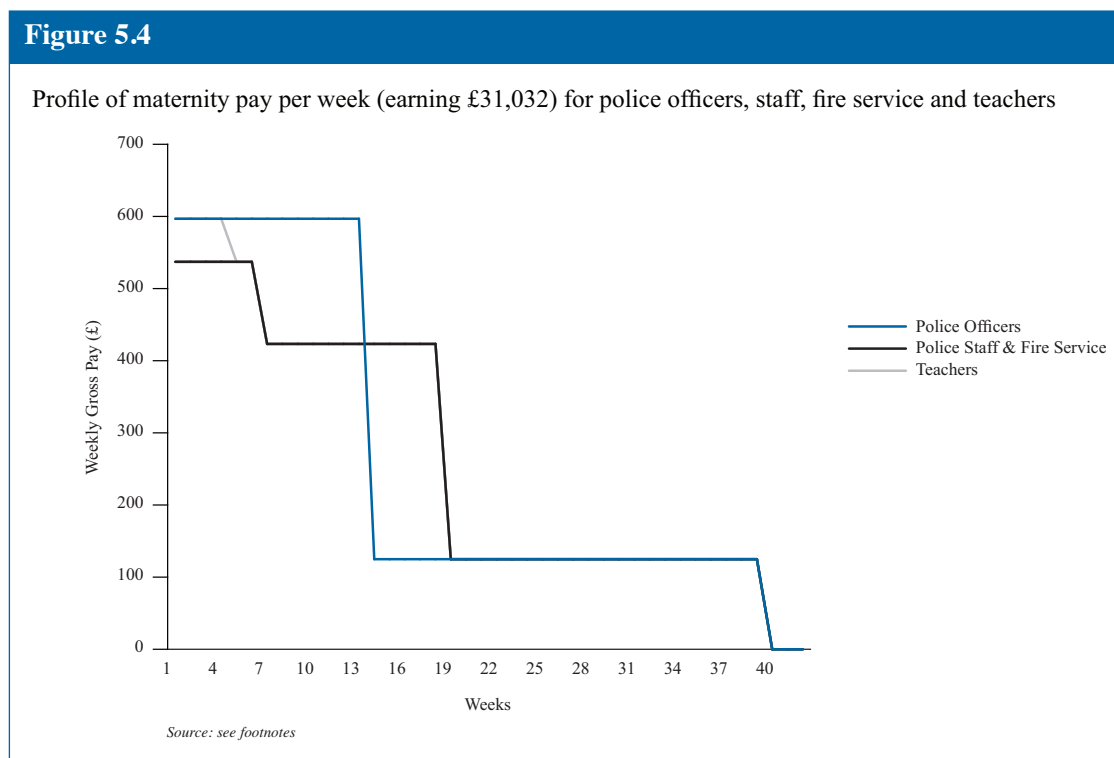
pay, she will continue to receive the full pay and allowances that she would normally receive, unless a particular allowance has been suspended by the Chief Constable. This would be done under Regulation 36, which provides that officers who take maternity leave and are in receipt of an allowance to meet an expense which ceases during their absence from duty, including on maternity leave, may have that allowance suspended at the discretion of the chief officer after 28 days. This might include Motor Vehicle Allowance.

- 5.2.3 To be eligible, the officer must have been in service continuously for 63 weeks at the beginning of the week of the expected birth, that is approximately seven months before becoming pregnant, assuming a nine-month pregnancy. If police maternity pay coincides with the 39-week statutory maternity pay (SMP) period, one offsets the other – the officer receives whichever is the greater⁷⁰. It is, however, possible for an officer to receive three months' full police maternity pay and the full 39 weeks of SMP if she starts her maternity leave early enough.
- 5.2.4 If officers are required to attend court during maternity leave, this is counted as duty and the equivalent number of days are added to their paid maternity leave, or, if on unpaid leave, they will be paid at their daily rates of pay.
- 5.2.5 An officer continues to accrue annual leave throughout her maternity leave period. She can take this annual leave before, during or after her maternity leave⁷¹. Any leave not taken at the end of the leave year is treated in the same way as any other annual leave, that is as normal annual leave would be.
- 5.2.6 The Police Negotiating Board agreed in 2003 to increase the period of maternity leave which counts as pensionable service from 18 weeks to 26 weeks. Under the Police Pensions Regulations 1987 and 2006, pensionable service is normally reckonable only if contributions have been made. However, an officer's reckonable pensionable service continues for a minimum of 26 weeks whilst on maternity leave as if she is still serving and making contributions. For officers who qualify for police maternity pay and statutory maternity pay, their reckonable pensionable service continues (after the first 26 weeks) for as long as they are being paid.
- 5.2.7 Once an officer ceases to be paid, or after 26 weeks away, whichever is greater, maternity leave no longer counts as reckonable service. However, it still counts as qualifying service until the end of the total period of maternity leave, which can be up to a maximum of 15 months in that it is not regarded as a break in pensionable service, provided the officer remains in the police for six months after returning. If the officer wishes to make this unpaid maternity leave pensionable, she must pay the Police Authority an amount equal to what her pension contributions would have been if she had been receiving her salary in full, within six months of her return. These contributions will be 11% or 9.5% depending on the pension scheme of which she is a member. No other significant public sector scheme allows service to be bought back in this way, with a single payment based on contributions missed, with no increased factor to cover employer contributions or the cost to the scheme. An officer at the middle of the constable pay scale (£31,032), in the 1987 police pension scheme and in receipt of no pensionable allowances or payments, would pay £1,706.76 in contributions assuming she had been on leave for an additional six months after her statutory maternity pay ended.

70 To qualify for SMP a person must have been employed by the same employer continuously for at least 26 weeks into the 15th week before the week her baby is due (the qualifying week) and be earning on average an amount which at least equals the lower earnings limit which applies on the Saturday at the end of your qualifying week. The lower earnings limit is £97 a week in the 2010-11 tax year. Those who qualify for Statutory Maternity Pay receive the first six weeks at 90 per cent of her average gross weekly earnings with no upper limit and for the remaining 33 weeks the lower of either the standard rate of £124.88, or 90 per cent of their average gross weekly earnings. All police officers would receive the standard rate.

71 PNB Circular 10/05, page 5

Analysis



- 5.2.8 Figure 5.4 compares the maternity pay of police officers with police staff and firefighters, who have the same maternity pay entitlements, and teachers. All these individuals provide local services to the public. In the comparison, it is assumed that all are earning £31,032, the basic pay of a constable with five years' service. Figure 5.4 shows that whilst a police officer initially has the most generous entitlement (13 weeks leave on full pay), her income immediately drops to statutory maternity pay of £124.88 until the end of her 39 week period of paid leave. Maternity pay for police staff⁷² and firefighters⁷³ is more phased, being in three stages with six weeks at 90% of full pay followed by 12 weeks at 50% of full pay, together with SMP. Teachers⁷⁴ receive maternity pay in four phases: four weeks at 100% of full pay, two weeks at 90% of full pay, 12 weeks at 50% of full pay together with SMP, and lastly SMP.

72 This is the maternity leave policy set out in the *Police Staff Council Pay and Conditions of Service Handbook*, Police Staff Council, April 2004, page 29. Individual forces' policies may vary.

73 *Scheme of Conditions of Service*, Fire Brigades' Union, 2004 (updated 2009), Section 4, Maternity, Childcare and Dependency

74 *Conditions of service for school teachers in England and Wales*, The Local Government Association, National Employers' Organisation for School Teachers, Association of Teachers and Lecturers, National Association of Head Teachers, National Association of Schoolmasters Union of Women Teachers, National Union of Teachers, Professional Association of Teachers, Secondary Heads of Association, August 2000, page 13 <http://www.teachers.org.uk/files/active/0/Burgundy%20Book%20-%20July%2008%20-%20for%20Hearth.pdf>

Table 5.7: Comparison of maternity pay for police officers, staff, fire service and teachers

Police officer		Police staff member and firefighter		Teacher	
13 weeks at 100%	£7,758	6 weeks at 90%	£3,222.55	4 weeks at 100%	£2,387.20
26 weeks SMP (£124.88)	£3,246.88	12 weeks at 50% plus SMP	£5,079.18	2 weeks at 90%	£1,074
		21 weeks SMP	£2,622.48	12 weeks at 50% plus SMP	£5,079.24
				21 weeks SMP	£2,622.48
15 months	£11,004.88	12 months	£10,924.21	12 months	£11,162.92

- 5.2.9 Table 5.7 shows that whilst the structure of maternity pay differs significantly between the stated occupations, there is currently little difference in the amounts individuals on the same salary would receive. Staff and firefighters on £10,924.21 receive the least over their maternity period. Officers receive £11,004.88 over their maternity period, £80.67 more. Teachers receive the most, with £11,162.92 over their maternity period, which is £158.04 more than officers and £238.71 more than staff and firefighters. Officers, however, receive 15 months' maternity leave in contrast with staff, firefighters and teachers who receive 12 months.

Table 5.8: Total costs of maternity pay for police officers and staff

	2011/12	2012/13	2013/14	2014/15
Officers	£23.7m	£23.7m	£24.0m	£24.4m
Staff	£27.5m	£27.5m	£27.5m	£27.6m
Total	£51.2m	£51.2m	£51.5m	£52.0m

- 5.2.10 Table 5.8 shows the projections for the estimated costs of maternity pay under the current system. This assumes there are no leavers, promotions or joiners. The estimates indicate that the costs are relatively stable at around £24m each year for officers, and around £28m for staff. Whilst staff make up around 40% of the police workforce, the majority are women⁷⁵; in contrast, 26% of police officers are female⁷⁶. It is therefore not surprising that staff maternity pay costs are higher.

Consultation

- 5.2.11 There was little discussion of maternity provision in any of the consultations carried out by the review. The ACPO and ACPOS Women's Forum stated that the reduction from full police pay to SMP is significant and as a result the take-up rate for extended maternity leave using statutory maternity pay is not high⁷⁷. It suggested increasing the length of police maternity pay from 13 weeks, to 13 weeks followed by 13 weeks at half pay. It thought that this would reduce the number of officers that go on sick leave shortly after their return to work as they

75 61%, according to the *Home Office Statistical Bulletin 14/10 Police Service Strength: England and Wales*, March 2010, page 2

76 *Home Office Statistical Bulletin 14-10, 2010*

77 *Response to the Review of Remuneration and Conditions of Service for Police Officers and Staff*, ACPO and ACPOS Women's Forum, October 2010, page 3

had had insufficient time to recover from childbirth. They also pointed out that after six months, officers would then be ready to return to the full range of duties and shift patterns.

- 5.2.12 The Police Federation said that the police service needs to put at least as much effort into the retention of people from diverse groups as it currently does into recruitment, and ensure that it maintains a supportive workplace environment⁷⁸. It gave the example of maternity provision for officers but did not recommend a particular approach. Whilst 2008-09 monitoring data showed that the average age of recruits was 27, and that 35 percent of recruits are women, some police forces have been reported that the gender mix of their recruits in 2009 was 58% women and 42% men⁷⁹. The Police Federation therefore assumed that that a substantial number of these officers either have or will have children during the first ten years of their service. They argued that not only will significant numbers of women officers be taking maternity leave (a maximum of 15 months in an 18-month period), many of them are likely to request part-time or flexible working when they return to work. Although women police officers may be recalled to duty during their maternity leave, it is the only form of leave that is not subject to the exigencies of duty⁸⁰. The Police Federation criticised the fact that despite the increase of women in the workforce, the service has not changed occupational maternity provision for officers for over 15 years⁸¹.
- 5.2.13 The Police Federation also said that data on the average length of maternity leave was not collected by forces despite repeated requests⁸². They thought that this made it difficult for forces properly to plan their workforces and take decisions regarding diversity.
- 5.2.14 In my informal discussions with officers, views as to the fairness of officer maternity pay policies varied greatly. There was some dissatisfaction about current maternity pay, and I was told that staff receive far more generous treatment than officers. Why this view might be held can be seen in Figure 5.4, which shows that police staff are paid for five weeks longer, albeit at a lower rate. I was also told that the short duration of maternity pay, and the resulting drop in income after 13 weeks (in the example above, a drop of almost 80% from £596.80 in week 13 to £124.88 in week 14), means that female officers often return to work for financial reasons before they are emotionally or physically ready.

Conclusions

- 5.2.15 The current maternity provisions for officers present an inconsistent and confusing picture as to when forces believe female officers should be ready to return to work after maternity leave. Police maternity pay lasts for 13 weeks, whilst maternity leave continues to be reckonable service for pension purposes for at least 26 weeks. This discrepancy in treatment between two material parts of an officers' remuneration – pay and pension – should be reduced. I agree with the APCO and ACPOS Women's Forum that the period of police maternity pay should be extended. I do not believe that the current 13-week police maternity period adequately reflects the length of time it takes to recover from childbirth, and nor does it allow the majority of officers to return to work ready for a full range of duties.
- 5.2.16 Any proposal to change police maternity pay must balance the special nature of police work, particularly the potential physical dangers and outdoor nature of many posts, with affordability at a time of significant national financial pressure. Police staff currently receive 18 weeks of maternity pay before dropping to statutory maternity pay. I therefore recommend that police officers should have the same length of maternity leave as staff, but on their current terms. Whilst this would now make officers significantly better off than staff, I believe this is fair. It reflects the fact that the work of police officers can be physically arduous and stressful.

78 Police Federation submission (1), page 8

79 Police Federation submission (1), page 42 *citing* the Assessment of Women in the Police Service Home Office 2010, page 3

80 Police Federation submission (1), page 42

81 Police Federation submission (1), page 8

82 Police Federation submission (1), page 9

5.2.17 I also recommend that, with the agreement of their chief officer, police officers should be able to elect to receive this additional five weeks of police maternity pay over ten weeks at a half pay rate. This will allow officers to phase their pay at what is an expensive time in any household, with a more gradual decrease in the manner of staff, firefighters and teachers schemes set out above. Given the generous nature of the scheme, statutory maternity pay would not be paid additionally to those on half pay.

Recommendation 48 – Officers’ maternity entitlement should increase from 13 weeks at full pay to 18 weeks at full pay, with officers having the option, with the agreement of their chief officer, to spread the final five weeks of maternity pay over 10 weeks at reduced rate.

5.2.18 Using the example set out in Table 5.9, if my recommendation is implemented the same police officer would be £2,359.45 better off than before, over the course of her maternity leave, having previously received £11,004.88. Such a reform would render a police officer in these circumstances £2,440.12 better off than a member of police staff or a firefighter, and £2,201.41 better off than a teacher. I believe that this is justified given the arduous nature of policing and the fact that, if an officer returns to work six months after the birth, she is much more likely to be able to return to full duties immediately.

Table 5.9: Comparison of maternity pay with proposed change for police officer

Police Officer (proposed scheme)		Police Officer (current scheme)		Police Staff Member and Firefighter		Teacher	
18 weeks at 100%	£10,741.85	13 weeks at 100%	£7,758	6 weeks at 90%	£3,222.55	4 weeks at 100%	£2,387.20
21 weeks SMP (£124.88)	£2,622.48	26 weeks SMP (£124.88)	£3,246.88	12 weeks at 50% plus SMP	£5,079.18	2 weeks at 90%	£1,074
				21 weeks SMP	£2,622.48	12 weeks at 50% plus SMP	£5,079.24
						21 weeks SMP	£2,622.48
Assuming 15 months	£13,364.33	Assuming 15 months	£11,004.88	Assuming 12 months	£10,924.21	Assuming 12 months	£11,162.92

5.2.19 The review’s modelling indicates that these proposed changes for officers will cost forces approximately an additional £5-6m *per annum* in employer national insurance contributions (see Table 5.10).

Table 5.10: Costs of changes to police officer maternity pay

2011/12	2012/13	2013/14	2014/15
£3.1m	£5.3m	£5.4m	£5.6m

5.3 Staff

Standby Allowance

- 5.3.1 Unlike police officers, staff in police forces receive an on-call allowance; in the Police Staff Council Handbook it is called standby duty. As with all staff terms and conditions, there is an appreciable degree of local discretion. The payment for each period of standby duty is currently £28.26. This payment covers the requirement to be available either away from or at the workplace and the completion of all necessary paperwork arising from the standby period. As with constables and sergeants in future, a member of police staff who is on standby duty and is called out is then paid at the appropriate overtime rate (time and a half on Mondays to Saturdays, and double time on Sundays and public holidays).
- 5.3.2 A period of standby duty is defined as either of the following:
- any period from the end of normal office working hours to the beginning of normal office working hours the next day;
 - a 12-hour period at weekends or on a public holiday.
- 5.3.3 The police staff standby duty allowance has been in existence since the advent of the Police Staff Council in 1996. It is increased annually in line with the percentage cost-of-living rise in police staff salaries, negotiated by the Council.

Analysis

- 5.3.4 According to Unison's 'Police staff speaking out' survey in 2008, 7.3% of police staff received the standby allowance⁸³.

Consultation

- 5.3.5 In the seminar on deployment, Mr David Williams of PWC said he supported an on-call allowance for police staff. He pointed out that being able to give police staff an on-call allowance means specialist staff will be available immediately in the event of an incident⁸⁴. He thought that this allowance was a gesture from the force for the goodwill of individuals, given that the average amount of the allowance which staff receive in their pockets is £9 *per* week after deductions.
- 5.3.6 Mr Chris Hanrahan of Unison said that on-call inconveniences the whole family, as the individual's ability to engage in family life is reduced⁸⁵. The small amount of money received by police staff for being on-call does not adequately compensate for this intrusion.

Conclusions

- 5.3.7 On-call is an area where it is appropriate for the terms for officers and staff to be harmonised. There is no compelling reason why staff should receive more than officers. Both suffer the same degree of disruption to family life. I recommend that the staff standby allowance should be set at £15 *per* standby period.

Recommendation 49 – Staff standby allowance should be reduced to £15 from September 2011.

⁸³ Unison submission, page 50

⁸⁴ Deployment seminar, page 50

⁸⁵ *ibid.* page 52

Travel and Subsistence

- 5.3.8 Under the Police Staff Council Handbook⁸⁶, police staff are entitled to necessary and reasonable travel-related expenses incurred in the course of duty, for which they must provide a receipt. They are also entitled to have other expenditure incurred in the course of duty reimbursed provided it is necessary, reasonable, additional to what the employee would otherwise have incurred and, as with travel expenses, supported by a receipt. The review has no data on the travel and subsistence expenses of police staff.
- 5.3.9 As with senior officers, senior police staff should also carefully consider their travel plans to ensure that they represent value for money. Senior staff may have cause to work whilst travelling and therefore require first-class travel expenses. In such circumstances, the police force should publish the expenses on their website every quarter.

Recommendation 50 – First-class travel expenses for police staff members should be published quarterly on the force’s website.

⁸⁶ *Police Staff Council: Pay and Conditions of Service Handbook*, Police Staff Council, April 2004, page 36

6 Managing the workforce

Summary

As explained in Chapter 2, approximately 80% of the costs of policing England and Wales are attributable to pay. With such a substantial proportion of costs represented by one complex element, it is necessary for the senior management of the police service to be able to configure and deploy the workforce in the most efficient, economic and effective means possible.

Police officers are not employees of the force of which they are members, but rather holders of the office of constable, responsible for their actions directly to the law. This special position must be recognised and accommodated. However, there is nothing inherent in the office of constable which can, or should, prevent police forces obtaining, and using, a right to require individual officers, of any rank, to leave the force in the interests of efficiency. This is already the case with officers who have more than 30 years' police service.

The creation, in the hands of police forces, of a power analogous to compulsory redundancy is not necessary in the short-term. Other changes to the way in which police careers may be structured will be considered in Part 2 of the review.

Part 2 will consider several issues in this area on which representations will be invited:

- Improvements should be made to the ways in which forces can already require police officers to leave, including to the procedure concerning unsatisfactory performance and attendance. This would mean that the cases of police officers with multiple violations of disciplinary or attendance rules can be moved more quickly through the necessary procedures. A small group of Assistant Chief Constables specialising in cases of unsatisfactory performance and attendance should be established. Regulation A19 should be amended so that the criteria in relation to its use include the requirement of retaining in police forces, officers who have skills of particular importance, or who have demonstrated outstanding performance.
- The current severance scheme for chief officers, which deals with situations akin to compulsory redundancy, should be retained in the immediate future. A regime akin to a voluntary redundancy scheme open to all ranks and based on the terms for the Civil Service Compensation Scheme, should be established as soon as possible.
- For Part 2 of the review, representations will be invited on the need for the establishment of a system analogous to compulsory redundancy, as well as an alternative career structure for police officers, providing for fixed term appointments which are renewable in cases of satisfactory performance and the needs of the police force in question.
- Part 2 will also consider other representations in relation to the improvement and creation of instruments of management control which will give police forces the necessary flexibility always to meet the needs of the public in the best possible way.
- The existing system of management of police staff already contains a significant degree of local flexibility, and should remain as it is.

- 6.0.1 The 2010 Spending Review requires forces in England and Wales to operate with reduced budgets over the next four years. Significantly, about 80% of those budgets are attributable to pay. With such a substantial proportion of costs represented by one complex element, it is necessary for the senior management of the police service to be able to configure and deploy the workforce in the most efficient, economic and effective means possible. The police service must have the right mix of police officers and police staff members of various levels of seniority, possessing the necessary variety of skills and experience which will meet this essential objective. Police forces have emphasised that, wherever possible, they wish to make

reductions in their workforces by means of natural wastage. However, voluntary departures have slowed amongst both staff and officers¹, and it is necessary to consider additional means.

- 6.0.2 Police forces are comprised of two substantially separate types of worker, namely police officers, who are not employees, and police staff members, who are. In relation to police staff, managers have the same management tools as other employers, namely voluntary severance, early retirement, and, if necessary, compulsory redundancy. Police forces can, therefore, shape their police staff workforce in substantially the same way as any private sector organisation in order to meet changes in the circumstances of the organisation. Police staff, in turn, have the benefits of the protections afforded by labour legislation, including in relation to unlawful discrimination, unfair dismissal and unfair selection for redundancy. In these, and all other relevant employment respects, they have the ordinary right to apply for remedies from an employment tribunal. Police officers, on the other hand, are not employees, but individual officers of the Crown. There is currently no power to make officers redundant nor to offer them voluntary severance or early retirement beyond the restricted powers already contained in Police Pensions Regulations. The limited circumstances in which officers may be required to leave the service against their will, provide police forces with very little flexibility to reduce police officer numbers.
- 6.0.3 In this chapter, I consider the sufficiency of the existing workforce management tools in the hands of police forces. Where appropriate, I make recommendations for the short-term in relation to their reform, and discuss potential longer-term solutions.

6.1 Officers

- 6.1.1 Police officers are not employees. They hold the independent office of constable. Their relationship with their police force is regulated by both statute and the common law. There is no contract of employment between a police officer and his force which would allow the force to terminate the officer's appointment by giving notice. Instead, the circumstances in which a police officer's appointment may be terminated for those up to, and including, the rank of chief superintendent, are set out in regulations made under section 50 of the Police Act 1996, in relation to misconduct and poor performance, or section 1 of the Police Pensions Act 1976, in relation to compulsory retirement on the grounds of age, disablement or the efficiency of the force. 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 some chief officer ranks is for a fixed term, which is set out in regulations made under section 50. Police officers with fewer than 30 years' service cannot be made redundant. Nor does the statutory regime provide for a mechanism for a police force to offer police officers voluntary severance or early retirement. Police officers are protected by anti-discrimination and health and safety legislation. They can bring employment tribunal claims against their chief officers under this legislation. However, police officers cannot take claims of unfair dismissal to an employment tribunal. Such claims are, instead, referred to the Police Appeals Tribunal, which has the power to require a Chief Constable to reinstate an officer.
- 6.1.2 Except where a police officer chooses to resign or retire early (which is possible for those with more than 25 years' service from the age of 50²), the ways in which a police officer can be required to leave the police force are limited and closely prescribed.

1 ACPO Submission, page 31

2 All ranks can choose to take their pensions immediately once they have 25 years service and are over 50 years old or, if they are under 50 and have 25 years' service, they can take their pensions from age 50. Chief officers must give three months' notice; other ranks must give one month's notice. The pension received is not actuarially reduced, but is based on the number of years during which the officer has paid into the scheme.

- 6.1.3 At present, it is not possible for a police force to require a police officer with fewer than 30 years' service to resign or retire on the grounds of efficiency. If the officer in question has not had an adverse finding justifying dismissal made against him in disciplinary or unsatisfactory performance proceedings, he has security of tenure. This is not the case for officers who have already reached their full pension entitlement, that is at 30 years' service. Such officers can be required to resign on the grounds of efficiency under Regulation A19 of the Police Pension Regulations.

Recruitment suspension

- 6.1.4 The principal means for police forces to effect significant reductions in the numbers of their police officers is to suspend recruitment, and allow overall police officer numbers to reduce through natural wastage. At present, all police forces in England and Wales have frozen recruitment. The inevitable consequence of this is the removal of police officers with the longest experience, as they retire. However, such a regime is not sustainable for long periods. Recruitment freezes build up potentially significant difficulties for the future because, in time, an appreciable gap in officers of a particular level of experience will be moving through the system.

Probationary Officers

- 6.1.5 Under Regulation 13 of the Police Regulations 2003, a probationary officer can be required to leave the police force at any time during his two-year probation if the Chief Constable considers him unfit, either physically or mentally, or considers that he is unlikely to become an efficient or well-conducted constable.
- 6.1.6 Home office ADR data show that the use of Regulation 13 has declined in the past eight years. Numbers remain low, from a high of 61 probationary officers dismissed in 2003/04, representing 38.9% of all dismissals that year, to the most recent figure of 16 probationary officers dismissed in 2009/10, representing 9.8% of dismissals. In my discussions with officers however, I understand that probationers are more likely to leave after informal discussions with their manager than be taken through the formal dismissal process.

Table 6.1

Number of probationary officers dismissed by year

Financial year	Officer dismissals in probationary period	As % of total Officer dismissals
2002/03	60	35.7%
2003/04	61	38.9%
2004/05	34	25.4%
2005/06	33	17.6%
2006/07	20	12.8%
2007/08	16	9.2%
2008/09	17	13.1%
2009/10	16	9.8%

Source: Home Office Annual Data Return 581. These data are previously unpublished and have not been verified with forces

- 6.1.7 It is in the nature of a probationary period that it is for the organisation and indeed the individual to decide that he is unsuitable for, or does not wish to continue in, the job in question. In view of the responsibilities and protections that go with the office of constable, it is right that a police force is given an opportunity of making an assessment of an individual for an appreciable period before he is confirmed or rejected.

Recommendation 51 – Regulation 13 of the Police Regulations 2003, which allows for the dismissal of officers, should be retained for probationary officers.

Performance and Attendance

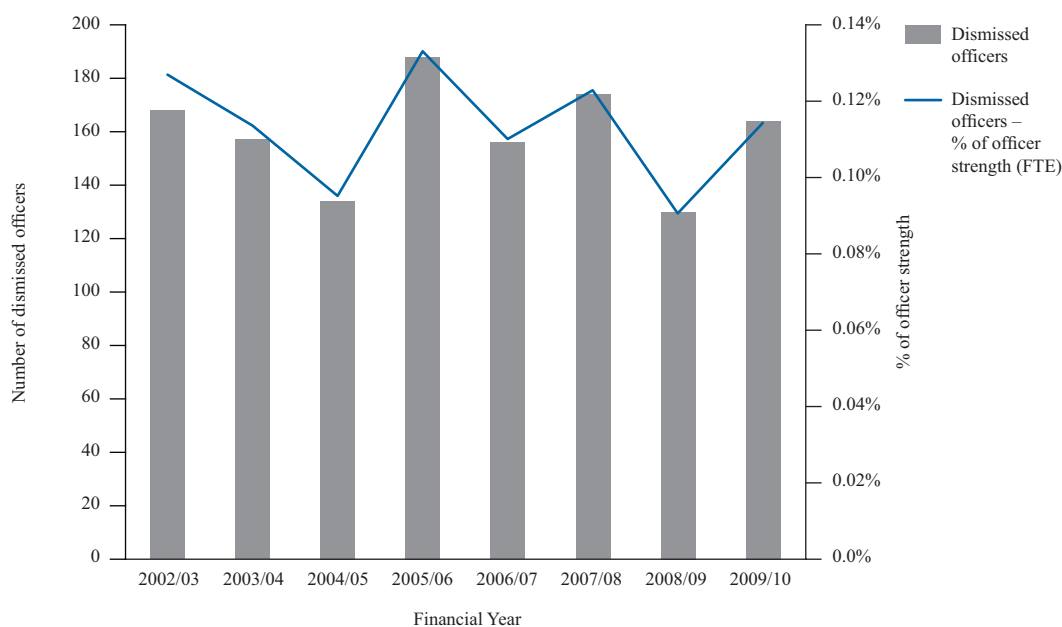
- 6.1.8 The Unsatisfactory Performance and Attendance Procedures (UPPs) are set out in the Police (Performance) Regulations 2008. These replaced the Police (Efficiency) Regulations 1999 and were designed to give managers a simpler and faster system for handling unsatisfactory performance, and one which aims positively to improve performance. Probationers are dealt with under Regulation 13 of the Police Regulations 2003 (see below). The UPP procedure is principally designed to deal with sustained unsatisfactory performance or attendance on the part of a police officer, but can be used to deal with gross incompetence in a single occurrence. It applies to officers up to and including the rank of chief superintendent.
- 6.1.9 As is the case with most organisations, managers are expected first to deal informally with problems of unsatisfactory performance or attendance, intervening as soon as possible after the problem has been identified. This is part of their normal duties in connection with the supervision of their staff. In such a process, the issues in question would be put to and discussed with the officer and if, having regard to the officer’s explanations and any mitigating circumstances, the manager is satisfied that improvement is still required, a fair and proportionate improvement plan would be drawn up against which the officer’s progress would be monitored. Only with evidence that the officer is still performing unsatisfactorily should the formal UPP process begin.
- 6.1.10 The UPP process has three stages, which escalate the inquiry into the officer’s conduct and formalise what would be the normal, good-practice outlined above:
- 6.1.11 **Stage 1:** The line manager must write to the officer and request his presence at a meeting to discuss his performance or attendance. After the meeting, if the line manager concludes that the officer’s performance or attendance is unsatisfactory, the officer will be given an improvement notice. The notice must describe the improvements which are needed, and an action plan, specifying how the improvement should be made (with periodic reviews of progress) is agreed. If he believes anything in this is unfair, the officer has the right to appeal to a line manager of higher seniority.
- 6.1.12 **Stage 2:** If the officer’s performance or attendance does not improve, a line manager of higher seniority must require the officer to attend a second meeting. If the higher-ranking line manager decides that the officer’s performance or attendance is unsatisfactory, the officer is given a final improvement notice setting out an action plan for improvement. The officer can appeal against this determination, in which case a separate senior manager appointed by the police force must review the evidence.
- 6.1.13 **Stage 3:** If the officer’s performance or attendance is still unsatisfactory, the officer must be asked to attend a third meeting. On this occasion, a panel of three people, at least one a more senior police officer and one professional in human resources, must decide on the officer’s performance or attendance. If the panel decides that the officer’s performance or attendance is unsatisfactory, it can:
- redeploy the officer
 - demote him, if the issue is one of performance (though not attendance)
 - dismiss him on at least 28 days’ notice
 - give him an extension of his final improvement notice (this can only happen once).
- 6.1.14 After the third stage meeting, the officer has the right to appeal to a Police Appeals Tribunal. This tribunal consists of an independent chair, who must be a barrister, a retired member of the police service, a serving senior police officer and a member of the Police Authority. Unlike an

employment tribunal, a Police Appeals Tribunal can rule that an officer should be reinstated. It has no power to recommend that officers be ‘paid off’ in consideration of their resignation.

- 6.1.15 When an officer is accused of gross incompetence³, the process moves immediately to Stage 3. Unlike officers who have gone through Stages 1 and 2, these officers are entitled to legal representation. In all other cases, officers are entitled only to a “police friend”, who can attend meetings at all stages for the purposes of assistance.
- 6.1.16 My view is that the principles of the current process are fair and appropriate. An officer facing an accusation of poor performance or attendance must be told of the case which he has to answer and be presented with the evidence against him. If it is determined that the accusation is well founded, he should be given the chance to improve with the support of his colleagues, including his manager, and be given well-defined and appropriate means of redress against a determination which he believes is unfair or otherwise unsatisfactory. This is fair to the individual, and recognises the value of the investment which the police force has made in his training and development. Demonstrable fairness and safeguards are especially important in the case of police officers who do not have the same employment rights as others in the workforce.
- 6.1.17 Data are available on the number of police officers leaving each year for disciplinary reasons. This does not distinguish between officers leaving for misconduct and those leaving for performance or attendance reasons. Figure 6.1 shows that the number of officers dismissed each year is very small, ranging from a high of 188 in 2005/06 to 130 in 2008/09.

Figure 6.1

Dismissed officers; number and percentage of officer strength



Source: Home Office Annual Data Returns 581 & 502. Dismissals data are previously unpublished and as such have not been verified with forces

- 6.1.18 The proportion of officers dismissed from the workforce is also very small. This has remained relatively stable over the last eight years, ranging from a high of 0.13% of officer strength in 2005/06 to 0.09% in 2008/09.

³ Defined in Regulation 4(1), Police (Performance) Regulations 2008 as “a serious inability or serious failure of a police officer to perform the duties of the role or rank he is currently undertaking to a satisfactory standard or level, to the extent that dismissal would be justified, except that no account shall be taken of attendance of a police officer when considering whether he has been grossly incompetent”.

- 6.1.19 The review has received much more individual evidence on the use of the Unsatisfactory Performance and Attendance Procedures. Most cases are handled informally. Managers have told the review that they find the formal system unwieldy and slow, as a result of which poor performance is often ignored or the officer is moved to a different line manager, thus merely transferring the problem to someone else. Some managers feel inhibited from using the UPP procedures because they fear unpopularity. The review was told that high rates of turnover of managers and police officers make it hard to tackle issues of unsatisfactory performance and attendance, and that managers often do not feel sufficiently supported by the police force in what can be a long and controversial process. The review was also told that there is a significant disparity between the incidence of the use of the UPP regulations in the case of police officers and the use of the corresponding processes which concern unsatisfactory performance and attendance of police staff⁴.
- 6.1.20 ACPO has argued that the UPP regulations require substantial reform, so as to achieve an improved balance of resilience and fairness⁵. Chief Superintendent Graham Cassidy of the Police Superintendents' Association submitted that poor performance could and should be challenged by managers, who have PDRs (see glossary) and conduct regulations in place to enable them to do this. The existing system could and should be improved⁶. The Police Federation told the review that the UPP procedures are satisfactory and, being only two years old, should be given a better opportunity to settle down before they face what could be substantial and, in their view premature, revision⁷. The Police Federation also placed emphasis on the need for a robust and conspicuously fair process for the protection of officers, particularly those from minority ethnic backgrounds, who may face unlawful discrimination.
- 6.1.21 The review's website consultation and the review's visits to individual police forces indicated there is a considerable strength of feeling amongst some officers towards those they perceive as not "pulling their weight". Several officers commented that one of the best ways of rewarding police officers who perform satisfactorily or highly is for those who are under-performing to be demonstrably and proactively managed.
- 6.1.22 The review also received complaints about police officers who, it was said, are known to be doing only the minimum amount of work necessary to avoid disciplinary action. The review was also told of officers who complain that they are moved from one place to another as a result of an accusation of unsatisfactory performance, rather than that under-performance being properly tackled through support and supervision. This is unacceptable. At a time of significant pressure on police force budgets, and an intensified need to achieve the highest possible efficiency and effectiveness of police resources, it is especially important that every officer discharge his duties to the best of his ability.
- 6.1.23 The police service has a culture of close common purpose and joint endeavour. It is that culture which deprecates and resents the under-performance of individual officers and, in too many respects, causes supervisors to be reluctant to confront individual officers. It is sometimes the case that a sergeant will draw back from offering adverse criticism to a constable because he believes that doing so will lead to the demotivation and further under-performance of the officer in question. In other cases, it may be that the sergeant is unwilling to confront the constable simply because it is easier and less unpleasant to avoid tackling the subject directly, and instead marks the constable as an average performer and decides not to rely on that officer to the extent that he ought to be able. This does not only happen in the relationship between sergeants and constables; holders of higher ranks can be just as guilty. Whatever the reason, such timidity and reticence is a material failure in the discharge of the responsibilities of the supervising officers in question. The proactive and sound management of officers under his supervision is a fundamental part of the more senior officer's job. Such failures on the parts of supervising officers should themselves be tackled by higher-ranking officers.

4 ACPO Paper on Restricted Officers – Deployment and Exit, and Unsatisfactory Police Performance Regulations, page 2

5 ACPO Submission, page 34

6 Exits and pensions seminar, page 62

7 Exits and pensions seminar, pages 78-79

- 6.1.24 When under-performing police officers are not fairly and honestly appraised and managed, more severe problems can be created. First, the police officer is given neither the information nor the encouragement and support he needs to make necessary improvements. Secondly, if his PDR (see glossary) reports do not properly reflect his shortcomings, if on a later occasion, when the problems with his performance have become more acute, the UPP procedures are initiated, senior managers will lack the evidence necessary to proceed with disciplinary action, and indeed may be faced with paperwork which directly contradicts an honest case which is made against the officer in question. The UPP process can be severely impeded or even frustrated in such circumstances.
- 6.1.25 In relation to the nature and extent of the support which managers receive from the police force when they do follow the UPP procedures, it is evident that an appreciable number of police forces have taken worthwhile steps to improve training and support in this respect, in order to increase the confidence of managers in the use of the relevant procedures. All police forces in England and Wales should take steps to learn from the forces which demonstrate best practice. For instance, Norfolk Constabulary now has a Performance Improvement Unit which proactively supports those who manage officers who are subject to attention in connection with unsatisfactory performance, and officers on long-term sick-leave, using specialist human resources managers. Norfolk's long-term absence rate has recently reduced from 54 to 18 officers⁸. As well as supporting managers, this approach also benefits the officers in question because they receive proper management attention.
- 6.1.26 The Metropolitan Police has introduced a dedicated Commander post to handle all UPP cases which have reached Stage 3. This has the added benefit of ensuring that a chief officer is fully conversant with the procedures and rules of the process, enabling better and faster decision making.
- 6.1.27 On paper, and subject to what is stated below in relation to its acceleration in certain circumstances, the current UPP regime is essentially sound, providing police officers with manifestly fair processes under which they can answer allegations made against them, with appropriate rights of appeal. Sanctions such as demotion or dismissal are significant, and police officers undoubtedly deserve a fair hearing supported by convincing evidence. However, it is unsatisfactory that the weaknesses of some managers in the police service impede or frustrate the honest and objective handling of performance failings. The police service should urgently proceed to ensure that such weaknesses are eliminated.

Recommendation 52 – All police forces should take steps to learn from those police forces which have attained best practice in the area of the handling of poor performance and discipline, including in the training of supervisors who may have to use UPP procedures.

Recommendation 53 – Police forces should collaborate to identify a cadre of Assistant Chief Constables who specialise in unsatisfactory performance and attendance procedures and hear cases across police force boundaries.

- 6.1.28 The UPP procedures do not take sufficient account of the case where a police officer is or has been subject to adversely-determined UPP proceedings on several occasions within a relatively short period. As things stand, the UPP procedures have to begin at Stage 1 in every separate instance of alleged unsatisfactory performance or attendance. The process does not take a sufficiently rounded view of an officer's overall performance or attendance. In cases where an officer has had an adverse determination made against him and has implemented the relevant improvement plan, if there is no recurrence of the original problem and no new allegation of unsatisfactory performance or attendance has been made within 12 months from the date of the notice, the earlier UPP case is eliminated from his record. After that, each new allegation under the UPP regime would have to begin at Stage 1.

⁸ Exits and pensions seminar, page 66

- 6.1.29 The UPP regime should take into account cases where an officer has had adverse UPP determinations made against him within a period which is longer than 12 months, or there are pending and unresolved UPP proceedings against him. That period should be five years. Such a reform would more satisfactorily allow police forces to take an overall view of officers' performance and attendance. It would also allow a panel to consider wider performance and attendance issues when deciding on action at Stage 3.

Recommendation 54 – The Police (Performance) Regulations 2008 should be amended to provide that if a police officer has had two or more adverse determinations made against him, on substantive (rather than procedural) grounds, in concluded UPP proceedings within the past five years, subsequent UPP proceedings should begin at Stage 3.

Discipline

- 6.1.30 The Police (Conduct) Regulations 2008 cover the investigation of, and proceedings against, police officers in disciplinary matters. They specify what constitutes a breach of discipline on the grounds of conduct – specified as misconduct or gross misconduct – against stated standards of professional behaviour. The Regulations also establish the process to be followed, the timescales for each stage and the process for appeals to the Police Appeals Tribunals. These regulations were last reviewed in 2005 by Mr William Taylor CBE. His recommendations led to the system being changed from one akin to a court martial process to one based on good civilian employment practice. The process is designed to be faster, with decisions being taken at more appropriate levels of seniority.
- 6.1.31 This review has not considered the discipline regulations in so far as they deal with misconduct and breaches of standards of professional behaviour as they do not fall within its terms of reference.

Medical Retirement (Regulation A20)

- 6.1.32 The Police Pensions Regulations 1987 set out the circumstances in which an officer who cannot continue in the service because of his ill-health or disability may leave on medical retirement. This can happen at any point in his career. This subject will be considered in Part 2.

Severance for Chief Constables and Deputy Chief Constables

- 6.1.33 Deputy Chief Constables and Chief Constables (and their Metropolitan Police equivalents) have severance arrangements which differ substantially from those applying to officers of lower rank. Home Office Circular 036/2004⁹ as amended by PNB Circular 10/3 sets out the process for dealing with non-renewal of a chief officer's fixed-term appointment (FTA) by the Police Authority when the chief officer has not reached full pensionable service.
- 6.1.34 Until 2004, a chief officer whose FTA was not extended had no access to compensation, leaving him financially, as well as professionally disadvantaged¹⁰. This was primarily because pension regulations 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 2004 arrangements provide that officers now receive compensation depending on their ages and lengths of service.
- A chief officer under 50 with fewer than 25 years' service whose contract is not renewed must wait until he is 60 for his pension, whatever his length of service. However, his Police Authority has the discretion to pay him 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 he rejoins within two years, half is repayable.

⁹ Home Office Circular 036/2004, *Chief Officers Pay and Conditions Package*, 25 June 2004, Annex B

¹⁰ Under the Police Pension Regulations 1987 only those leaving with 30 years service or compulsorily on the grounds of efficiency (A19), age, or ill-health (A20) can receive a full, uncapped commutation (or tax-free lump sum).

- While not directly comparable, as these chief officers are on fixed term appointments, it is nonetheless constructive to compare these terms with the most recent public sector scheme, the new Civil Service Compensation Scheme¹¹. Permanent personnel leaving the civil service may first be offered voluntary severance terms of a financial settlement equal to the value of one month's pay for each year of service, to a maximum of 21 months' pay. After that, the individual is given the compulsory terms of one month per year of service up to a maximum of 12 years' service (*i.e.* a maximum of 12 months' salary). The options available to chief officers are more generous than those for civil servants leaving on compulsory terms.
- 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 he would have earned by the time he was 60.
- 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's service to 50% with 25 years' service.
- 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 he will also receive, at age 50, a taxable payment of a proportion of the difference between the lump sum he will receive and the lump sum he would have received at 30 years service, calculated as above for officers over 50. Police Authorities also have discretion to give him 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 he would have earned by the time he reached 50 years' of age.

6.1.35 The Chief Police Officers' Staff Association has submitted¹² that there are adverse tax consequences for a chief officer who leaves when his FTA is not extended, particularly if he leaves just before his completion of 30 years' service. This occurs because there are some officers who, by virtue of their rank in 2003 and 2006, do not have the normal protected police pension age of 50, but are instead subject to the default minimum pension age of 55. If they retire, or their FTAs are not renewed, their pensions are subject to an unauthorised payment charge from HM Revenue and Customs on both the lump sum and the continuing pension payments until they reach age 55. The rate of charge varies between 40% and 55% depending on the proportion of the particular pension payment. For instance, in these circumstances a lump sum which would normally be tax free will be taxed at 55%. At present, officers are unable to elect to defer their pensions until the minimum retirement age if they wish to control when they retire for the more efficient management of their financial affairs.

Recommendation 55 – The Police Pension Regulations should be amended to allow chief officers to make a choice in relation to the time at which their pension benefits crystallise.

6.1.36 Chief Constables and Deputy Chief Constables are currently the only officers who can be required to retire from the police service before they have completed 30 years' service. It is therefore fair that the current severance terms, which are more generous than the new Civil Service Compensation Scheme terms for compulsory redundancy, should continue, at least in the short term. This system will be considered further in Part 2 of the review.

¹¹ *New Civil Service Pension Scheme*, 22 December 2010, Cabinet Office

¹² CPOSA Submission (1), page 5

Recommendation 56 – The existing regime concerning the severance terms which may be provided to Chief Constables and Deputy Chief Constables should be retained in the short-term.

Regulation A19

- 6.1.37 Regulation A19 of the Police Pensions Regulations 1987 enables a police force to require an officer (below ACPO rank) with more than 30 years' pensionable service to retire from the force on the grounds of efficiency¹³. There are no additional costs associated with the use of Regulation A19 for a force. As in a regular retirement, the costs are borne by the police pension fund.
- 6.1.38 Submissions to the review explained that Regulation A19 has not, until now, been used on its present scale. Some Police Authorities including those for West Midlands, Surrey and North Wales, have announced that Regulation A19 will be used. Others, including the Metropolitan Police Authority have ruled it out, at least for the present.
- 6.1.39 The review has been told that there is a degree of legal uncertainty concerning the use of Regulation A19 on the grounds that it may constitute indirect age discrimination. This is because it applies only to officers who have completed 30 years' service, and, since substantial increases in the recruitment of women police officers have taken place within the last 20 years, most of the officers who are now made subject to Regulation A19 are men. It has also been explained that some police forces have obtained legal advice to the effect that if there is an objectively justifiable reason for the discrimination, it may be established that such an action is lawful¹⁴.
- 6.1.40 Regulation A19 has significant disadvantages for workforce planning. The officers are chosen primarily because they have served for at least 30 years; only subsequently is there consideration of the value of their expertise and experience to the police force. Regrettably, the officers in question are the same officers who, under the 30-plus scheme and its successor, were to be encouraged to remain in the police service, in order that their skills and experience are not lost. The need predominantly to rely on Regulation A19 means that forces must balance their need for financial savings against the value of the skills and other qualities of some of their most experienced officers.
- 6.1.41 In its submissions to the review, ACPO argued that Regulation A19 needs to become a more 'agile' tool, to control officer numbers in the face of reducing budgets¹⁵. It is accepted that Regulation A19 needs to be considered in the wider context of workforce planning mechanisms in Part 2 of the review. In the short term, therefore, I believe that Regulation A19 should continue to be available to the police service, as it is one of the only tools available to forces which allows them to make compulsory reductions in their workforces.

Recommendation 57 – The criteria for the use of the powers in Regulation A19 should be amended, with service-critical skills and performance being explicit considerations.

Voluntary and Compulsory Exits

- 6.1.42 At present, forces do not have the same degree of flexibility to determine workforce structures, size and composition as is available in most other organisations. It is almost always the choice of the individual officer to stay or go. The numbers of officers who are compelled to leave

13 Officers who commenced service on or after 6 April 2006 are covered by the Police Pensions Regulations 2006. Regulation 20 is equivalent to Regulation A19, but compulsory retirement in the interests of efficiency of the service is only for those over the age of 55 with a minimum of 35 years' service. No officer who falls under the 2006 regulations will yet have accrued enough service to come under Regulation 20.

14 *Review of Remuneration and Conditions of Service for Police Officers and Staff Metropolitan Police Authority and Mayor of London Officer Response*, October 2010, page 19

15 ACPO Submission, page 34

police forces and for which the review has data – dismissals – are very small¹⁶ accounting for just 2.4% of exiting officers (see Table 6.2). Table 6.2 shows that a large proportion of dismissed officers are probationary officers, though this proportion has decreased in recent years from a high of 38.9% of dismissals in 2003/04 to 9.8% of dismissals in 2009/10. In the cases of most public organisations, it would be surprising to see significant numbers of compulsory departures over the decade shown in Figure 6.2, in the light of the general increases in public spending which took place in that period. However, the reductions in police budgets from 2011/12 will compel police forces to contemplate significant changes. Other public sector organisations expect to effect significant staffing reductions over the next four years. Forces can only reduce officer numbers, currently 63%¹⁷ of the total police workforce, in a crude way using Regulation A19, which (as explained) has adverse consequences for their pools of experts, or by suspending recruitment. Alternatively, forces must rely on natural wastage, which may secure insufficient savings. ACPO has submitted that at least some forces are likely to need to reduce officer numbers over the coming comprehensive spending review period, and that current tools are likely to prove insufficient¹⁸.

Police officer dismissals by year		
Financial year	Dismissed Officers	Dismissed Officers as % of leaving Officers
2002/03	168	2.2%
2003/04	157	2.2%
2004/05	134	1.8%
2005/06	188	2.1%
2006/07	156	1.9%
2007/08	174	2.2%
2008/09	130	1.7%
2009/10	164	2.4%

Source: Home Office Annual Data Return 581. These data are previously unpublished and have not been verified with forces

- 6.1.43 Inevitably this protection for, and lack of control of, the officer workforce has adverse consequences for police staff. Unlike police officers, police staff can be offered voluntary severance and early release packages and be made redundant, if necessary in large numbers. It is therefore inevitable that they will bear the greatest burden of workforce reductions¹⁹, which may be unfair. The pool of staff who are susceptible to compulsory redundancy is likely to be reduced still further, because Police Community Support Officers (PCSOs) will probably be protected in forces which choose to use the Neighbourhood Policing Fund. This is a ring-fenced central fund which pays up to 75% of the salary costs for PCSOs, the remainder being match-funded by the police force, local councils, businesses and other organisations.
- 6.1.44 This imbalance in the ways in which police staff and police officers may be required to leave police forces can cause forces to make decisions which are not in the public interest. It can mean managers will be compelled to make decisions which achieve financial savings in the short-term but which, in the longer-term, will adversely affect the retention and development

16 A19 is included in normal retirement data

17 HO Annual Data Requirement data for 2009/10 on police strength

18 *Submission to Tom Winsor: Proposals for a Police Officer Early Retirement and Voluntary Severance Scheme*, Chief Constable Peter Fahy, Head of the ACPO Workforce Development Business Area, December 2010

19 ACPO Submission page 31

of skills in police staff and even the purchase from external providers of services in the cases of certain functions. It could also operate against a policy of returning officers who do office-based administrative jobs to frontline policing, thus improving productivity and value for money.

- 6.1.45 The present system does not allow for adequate workforce planning by police forces. In general, police officers decide when they will leave. As Mr Mick Williams of KPMG explained at the review's seminar on exits and pensions, once an officer has successfully completed his probation, and as long as he faces no UPP proceedings of a serious disciplinary nature, he can expect to serve for another 28 years with no critical review by the force as to whether this is in the best interests of the public or the service²⁰. Such a regime makes police service effectively a 30-year contract. At a time when police force budgets must be reduced, forces are compelled to use blunt tools which may have adverse consequences on the skills and mix of the workforce, and, therefore, on the effectiveness of the service. The current system also places a disproportionate burden on police staff, since they constitute the only part of the police workforce which senior management can restructure and reduce in ways available to other public and private sector organisations. This is unfair on police staff.

Voluntary Severance and Early Retirement

- 6.1.46 The review has received representations from a wide range of consultees to the effect that the establishment of some form of voluntary severance and early retirement regime would be a fairer and more appropriate way of reducing the police workforce. Such a system would not be inconsistent with the office of constable, since such early severance arrangements already apply to officers with more than 30 years' service (Regulation A19) and chief officers on fixed term appointments.
- 6.1.47 I have concluded that it is right that police forces should be given the ability to offer police officers fair terms for voluntary severance and early retirement. A voluntary severance scheme would require amendment of the Police Regulations 2003. An early retirement scheme would require the amendment of the Police Pension Regulations.
- 6.1.48 While affordability is of course important, in principle that which is done for the police service should be modelled on the most advanced and well-designed of alternative systems of compensation. Accordingly, it is recommended that the terms of the new Civil Service Compensation Scheme (CSCS) are the most appropriate²¹. This system was developed to be fair to civil servants and taxpayers and has been subject to the recent scrutiny and approval of Parliament. It would also enable police forces to offer officers terms which are best suited to their individual circumstances, within the range of the scheme. In this way, it would allow a degree of local flexibility within a national framework.
- 6.1.49 The best CSCS voluntary terms are considerably more generous than ACPO's proposal. ACPO proposed a national payment of two weeks' pensionable pay for each completed year of service up to six years, as opposed to a range from the statutory minimum to two months' pay per year with a maximum of 21 years' service. Another key difference between the CSCS voluntary terms and the ACPO proposal is that the CSCS does not allow organisations to offer pension enhancements to those who are above the minimum pension age. This is because, as a matter of public policy, it was decided that it is no longer appropriate to offer enhancements to pensions when there is a growing tendency for people to work for longer. In addition, enhancing a pension is very expensive, and the money saved from removing that element can be recycled back into the scheme. Individuals on the Civil Service Scheme can choose to sacrifice some or all of their lump sums to remove the actuarial reduction, that is the amount actuaries decide a pension should be reduced by when it is paid early, with the organisation having the option under the voluntary scheme of making up the balance if necessary.

20 Exit and pensions seminar, pages 56 to 57

21 This came into effect on 22 December 2010 following Royal Assent of the Superannuation Act 2010. This scheme followed negotiations with the civil service unions.

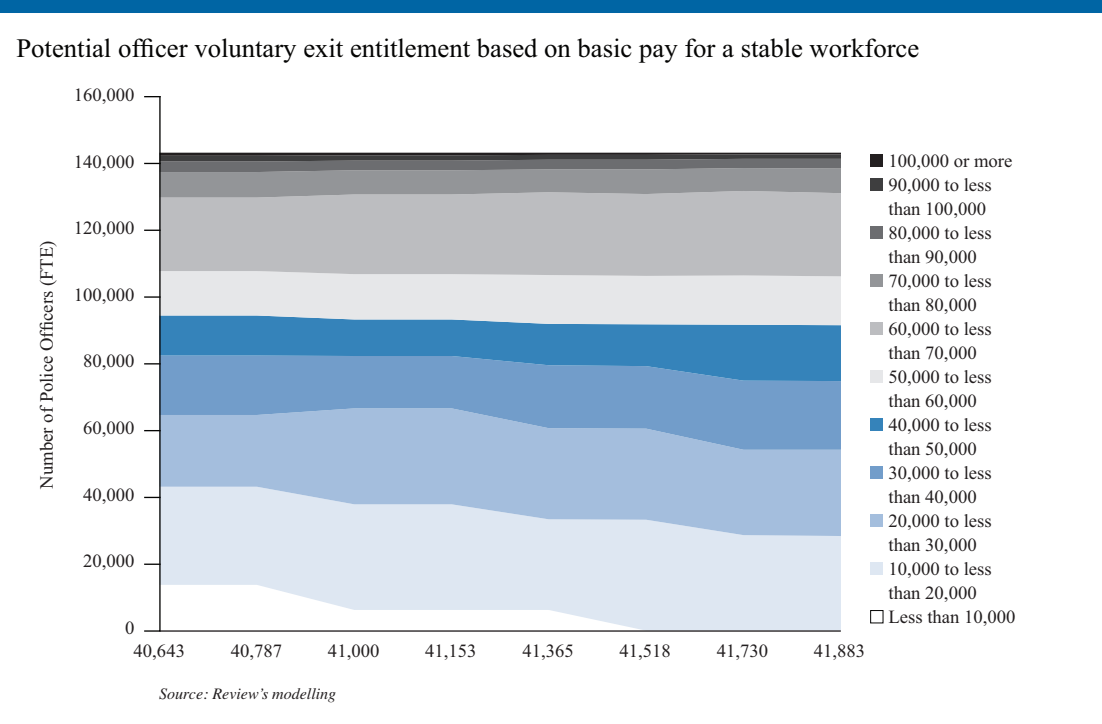
- 6.1.50 Police officers on the 1987 pension scheme, whose pensions accrue at double the normal rate in the last ten years of their 30 years' service, may well feel that lack of direct enhancements of extra years removes the incentive to take early retirement. However, they would be able to buy an actuarially unreduced pension, which is in itself a benefit. It would be for each individual to decide whether such a purchase would be an economically wise step to take. Enhancing pensions at public expense may be very expensive and so unaffordable, and is ultimately unfair on subsequent generations of officers who are unlikely to receive enhancements. On the question of when officers leaving early should be entitled to receive their pensions, the Home Office will need to explore with HM Revenue and Customs what age or length of service would be appropriate in the current tax regime.
- 6.1.51 When considering the recommended CSCS compulsory terms against the existing chief officer compensation scheme, which also effectively deals with compulsory severance, the latter is significantly more generous. This is because the CSCS was designed to encourage voluntary departures using reducing terms. The CSCS "Voluntary Exits" terms are more generous than the chief officer scheme. As chief officers are currently the only police officers who can be compelled to leave the police service before 30 years' service, it would be unfair to reduce their existing terms to mirror the CSCS terms. Depending on force policy, chief officers could also engage in the voluntary scheme²² if they so wished.
- 6.1.52 ACPO is correct when it argues that officers whom the Chief Constable has decided are essential should be ineligible for voluntary exit as should officers currently suspended from duty or established to be underperforming²³. Such officers are those who have reached Stage 3 under UPP procedures in the previous 12 months before the voluntary exit process is initiated. Officers with more than 30 years' service should also be ineligible as they can leave under A19 arrangements.
- 6.1.53 In relation to the funding of a scheme which provides for voluntary departures, this should be met from the financial provisions which police forces have already made in their budgets for the reduction of their workforces.

Recommendation 58 – As quickly as possible, police forces should be provided with the ability to offer voluntary exit terms to police officers, substantially on the terms contained in the Civil Service Compensation Scheme 2010.

²² Under the CSCS rules, Chief Constables in the upper half of the pay range (see Rewarding Contribution), and their Metropolitan Police equivalents, would have voluntary payments capped at six times private sector median pay (currently set at an approximate £150,000).

²³ *Submission to Tom Winsor: Proposals for a Police Officer Early Retirement and Voluntary Severance Scheme*, (Chief Constable Peter Fahy, Head of the ACPO Workforce Development Business Area), December 2010

Figure 6.2



6.1.54 This chart shows that the severance package to which more than half of officers would be entitled would be up to a maximum of £40,000. As a severance package is based on both salary and length of service, it is logical that the lowest range of payments, that is less than £10,000, ceases to be relevant in the summer of 2013. At this point, all officers in this stable workforce with no joiners, would have sufficient length of service to move into the next bracket of £10,000 to less than £20,000.

Compulsory severance

6.1.55 The question whether police forces should have the power to compel a police officer to leave the force is, understandably, controversial. It is discussed in terms of redundancy of police officers. However, I am aware that officers are not employees and, therefore, cannot be made redundant. Rather “redundancy” for officers would involve a loss of office on a compulsory basis.

6.1.56 At present, it is not possible for a police force to require a police officer with fewer than 30 years’ service to resign or retire on the grounds of efficiency. If the officer in question has not had an adverse finding justifying dismissal made against him in disciplinary or unsatisfactory performance proceedings, he has security of tenure. This is not the case with officers who have already reached their full pension entitlement, that is at 30 years’ service. Such officers can be required to resign on the grounds of efficiency under Regulation A19 of the Police Regulations 2003. As explained, some chief officers are concerned that, with the current pressures to reduce police force expenditure, they are (or may be) forced to shed highly experienced officers using Regulation A19 when they most wish to retain some of them, especially the most highly specialised.

6.1.57 Some consultees have advocated the introduction of a right of Chief Constables to make police officers with fewer than 30 years’ service compulsorily redundant. Whilst this misunderstands that police officers are not employees but rather officers under the Crown, I have interpreted these representations as advocating a system analogous to redundancy.

6.1.58 In oral evidence, it is clear that many of the advocates of such a redundancy regime misunderstand the legal nature of redundancy. It is apparent that an appreciable proportion confuse redundancy with dismissal on the grounds of conduct or capability, because they have told the review that they have officers in mind whom they would wish to see leave the

police force because of unsatisfactory performance or inefficiency, and that a right to make police officers redundant would give them the chance to remove these officers. This is not redundancy. Redundancy, in employment law, means that the role in question no longer exists. If there were a power to make officers redundant, the police force would first have to show the fact that the requirements of the police force for officers to carry out work of a particular kind generally or in the place where the officer is employed by the police force have ceased or diminished or are expected to do so. It would then have to identify which officers are in those roles and are at risk of redundancy. Only at that point would the police force make selections of individual officers for redundancy, assuming that the force did not require to eliminate the entire activity in question.

- 6.1.59 It is true that, having reasonably concluded that a redundancy situation exists, the employer is entitled to make his selections for redundancy on the grounds of efficiency, competence and other relevant factors, and poor performers who are in jobs of the kind which are to be made redundant are more likely to be selected for redundancy than people who are performing satisfactorily. But there is a critical distinction between redundancy and dismissal on the ground of conduct or capability, and a police force with such a right to make officers redundant would have to proceed with extreme care to ensure that it is not effecting dismissal under the cloak of pretended redundancy.
- 6.1.60 The Police Federation²⁴ argues that a power of redundancy fundamentally conflicts with the office of constable, and would inhibit the use of police officers' legal authority and discretion. The general secretary of the Federation gave an example of a police officer being inhibited from exercising his power of arrest in the case of a senior police officer, with lawful reason, because he would be concerned that such a step would render him more likely to be selected for redundancy²⁵. The Superintendents' Association questioned whether redundancy would be appropriate given the unique status of the office of constable²⁶. It is also understood that at least some ACPO officers do not believe that police officers with fewer than 30 years' police service should be susceptible to being required to leave the police service, unless they have had a sufficiently adverse determination made against them in the UPP process. In its supplementary submission to the review, ACPO did not recommend a compulsory scheme²⁷.
- 6.1.61 The Police Federation also raises issues of practicality and fairness. The general secretary argues that the training and development of a police officer is a long and expensive process, and that accordingly making redundancies could have long-term adverse consequences on the effectiveness of a police force. He stated that, in contrast, police staff functions, which he said required "more general" skills could be quickly filled from outside the police force if required²⁸. The Police Federation also expressed the concern that a power of redundancy could be used to remove officers seen as difficult, poor performers or those disliked by the management of a police force. Both the Police Federation and the Superintendents' Association also pointed out that, in addition to other restrictions on their private lives, police officers cannot strike, and that protection from redundancy is the corollary of this.
- 6.1.62 Submissions on this issue were also received from the principal trade unions representing police staff. Prospect argued that there is no good reason for the difference between police officers and police staff in this respect²⁹. Unison said that forces need to be able to make balanced decisions over the configuration of their workforces; without which progress on developing a modern police workforce could be reversed³⁰. Mr Malcolm Doherty, Chairman of the Police Staff Council, said that police forces could find that civilian staff in roles such as call-handling and scientific support have had to be made redundant and their places have

24 Police Federation submission (1), pages 50-51

25 Exits and pensions seminar, pages 100-102

26 *Submission: Review of Remuneration and Conditions of Service for Police Officers and Staff*, The Police Superintendents' Association of England and Wales, October 2010, page 27

27 ACPO – Proposals for a Police Officer Early retirement and Voluntary Severance Scheme, Paper of Chief Constable Peter Fahy, Head of the ACPO Workforce Development Business Area

28 Transcript Exits and Pensions, pages 100-102

29 Prospect Submission, page 7

30 Unison Submission, page 40

been taken by police officers who are less well-trained in the work in question, have perhaps significantly less experience and are, therefore less efficient, but who are significantly more expensive³¹. This view was shared by South Yorkshire Police Authority, which argued that whilst any such power of redundancy would probably come too late to assist with the current budgetary changes facing police forces, more equal treatment of police staff and police officers would be beneficial in future³². The Association of Police Authorities shares this view, arguing that the lack of a redundancy power is a significant barrier in the short term to police forces managing budget reductions, and in the longer term would inhibit or frustrate productivity gains and value for money³³.

- 6.1.63 The special position of the office of constable is not inconsistent with a police force holding a power analogous to redundancy for police officers with fewer than 30 years' service. As explained, this is because compulsory early severance arrangements already apply to officers with more than 30 years' service (Regulation A19) and chief officers on fixed-term appointments. It is also noteworthy that the British Transport Police has a redundancy scheme for police officers as well as police staff. In practice, however, workforce reorganisations have always been managed on a voluntary basis because, even when contemplated, compulsory redundancy rarely constitutes value for money³⁴. British Transport Police officers are denied the right to belong to a trade union³⁵, instead being represented by the British Transport Police Federation. The full-time Police Reserve in Northern Ireland is also covered by a compulsory scheme, stemming from recent changes in the approach to policing in Northern Ireland.
- 6.1.64 Although police officers are not employees, many of the protections enjoyed by employees, particularly those relating to discrimination, have been extended to them. It is also true that officers have restrictions on their private lives, but we understand that some (such as officers being required to move house) are rarely used in England and Wales. The specific restrictions raised by both the Police Federation and the Superintendents' Association – the absence of a right to strike or to join a trade union – also apply to the armed forces. They can, however, be made redundant.
- 6.1.65 A redundancy process, if there were to be one, must have a fair selection procedure to protect people from discrimination or unfair selection. Safeguards exist for employees who are subject to redundancy, and any mechanism to enable police forces to remove officers in this way would also carry a right of appeal. Victimisation of police officers through the misuse of a redundancy scheme is extremely unlikely to occur to any greater degree than in other occupations, and if such a scheme were to be established, police officers would have at least the same protections as workers in other jobs.
- 6.1.66 The training and development of police officers is expensive. Forces would, of course, have to manage any removal process with care so as to ensure that they do not lose important skills or experience which could harm their performance. This balance between workforce reduction and performance maintenance is one that many organisations in both the public and private sectors already have to manage.
- 6.1.67 There are strong arguments for introducing some form of redundancy (or rather a system analogous to redundancy) for police officers. In the short term, police forces face budget reductions, and need to be able to move more swiftly, should it prove necessary, to restructure their whole workforces. I accept ACPO's view that it may well not be necessary to establish a compulsory redundancy scheme in the near future, and that a system which provides for voluntary severance on fair terms will be sufficient.
- 6.1.68 Because of the complexities and costs of any system of redundancy, it is apparent that a power of redundancy alone is the only way – and is certainly not necessarily the best way – of empowering police forces to make the necessary changes in their workforces.

31 *Submission to the review*, Chair of the Official Side of the Police Staff Council, page 4

32 *Submission to the review*, South Yorkshire Police Authority, page 1

33 APA submission, page 28

34 *Submission to the review*, British Transport Police, page 4

35 Section 30 of the Railways and Transport Safety Act 2003

- 6.1.69 Consideration should be given to a career structure for police officers similar to the ones which have been in place for many years in the armed forces. This was suggested as an option worthy of investigation by ACPO³⁶, Chief Constable Alex Marshall of Hampshire³⁷ and Mr Mick Williams of KPMG at the review's seminar on exits and pensions³⁸. Representations have been received from police officers of a variety of ranks and on the review's website in connection with this and an appreciable proportion has been in favour of such a system³⁹.
- 6.1.70 Under such a regime, there would be specified fixed points in a police officer's career at which he could decide to leave the police staff with dignity and on fair terms, or at which the police force could determine that he should not continue in the force on the grounds of his performance and efficiency and wider considerations of the projected needs of the police force in succeeding years.
- 6.1.71 Such a system would have an appreciable number of advantages over a compulsory redundancy regime. Police officers would be able to plan their careers, knowing the timing of a potential break point. As the quality and consistency of a police officer's performance would play a part in the decision whether he should continue in the service, a fixed term appointment regime of this kind would also invest in the performance appraisal process a degree of importance and therefore robustness and honesty of management attention which, at present, it often lacks.
- 6.1.72 In relation to the importance of police forces not permanently losing the skills and experience of police officers, consideration should be given to the establishment of a police reserve. The army has the regular army reserve, to which former service personnel have obligations depending on factors such as their length of service and age. They are available for duty, although they are seldom called upon in times other than national emergencies. Part 2 of the review will consider the question of whether there should be a police reserve.

Part-time Working

- 6.1.73 Under Regulation 5(4) of the Police Regulations 2003, police officers who have been working on a part-time basis and wish to return to work to full-time are required to give their Police Authority a minimum of one month's notice of their return to full-time work. The officer must be appointed (a) within a month of his notice if there is a suitable vacancy, or (b) within three months of the notice.
- 6.1.74 I recommend that the minimum notice period of one month that a part-time worker should give to his Police Authority be extended to two months. The Police Authority should then have an additional two months to appoint the officer to a full-time post if a suitable vacancy has still not become available. This means the part-time worker and the Police Authority are treated equally, the part-time worker has two months notice to return and the Police Authority two months notice, instead of one, to find the worker a post. However those who wish to work part-time, particularly parents, carers and those with disabilities, will still have the confidence that they can return to full-time working should they wish.

Recommendation 59 – Regulation 5(4) of the Police Regulations 2003 should be amended so that an officer giving written notice to return from part-time to full-time working, must be appointed by the Police Authority within two months if the force has a suitable vacancy, and within four months of the notice being received.

³⁶ ACPO submission, page 34

³⁷ Alex Marshall QPM Submission, page 1

³⁸ Exit and pensions seminar, pages 25 and 58

³⁹ One commenter wrote: "Introduce length of service contracts for new recruits, similar to the armed forces. At present I'm sure there are officers who would like the opportunity to leave, but feel restrained to stay due to pension arrangements. These officers may consequently not be the most enthusiastic or productive. A short term contract may be attractive to people who do not want to commit to one career for 30 or 35 years."

6.2 Staff

- 6.2.1 Police staff are currently employees of the Police Authority⁴⁰. As employees, like the vast majority of the workforce of England and Wales, they can be made redundant, and can take part in voluntary release or early retirement schemes. The applicable redundancy terms are those of their employing local authority.
- 6.2.2 Staff in the Metropolitan and City of London Police receive a civil service pension and so are eligible for the new Civil Service Compensation Scheme.

Recommendation 60 – The current system of severance for police staff, with its local flexibility, is appropriate and should remain.

⁴⁰ In the Police Reform and Social Responsibility Bill, it is proposed that police staff will become employees of the Chief Constable

7 Managing ill-health

The police service has a moral duty to look after its officers and staff, especially those who are injured in the course of duty. Nevertheless, the restricted and recuperative duty designations available for officers need better and more focused management over the coming years, particularly as the pressure for forces to become more efficient increases. The progress which many forces are making in this area is encouraging. However, in the longer term change is necessary to make police forces more resilient and better able to deal with the unexpected. Key to this is the treatment of officers who are permanently unable to perform as constables, a small but significant proportion of the officer workforce. This may require a fundamental change in the way a police career is structured. Part 2 of the review will consider what, if any alterations should be made to police officer career structures.

Consideration in Part 2 will also be given to focusing ill-health pensions more on the degree to which an individual can work in the future. However, it would be imprudent to recommend detailed changes before considering the full implications of Lord Hutton's final report on pension reform in March 2011.

Part 2 of the review will consider two issues in this area on which representations are invited:

- whether there are other ways in which police officers who are unable to perform a role requiring the office of constable could be treated, other than ill-health retirement, including transfer to police staff terms and conditions;
- whether length of service should be the sole focus of medical retirement under the Police Pension Scheme 1987 or whether other factors such as the severity of an officer's disability should be considered.

- 7.0.1 Ill-health can affect anyone at any time, but working for the police can be a particularly stressful and at times physically dangerous occupation. Like any good organisation, police forces have policies for dealing with both short- and longer-term ill-health of officers and staff. This chapter sets out the current position for both parts of the workforce and sets out areas for consultation for Part 2 of the review.

7.1 Officers

Longer Term Restrictions

- 7.1.1 The nature of the work of a police officer means that incapacity can present particular problems for officers. Despite increasing specialisation, officers can still, in theory at least, be redeployed at any time and to any role should the situation require it. However, officers with some health problems may not be universally deployable. If an officer is deployed to a role for which he is no longer physically suited, he could present an unacceptable risk to himself, his colleagues and to the public. Police forces have two types of duty designed to deal with officers who suffer from longer-term ill-health. They are recuperative duties and restricted duties.

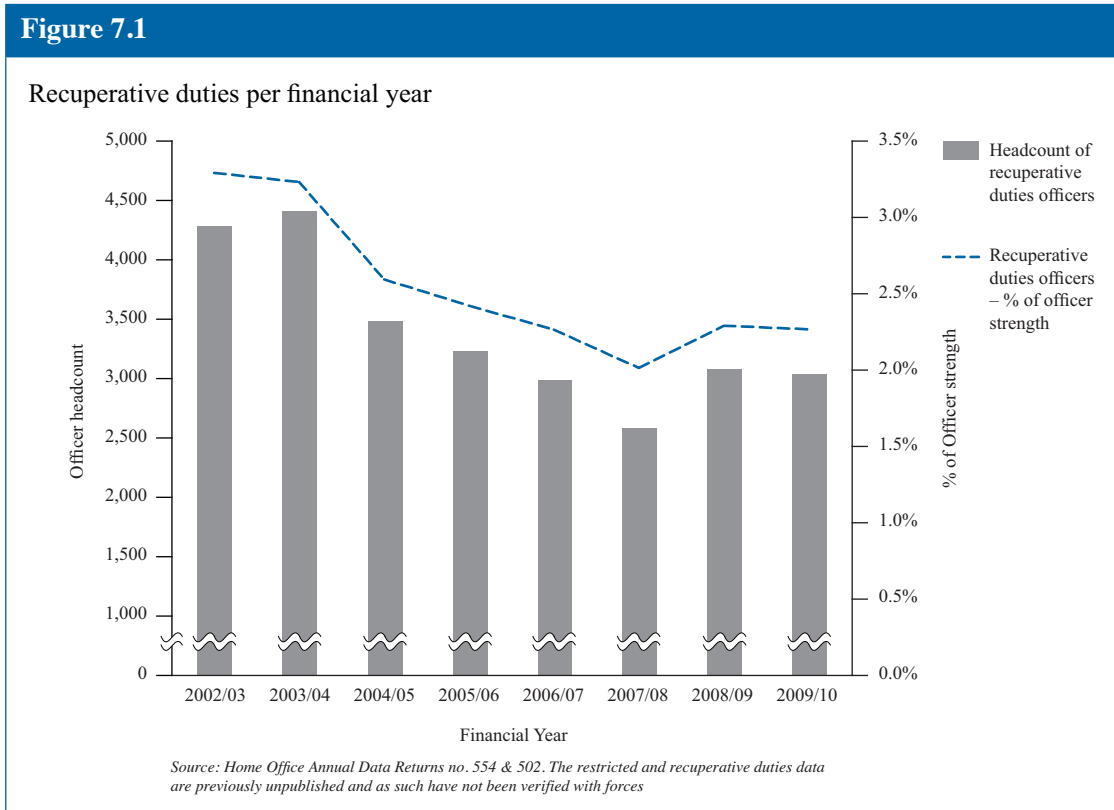
Recuperative Duty

- 7.1.2 Recuperative duty is a short-term programme, designed to enable an officer to return to work earlier than he would otherwise have done while he recovers from illness and injury, and in a safe environment. He would be given limited duties, in terms of hours or work or both, but the expectation is that he will return to being fully operational in due course.
- 7.1.3 Recuperative duty is designed to help officers re-integrate into their forces¹. It is time-limited, based on the individual officer's circumstances. During this period, he should be actively

¹ Home Office Circular 026-2008, *Guidance on Attendance Management*

managed to return to normal hours and tasks as quickly as possible. Recuperative duty is normally not expected to last longer than 12 months.

- 7.1.4 When it is clear that the officer is unlikely to return to full operational duty, he is normally moved onto restricted duty.
- 7.1.5 It is not currently possible under Police Regulations 2003 to pay an officer, returning work after a certain period of recuperative duty, only for the hours he works, with his sick pay entitlement providing him with an income in respect of the working hours he misses. Forces currently continue to pay officers on recuperative duty for their full hours.



- 7.1.6 Data show that the number of officers on recuperative duties declined from a peak of 4,500 in 2003/4 until 2007/8 when 2,859 officers were on recuperative duties. Numbers have since risen slightly, to 3,264 officers in 2009/10, currently standing at 2.2% of total national officer strength.
- 7.1.7 The Police Federation considers that recuperative duty is an essential tool for a good employer, enabling it to structure an officer’s return to work, building him back to performing his normal role². I agree. Used properly, recuperative duty enables an officer to return to work gradually, whilst still maintaining his skills and contacts with his colleagues. Although the number of fully deployable officers is inevitably reduced when an officer is on recuperative duty, this would be the case were that officer fully off-duty, and losing touch with his normal working environment. As with many personnel issues, good management is essential to the effective use of recuperative duty.

Recommendation 61 – Forces and their occupational health departments should continue to develop and improve schemes to monitor the use of long-term sickness, recuperative duty and restricted duty, to improve the management of those on restricted duties and work with officers to bring them back to full duties as quickly as possible.

- 7.1.8 Part 2 of the review will consider whether there should be greater regulation of recuperative duty, with the possibility that it will be brought to an end in the relatively short term. If such a reform were introduced, officers who have not been able to return to work fully might move onto restricted duty until such time as they recover.
- 7.1.9 Part 2 of the review will also consider whether changes should be made to the pay regime for officers on recuperative duty with particular regard to how it aligns with sick pay.

Restricted Duty – Health Grounds

- 7.1.10 Officers on restricted duty are constrained in the operational duties they can undertake, normally permanently, although restricted duty can cover a temporary condition such as pregnancy. Restricted duty is a health and safety measure based on an identified risk, and is designed to keep officers away from aspects of police work which might be dangerous for them or for others.
- 7.1.11 The nature of restricted duty depends on the individual. There is no nationally agreed definition. Restricted duty could last for several months, or for much of an officer's career. The restrictions can range from being unable to carry a firearm or be a Class 1 (or advanced) police driver to not being able to work at night or be involved in confrontations.
- 7.1.12 An officer on restricted duty may be covered by equality legislation on disabilities, although not everyone with a disability is on restricted duty (for instance, people with dyslexia or diabetes)³. While only an employment tribunal (or the courts) can finally determine who is protected under disabilities legislation, occupational health departments will consider whether someone is "likely to be assessed by a tribunal" as disabled. Discipline and performance processes still apply to officers on restricted duty, including those likely to come under disability equality legislation.
- 7.1.13 The Equality Act 2010 requires employers to make reasonable adjustments for disabled employees to avoid putting them at any disadvantage to their colleagues. This could mean, for instance, taking steps to enable a person to work on the ground floor if his workplace is without a lift, and he has difficulty climbing stairs. The law does not require employers to continue to employ people for whom reasonable adjustments cannot be made. However larger employers such as police forces would need to demonstrate that they have made all reasonable adjustments, including moving the officer to a different post, before they can dismiss an officer with a disability. Obligations under other legislation, such as the Health and Safety at Work etc. Act 1974, may have the effect that it is not possible to make any reasonable adjustment, and may justify discrimination against a disabled person. For example, it would be lawful to withdraw the authorisation of a firearms officer on the grounds of his failing eyesight.
- 7.1.14 What will amount to a reasonable adjustment in any particular case will depend on the particular facts, but previous decisions of the courts⁴ suggest that the following can, in appropriate circumstances, be reasonable adjustments:
- transferring a disabled officer to a vacant post in the force.
 - creating a new post specifically for the disabled officer (but not if the post is unnecessary for the force).
 - requiring another officer to swap jobs with the disabled officer

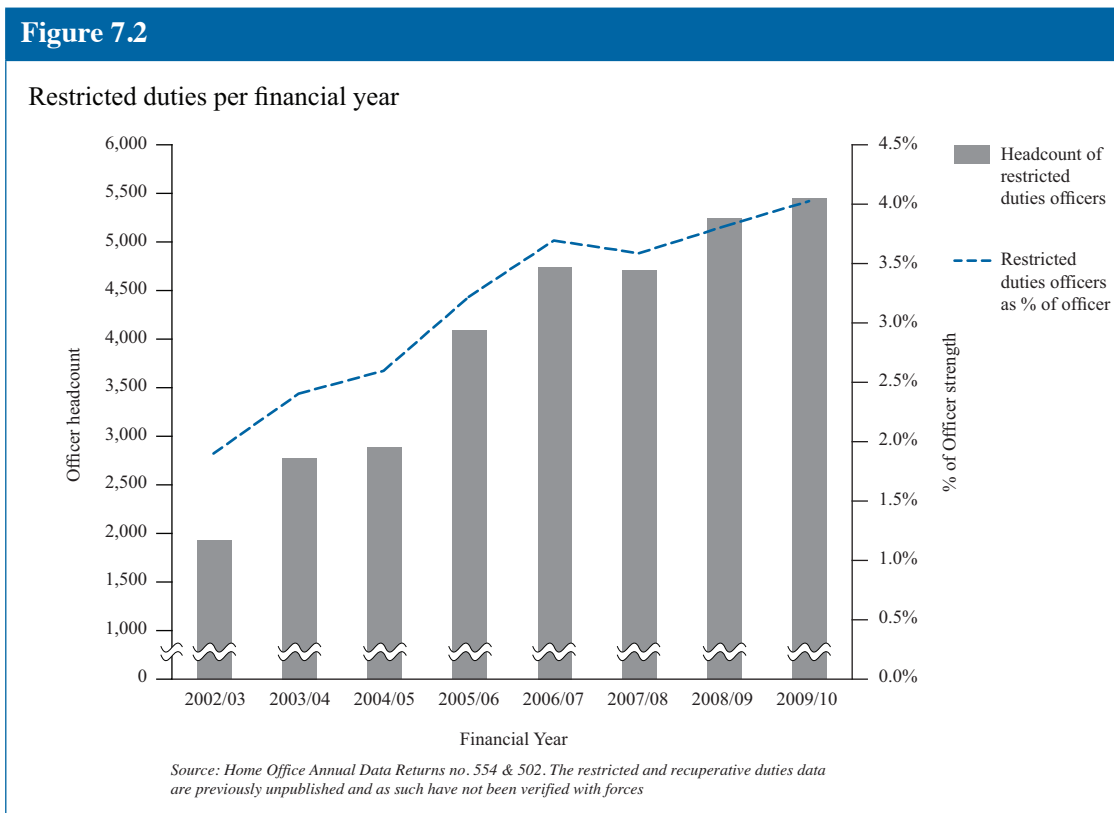
3 Police officers have been covered by the Disability Discrimination Act 1995 (now the Equality Act 2010) since October 2004. They are also covered by European legislation. A disability is a condition or impairment which is long lasting or likely to last at least twelve months and has a substantial and long-term adverse effect on the person's ability to perform normal day-to-day activities. It can also cover fluctuating or recurring conditions. These could range from a severe condition which dramatically affects daily life, to conditions where people may not consider themselves disabled such as a person with dyslexia.

4 Of particular relevance to the police are the cases of *Mr P N James v The Chief Constable of Norfolk* (2008) and *The Chief Constable of South Yorkshire Police v Jelic* (2010).

- offering the disabled officer employment as a member of police staff, on police staff terms and conditions
- transferring a disabled officer to what had been a police staff post, but on police officer terms and conditions.

7.1.15 In relation to police probationers, the duty to make reasonable adjustments does not extend to relaxing the requirement to complete the core competencies set out in the initial police learning and development programme. (However, the approach taken in relation to serving officers, and set out in published Home Office guidance, has been to try to deploy the officer to another post, even where their disability is such that he would not be able successfully to complete probation.)

7.1.16 There is also currently a case before an employment tribunal which further considers this issue as it relates to probationary officers. It may provide clarity in relation to serving officers and probationary officers. The judgment is expected in 2011.

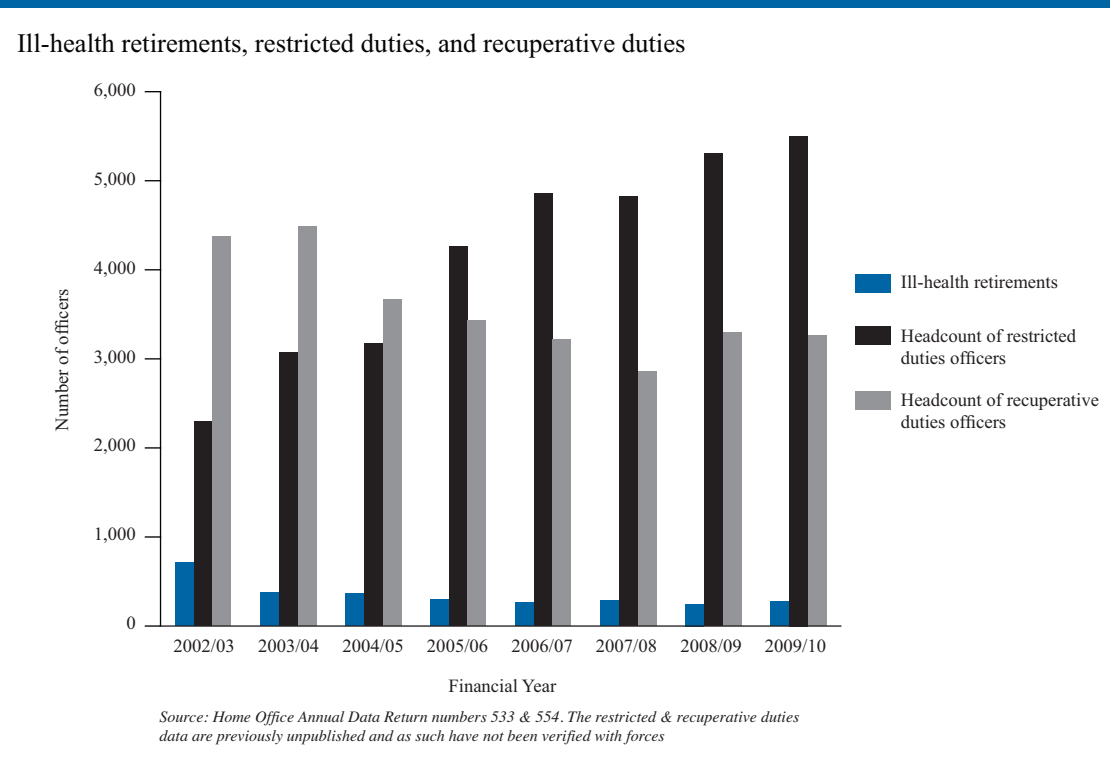


7.1.17 As Figure 7.2 shows, the use of restricted duty has doubled over the last eight years, from 2,299 officers nationally in 2002/3, just under 2% of officer strength, to 5,499 officers, or 4%, in 2009/10.

7.1.18 Levels of restricted duty vary greatly between forces. For instance, in 2009/10, Warwickshire Police reported that it had 13.9% of its officers on restricted or recuperative duty⁵. By contrast, Cambridgeshire and Derbyshire reported none, whilst Cumbria reported 0.4%. It should be pointed out that these data are previously unpublished and therefore have not been verified with forces.

⁵ Home Office Annual Data Requirement data 2009/10. There is a wide variance in the number of officers on restricted duty. It has been assumed that those police forces which said in their returns to the Home Officer that no officers were on restricted duties are correct.

Figure 7.3



- 7.1.19 Putting restricted duty in context shows that the number of restricted officers has risen substantially over the past eight years (Figure 7.3), whilst ill-health retirements have fallen significantly, from 708 in 2002/3 to 275 in 2009/10 (a 61% decrease). However, this fall in ill-health retirements does not account for the increase in the numbers of restricted officers from 2,299 to 5,499, an increase of 139%. Even assuming the 25% decrease in recuperative duty has contributed to this in some way (perhaps through earlier identification of health issues as being of a long-term nature), the increase in restricted duty officers is dramatic and suggests much larger issues are at play.
- 7.1.20 Police forces may be becoming more risk averse. If an officer could pose an increased risk to himself or others, he is likely to be placed on restricted duties, even if the officer in question does not wish it. Weight-problems and obesity can cause increased joint problems, heart disease and other conditions, and it is understood that these problems are present and increasing in police forces as well as in society at large. These conditions, together with those related to middle age, may be exacerbated if changes to pensions lead to police officers staying in their forces for longer. I am considering the introduction of a regular physical fitness test for all officers, in part to improve the overall health of the workforce. I will consult on this in Part 2 of the review.
- 7.1.21 Contributors to the review's seminar on exits and pensions were divided on the issue of restricted duty. There was a marked separation between the official side (those responsible for managing forces), and the Staff Side (those representing officers). Both sides acknowledged that restricted duty is a useful tool but needs careful management; balancing centralised processes, with treating officers as individuals. It was asserted that some officers are on restricted duty more because they are demotivated, tired and want to move from the front line, than for specific reasons of ill-health. This point was also made in comments on the review's website. The consensus was that such people need supporting rather than being given restrictions. The Superintendents' Association said that the numbers of officers who might be described as malingering are very low⁶. The Police Federation argued that there are performance management processes to deal with officers who are not performing for other reasons.

⁶ Exit and pensions seminar, page 14

- 7.1.22 There was also agreement that forces need to be supportive of those with injuries and illness. It was said that managers tend to believe that officers who have been injured in the execution of their duties should be treated differently (and more favourably) than those with injuries sustained in other circumstances or illnesses which could affect any person. There was some discussion over whether it would be desirable, to transfer officers, no longer able to do jobs requiring the office of constable, gradually onto the terms and conditions which apply to police staff. The Police Federation argued that many officers develop illnesses related (although not directly), to work, and that this should not be disregarded. It was said that officers who are unable to perform the full duties of a constable up to the age of 55 could be adequately dealt with by being given a police pension⁷. It was acknowledged that it could be difficult, in some cases, to distinguish between a condition which is work-related, and another which is not. Difficulties could also arise in determining whether an injury has been sustained whilst on operational duty.
- 7.1.23 There was also a view that many restricted officers have much to contribute to forces, and it was welcomed that this is becoming more recognised. During the review's seminar on exits and pensions, an example was given of a surveillance officer who had lost a leg on duty. He was restricted from doing roles with potential confrontation, but his experience was highly valued in the economic crime unit. There was general agreement that solutions would need to fit within existing legal frameworks on disability.
- 7.1.24 In its submission, the Police Federation argues that there should be no change in current procedures other than better management training to understand duties under employment law⁸. The Superintendents' Association also rejects the suggestion that current arrangements for recuperative and restricted duty are fundamentally flawed⁹. ACPO argues it is increasingly difficult for forces' to make provision for restricted-duty officers, when trying to reduce workforce numbers. This affects forces' ability to deploy officers. It also raises equality and value for money questions when police staff and police officers work alongside each other, doing the same work, but on different salaries. It suggested consideration should be given to whether there could be exemption from, or amendments to, disability legislation as it applies to the police, and that there should be changes to enable movement between officers and staff roles, so people can be paid at the appropriate rate for the job¹⁰.
- 7.1.25 There was also vigorous debate regarding restricted duty on the review website. Some contributors welcomed the growing recognition of the roles which restricted officers can play, and the value of not automatically retiring highly trained and experienced people. More generally however, there was an appreciable degree of resentment towards people who were perceived as unfairly exploiting the restricted duty system, and using restricted duty status to avoid hard work or shift duty. There were complaints that it is unfair that some officers receive full pay when they do not perform the full duties of a police officer, and that it is unfair that some restricted-duties officers are paid more than staff doing the same jobs. Some contributors considered that stricter management and review is important, and that there should be a limit to the length of time which restricted-duty officers may remain as police officers. It was suggested that some restricted-duty officers should be switched to staff terms, particularly if their injuries or illnesses have not been sustained in the execution of their duties.
- 7.1.26 It is right that forces are increasingly recognising the benefits of retaining the experience and expertise of many officers who would previously have been medically retired. This is fair to officers with restrictions, the vast majority of whom want to have interesting and fulfilling careers, and to continue to make a worthwhile contribution in the police service. If officers no longer face automatic retirement, the message is made clear that those with disabilities or sickness may still have positive parts to play. It is consistent with the obligations of police forces under the Equality Act 2010 to eliminate discrimination and advance equality of opportunity.

7 *ibid.* page 27

8 Police Federation submission (1), page 52

9 Police Superintendents' Association submission (1), page 29

10 ACPO submission, pages 32-34

- 7.1.27 Many officers with restrictions are fulfilling roles requiring their expertise and skills, and are making contributions no less valuable to the force than their unrestricted colleagues. Forces should consider promoting this kind of contribution. It is also necessary for forces to improve their management of the few officers who may be unjustifiably abusing the system.
- 7.1.28 Training police officers is expensive. Careful consideration should always be given as to the respects and roles in which restricted officers can use their experience and skills, rather than automatically placing them in back-office roles that should be done by police staff. A restricted officer costs a force the same as one who is fully deployable, so in times of reductions in budgets and numbers of people working in the police service, restricted officers should, as far as possible, be engaged in work which requires the office of constable. The Metropolitan Police Disability Staff Association argues that at least 95% of restricted officers are in roles which could require the use of their policing skills and experience, and although use of police powers may not be routine, this is equally true of many police management roles. As forces increasingly move officers to the front line under budgetary pressures and these management, or 'back officer' roles decrease, restricted duty will present even more of a challenge to forces as there will be fewer roles which some restricted officers can safely undertake.

The Metropolitan Police: Over the past year and a half, the Metropolitan Police has developed a new method for managing officers consistently on restricted duty. The aim is to improve resilience and maximise the contribution of restricted-duty officers. It does this by assessing what officers can do rather than what they cannot, by focusing on an individual's skills and capabilities. This "Capabilities Assessment" is agreed by the officer with the force's occupational health department. It considers what roles a person is fit for and, in emergencies, allows managers to make a rapid assessment of suitable roles for redeployment as the risk assessment has already been completed. The assessment is regularly reviewed and updated.

- 7.1.29 It is right for forces to focus on how restricted officers can contribute rather than looking at what they cannot do (see box above). This is akin to the new approach to work and illness recommended by Dame Carole Black in 2008, who argued that there is a need to change the perception that it is inappropriate to be at work unless an individual is fully fit, and that there should be change from sick notes to fit notes¹¹. Some managers have expressed anxiety about being accused of discrimination against restricted officers, particularly in matters of performance management, but at the same time may not understand what constitutes a 'reasonable adjustment' for an officer. This can lead to restricted officers having their opportunities needlessly restricted, opening the force to discrimination claims.
- 7.1.30 Better management should also help to address the disquiet, clearly felt by many officers, albeit unfairly in most cases, that restricted-duty officers are abusing the system in order to avoid harder, front-line roles, whilst still being paid for working shifts. It should be recognised that this review's recommendation for the establishment of an unsocial hours payment should indirectly address this point, as all officers – with or without restrictions – who do not work at night will not receive the premium pay. Managers should also remember that restricted officers who are no longer performing adequately, can and should equally be managed through the unsatisfactory performance procedures. The UPP regime applies equally to officers on restricted duties as to others.
- 7.1.31 Giving restricted officers worthwhile roles is also fairer to police staff. Police officers should not be taking police staff jobs from staff simply because they are officers, nor is it justifiable for a police officer in a police staff job to be paid as a police officer, when a police staff member doing the same work is paid significantly less. This raises issues around equal pay for the same role. Restricted officers should be doing jobs which require their expertise, even if the job might be similar in some ways to a staff role. If no such role is available and appropriate, the force should consider the retirement of the officer in question.

¹¹ *Working for a healthier tomorrow*, Department for Work and Pensions, Dame Carol Black, 17 March 2008, pages 11-12

- 7.1.32 The concept of restricted duty for police officers should be retained. A good organisation should treat its workforce with dignity, care and compassion, recognising that most people suffer some kind of illness during their working lives. It should also try to keep expensively trained officers where possible, particularly since many officers with restrictions can perform a variety of policing jobs using their experience and skills.
- 7.1.33 Police officers who face risks of physical harm and death should be confident that if they are injured in the execution of their duties, they will be sympathetically and fairly treated. This is essential.
- 7.1.34 In the short term, I have no recommendations for changes to the regime of restricted duties. If an officer is unable to work in a role requiring the office of constable, his force should consider his medical retirement. As for the longer term, change should be considered. It is, as stated, unfair that some restricted-duties officers are paid more than staff doing the same jobs. It is also financially inefficient for the force.
- 7.1.35 Part 2 of the review will consider to what extent change is needed. The nature, and necessity, of change is connected with the question of whether a new model for police careers should be established.

Sickness Policy

- 7.1.36 Sick leave for police officers is regulated by Annex P of the Home Secretary's determinations made under Regulation 33 of the Police Regulations 2003. The Police Authority can allow officers to self-certify short periods of sickness, up to a maximum of seven days. After that, their absence on sick leave must be supported by the certificate of a medical practitioner.
- 7.1.37 Sick pay is governed by Annex K of the determinations made under Regulation 28. Officers on sick leave are entitled to six months at full pay and then six months at half pay in any one year. After 12 consecutive months of sick leave, an officer is no longer eligible for pay¹². The Chief Constable has the discretion to give full pay to officers entitled to half pay, and either half pay or full pay to officers entitled to no pay. In practice, factors which may lead to the extension of sick pay include the illness or injury having been contracted or sustained on operational duty or training; the illness being life-threatening or terminal; it being the result of pregnancy; cases where medical retirement proceedings are underway; and where a delay in the force making reasonable adjustments to the officer's post has delayed a return to work.
- 7.1.38 Sickness policy and pay procedure is fair to the vast majority of officers. It does not require changing in the short term. This will be further considered in Part 2.
- 7.1.39 Good management is as much an issue for those on sick leave as it is for officers on restricted or recuperative duty. Officers on sick leave, particularly long term sick leave, need active management by line management working in partnership with occupational health to ensure they return to work as quickly as is appropriate. Managers need training to understand better their role in supporting sick officers. Forces need to learn from each other how best to tackle this (see recommendation 60).

Recommendation 62 – Current sickness policies should remain unchanged in the short term.

Ill-Health Retirement

- 7.1.40 Ill-health retirement will be considered in Part 2 of the review.

¹² Regulation 28, Annex K

8 Conclusions

- 8.0.1 The police service lacks the modern management tools it needs to ensure that it can operate with the greatest efficiency and economy in a time of considerable national financial pressure and restraint. The condition of the public finances requires police forces to make significant savings, and with over 80% of their costs represented by pay, it is inevitable that the paybill must be brought down whilst ensuring that the protection of the public in the prevention and investigation of crime is not jeopardised.
- 8.0.2 The present system of police remuneration and conditions of service was developed in, and for, a different era. The police service has changed significantly in the last 33 years. The present pay regime is now unfair to those police officers who work unsocial hours, do the more demanding jobs and the ones which require specialist skills, and contribute the most to the public and the police service.
- 8.0.3 In the short term, I have decided not to recommend that the police service is provided with the power to make a police officer compulsorily redundant. I have done this only on the basis that sufficient savings can be found through other, more focused and sophisticated reforms, which will enable police forces to operate effectively within their reduced budgets. In doing so, it should not be overlooked that police officers remain the only public servants protected from compulsory redundancy.
- 8.0.4 This protection comes at a price. Some police officers are relatively overpaid, but it must be recognised that they have made material decisions on their financial affairs on the faith of the present pay system. For this reason, I have not recommended a cut in basic pay. Instead, there should be a stop to the automatic increases in the cash earnings which each officer and staff member currently receives. There is of course a significant difference between a cut in basic pay on the one hand, and the freezing or removal of progression pay scale increments and non-guaranteed allowances on the other. The latter does not materially decrease earnings.
- 8.0.5 The financial effects of a protection from redundancy for officers, and a reduced threat of redundancy for police staff, ought to be borne by the entire workforce. Saving jobs is important. The reforms I have recommended will, if implemented, affect officers and staff in different ways, depending on their lengths of service, ranks and relative positions in the workforce. Progression up the incremental pay scales should be frozen at 2010/11 levels for two years. Those police officers who have reached the top of their pay scales should have their Competence Related Threshold Payments (CRTPs), if they receive them, removed. Superintendent and chief officer ranks' performance-related bonuses should be suspended for the same period.
- 8.0.6 The benefits for police officers in terms of job security are clear. For members of police staff, it will be for the relevant trade unions to obtain assurances from police forces that the savings achieved by these reforms will enable them to retain significant numbers of police staff jobs which would otherwise have been lost.
- 8.0.7 This report contains recommendations for the reform of remuneration and conditions to enable the police service to provide a more efficient, economical and effective service to the public, and be fairer to hard-working police officers and staff. The most material recommendations concern and include the following:
- **a proper reflection of the effect of the job on personal life and of the risks of policing** – those officers who have to endure more disruptive and unsocial working patterns will receive an additional 10% of basic pay for every hour they work between 8:00pm and 6:00am. This is likely to apply to a range of frontline and operational support functions, including response officers, detectives, surveillance officers, firearms officers and some neighbourhood policing officers;

- **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** – all police officers have a set of core skills, but the omni-competent constable no longer exists. Specialist skills and more demanding posts should be recognised. In the short term, the introduction of the interim Expertise and Professional Accreditation Allowance should ensure that critical skills are maintained over the next few years, until a job banding process can assess and determine the relative demands and weights of roles. The establishment of a more sophisticated role-based pay system, if devised, should be introduced in a phased and controlled way;
- **people should be paid for how well they work** – progression up the pay scales based purely on length of service is unfair and should end for officers and staff. High performers should be paid more than those who perform adequately, and higher again than those who perform poorly. Any contribution-related pay system should also be introduced in phases, with protections and checks to ensure that the police service can operate it properly;
- **there should be a re-balancing of the needs of the public and the police service** – at present, officers have too great a say on how they are deployed and if, not when, they leave the service. The changes to shift arrangements, overtime and mutual aid premium pay address some of these anomalies, and voluntary exit arrangements are also recommended to allow officers to leave with dignity. In the longer-term, there should be an evaluation of the military model of short-, medium- and long-service commissions, to end the problem of secured indolence and ensure that officers remain in the police for the right reasons.

8.1 Total costs and savings

8.1.1 The terms of reference for the review require it to produce costed recommendations. Table 8.1 sets out the overall savings and costs, arising from Part 1 of the review for the 43 territorial police forces in England and Wales, for the period between September 2011 and April 2014. It shows that the recommendations in this report, if implemented from September 2011, will cost an additional £144m in 2011/12, but produce net savings of £71m. By 2013/14, these savings are estimated to rise to £216m. Cumulatively, the total savings over three years will therefore be £485m.

Table 8.1			
	2011/12	2012/13	2013/14
Savings:			
Officers: 2-year progression freeze	-£72m	-£192m	-£220m
Staff: 2-year progression freeze	-£24m	-£42m	-£32m
Abolition of Competence Related Threshold Payments (CRTP)	-£37m	-£61m	-£65m
Suspension of chief officer and superintendent bonuses	-£0.5m	-£1m	-£1m
Abolition of Special Priority Payments (SPP)	-£50m	-£86m	-£86m
Changes to overtime / mutual aid (officers and staff)	-£32m	-£58m	-£60m
TOTAL SAVINGS	-£215m¹	-£441m	-£463m

¹ Figures have been rounded to the nearest £1 million.

Table 8.1 continued			
	2011/12	2012/13	2013/14
Costs of Part 1 review:			
Unsocial hours payments (10% of basic pay)	£60m	£103m	£104m
Expertise and professional accreditation allowance (£1,200 pa)	£52m	£90m	£90m
On-call allowance (£15 per day for officers)	£10m	£15m	£15m
Team recognition awards (officers and staff)	£1m	£2m	£2m
Officer maternity pay (Increase to 18 weeks)	£3m	£5m	£5m
National Insurance contributions	£17m	£30m	£30m
TOTAL COSTS	£144m	£245m	£246m
TOTAL NET SAVINGS	-£71m	-£197m	-£217m²

- 8.1.2 In making these calculations, the best available data and, where data were unavailable, the most realistic assumptions and robust financial modelling available have been used. The period chosen includes the effect of a two-year progression freeze and suspension of performance-related pay from September 2011. Part 2 of the review will make recommendations for the longer-term, in the period beginning in September 2013. This will mean that the projected savings for the longer-term will be revised in the light of the recommendations made in Part 2.

8.2 Effect on the individual

- 8.2.1 Throughout this review and in the formulation of my proposals, I have been acutely conscious of, and sensitive to, the likely effects of these reforms on the lives of individual police officers and members of police staff. I believe it is necessary for additional pay to be directed to the places where the inequities of the present regime are greatest. However, I have tempered my approach where the strictly logical decision would have been to remove payments. For example, the 9% Edmund-Davies unsocial hours supplement is not removed from officers who work office hours, and long serving officers will continue to receive housing allowance long after its abolition for new officers..
- 8.2.2 Implementation of these reforms will have differing effects on individual officers and staff, depending on the nature of their jobs and the skills they use, the hours they work, and their particular circumstances.
- 8.2.3 Some officers will experience reductions in their take-home pay, particularly those who presently receive CRTPs or Special Priority Payments and who are ineligible for any of the new payments which I have recommended. Officers who regularly work unsocial hours and who are using especially critical skills will, in general, earn more under these proposals. These are the officers who are in the more demanding and public-facing roles, and it is right, and fair, that they are recognised accordingly.
- 8.2.4 The review has produced a series of case studies to illustrate the effects of my recommendations on individuals in a variety of roles. These proposals cannot, of course, be assessed in isolation. The Government has announced a two-year public sector pay freeze, with the expectation that police officers will not receive increases in their pay from September 2011 (although a final decision has not yet been taken, pending any recommendation of the Police Negotiating Board). The Government has also accepted, in principle, the recommendations in Lord Hutton's interim report on public sector pensions, which are likely to require public sector workers, including

² Figures have been rounded to the nearest £1 million. Some of the totals do not sum due to rounding.

police officers, to contribute more. The case studies below reflect my projections of the effects on officers of my proposed reforms in addition to these additional factors. Whilst I have been mindful of the overall economic environment in which police officers and police staff, as well as all other citizens, live, and the pressures which are faced, the tables below do not additionally reflect the financial effects on officers of other changes in the wider economy, such as rises in inflation, VAT and interest rates, because these increases will affect everyone. Police officers and police staff are affected no more severely than others. Each of the models shows gross pay before deduction of income tax and national insurance contributions.

- 8.2.5 Table 8.2 shows that, in 2012/13, a constable in a 24-hour response team with seven years' service will receive approximately £1,770 more in cash terms than he did in 2010/11, even after the effect of the progression freeze and the likely increases in his police pension contributions in April 2012 and April 2013. Even if he does not use skills which would make him eligible for the Expertise and Professional Accreditation Allowance, he will still be approximately £570 better off in cash terms by 2012/13.

Table 8.2: Example A: Response constable with seven years' service and public order Level 2 accreditation, who regularly works a rotating eight-hour shift on a four-team basis

Component of pay	Existing annual pay Sept 2010/11	Sept 2011/12; with 1% pension increase from April 2012 ⁶	Sept 2012/13; with 2% pension increase from April 2013
Basic pay scale	£32,703.00	£33,753.00	£35,796.00
Progression freeze / CRTP removal		-£1,050.00 ²	-£3,093.00
Overtime	£2,751.00	£2,420.00 ³	£2,420.00
Unsocial hours payment		£1,317.10 ⁴	£1,317.10
On-call allowance			
Team recognition award		£50.00	£50.00
Special Priority Payment			
Expertise and Professional Accreditation Allowance		£1,200.00	£1,200.00
Pre-1994 housing allowance			
SUB-TOTAL	£35,454.00	£37,690.10	£37,690.10
Pension contributions (11% in 2010/11, 12% from April 2012, 13% from April 2013)	-£3,597.33	-£3,733.59	-£4,060.62
TOTAL	£31,856.67	£33,956.51	£33,629.48
CASH DIFFERENCE FROM 2010/11		+ £2,099.84	+ £1,772.81

³ The incremental progression which an officer would have received is removed for illustrative purposes.

⁴ For each case, it has been assumed that the officer currently receives the average amount of overtime, which has been modelled to reflect the changes recommended. By contrast, an officer who works less than the average, or no overtime, is better off in terms of any cash reduction from his 2010/11 earnings.

⁵ The unsocial hours payment is paid for hours worked between 8:00pm and 6:00am. This is based on an officer in a four-team response role working eight-hour rotating shifts of earlies, lates and nights.

⁶ An increase in pension contributions of 1% in April 2012 and an additional 1% in April 2013 has been used to illustrate how the Government may introduce an increase to employees pension contributions. This review is unaware of the Government's intentions and these increases are speculative.

- 8.2.6 In 2012/13, a constable with ten years' service and who has served on a neighbourhood policing team for at least three years, and continues to do so, will receive approximately £400 more in cash terms than he received in 2010/11, even after the effect of the rise in his pension contributions.

Table 8.3: Example B: Neighbourhood policing constable with 10 years' service, who has been in the NHP team for more than three years

Component of pay	Existing annual pay Sept 2010/11	Sept 2011/12; with 1% pension increase from April 2012	Sept 2012/13; with 2% pension increase from April 2013
Basic pay scale	£36,519.00	£36,519.00	£36,519.00
Progression freeze / CRTP removal			
Overtime	£2,751.00	£2,420.00	£2,420.00
Unsocial hours payment			
On-call allowance			
Team recognition award		£50.00	£50.00
Special Priority Payment			
Expertise and Professional Accreditation Allowance		£1,200.00	£1,200.00
Pre-1994 housing allowance			
SUB-TOTAL	£39,270.00	£40,189.00	£40,189.00
Pension contributions (11% in 2010/11, 12% from April 2012, 13% from April 2013)	-£4,017.09	-£4,169.25	-£4,534.44
TOTAL	£35,252.91	£36,019.75	£35,654.56
CASH DIFFERENCE FROM 2010/11		+ £766.84	+ £401.65

- 8.2.7 In 2012/13, a skilled detective constable with 25 years' service who regularly works late shifts and is frequently on-call will receive approximately £760 more than he did in 2010/11, even after the removal of CRTP and the rises in his pension contribution.

Table 8.4: Example C: Detective constable with 25 years' service and PIP Level 2 accreditation, who regularly works late shifts and is expected to perform on-call duties 80 times *p.a.*. He also receives the pre-1994 housing allowance and previously received a CRTP payment

Component of pay	Existing annual pay Sept 2010/11	Sept 2011/12; with 1% pension increase from April 2012	Sept 2012/13; with 2% pension increase from April 2013
Basic pay scale	£36,519.00	£36,519.00	£36,519.00
Progression freeze / CRTP removal	£1,212.00	£0.00	£0.00
Overtime	£2,751.00	£2,420.00	£2,420.00
Unsocial hours payment		£420.23	£420.23
On-call allowance ⁷		£1,020.00	£1,020.00
Team recognition award		£50.00	£50.00
Special Priority Payment			
Expertise and Professional Accreditation Allowance		£1,200.00	£1,200.00
Pre-1994 housing allowance ⁸	£3,000.00	£3,000.00	£3,000.00
SUB-TOTAL	£43,482.00	£44,629.23	£44,629.23
Pension contributions (11% in 2010/11, 12% from April 2012, 13% from April 2013)	-£4,150.41	-£4,169.25	-£4,534.44
TOTAL	£39,331.59	£40,459.97	£40,094.79
CASH DIFFERENCE FROM 2010/11		+ £1,128.38	+ £763.20

- 8.2.8 It should not be assumed that these levels of earnings will apply to all officers within these functions. If an officer was previously in receipt of a SPP for a role of one of these kinds, then the difference in his earnings may be closer to neutral, or he may sustain a relatively small reduction in overall pay.
- 8.2.9 By contrast, officers who work in what are sometimes called the middle- and back-office functions, such as criminal justice units, training or human resources, should expect to receive comparatively much less money, especially if they previously received CRTPs or SPPs. Table 8.5 is perhaps the most acute of these types of case. In that illustration, in 2012/13, in cash terms, the officer in question will earn approximately £3,100 less than he did in 2010/11. When budgets are being reduced and resources have to be directed to the front line of policing, this is the fairest approach. It is right that those key skilled officers who work all hours in the more demanding, specialised or dangerous roles receive more.

⁷ Eighty on-call periods at £15 per day, minus the expectation of one on-call period each month.

⁸ An amount of £3,000 was used as an illustration of the effect of housing allowance on an officer's pay.

Table 8.5: Example D: 25 years' service constable in a middle- or back-office function who previously received a £1,500 SPP and a CRTP. He does not work unsocial hours, or overtime, is never on-call, and does not use critical skills which would be eligible for the Expertise and Professional Accreditation Allowance

Component of pay	Existing annual pay Sept 2010/11	Sept 2011/12; with 1% pension increase from April 2012	Sept 2012/13; with 2% pension increase from April 2013
Basic pay scale	£36,519.00	£36,519.00	£36,519.00
Progression freeze / CRTP removal	£1,212.00	£0.00	£0.00
Overtime			
Unsocial hours payment			
On-call allowance			
Team recognition award			
Special Priority Payment ⁹	£1,500.00	£0.00	£0.00
Expertise and Professional Accreditation Allowance			
Pre-1994 housing allowance	£3,000.00	£3,000.00	£3,000.00
SUB-TOTAL	£42,231.00	£39,519.00	£39,519.00
Pension contributions (11% in 2010/11, 12% from April 2012, 13% from April 2013)	-£4,150.41	-£4,169.25	-£4,534.44
TOTAL	£38,080.59	£35,349.75	£34,984.56
CASH DIFFERENCE FROM 2010/11		- £2,730.84	- £3,096.03

- 8.2.10 These case studies show that the effects of my proposed reforms will ensure that those officers who work unsocial hours and are in demanding, skills-based roles will earn more than those who do not. In some cases, a frontline officer will be earning substantially more than he does now, and these reforms will ameliorate the reduction in his take-home pay brought about by the rise in his pension contributions.⁹
- 8.2.11 It is more difficult to provide meaningful illustrations of the likely effects of these proposed reforms on the take-home pay of police staff because of their localised nature. Nonetheless, police staff will be affected by the suspension of progression increments and performance-related pay, but they are unlikely to receive substantial reductions in their cash-earnings because they will stay on the same pay scale increments they occupied in 2010/11.
- 8.2.12 The fact that so few consultees in the review raised material concerns with the present system of police staff pay and conditions indicates that it is broadly coherent and correct. In the short-term, my approach to police staff has also been tempered by the likelihood that substantial numbers of them are likely to be made redundant because of the reductions in police budgets in the present severe national economic conditions. Their trade unions will, I am certain, recognise the opportunity to safeguard a significant number of police staff jobs by agreeing to the suspension of progression increments for the next two years.

⁹ A payment of £1,500 for a SPP has been used for illustrative purposes.

- 8.2.13 As I made clear in Chapter 1, many members of police staff provide an essential service to the police and the public. Without many of them, material parts of the criminal justice system would stall.

8.3 Next steps

- 8.3.1 I believe that the reforms I have recommended represent a sound and balanced approach to the present system of pay and conditions for police officers and police staff, and I commend them to the Official and Staff Sides of both the Police Negotiating Board and the Police Staff Council, as well as to those responsible for local force negotiations. I believe that police officers and police staff will recognise them as meeting the overriding principle of this review, which is fairness.

Appendix 1 – List of recommendations

Chapter 1

1. Recommendation 1 – The Police Service of Northern Ireland and the Northern Ireland Policing Board should review the Northern Ireland transitional allowance with a view to increasing the rate by 12.5% to £2,994 for September 2010/11.

Chapter 2

2. Recommendation 2 – Police constables, sergeants, inspectors and chief inspectors should receive an additional 10% of their basic pay, on an hourly basis, for hours worked between 8:00pm and 6:00am (non-pensionable).
3. Recommendation 3 – Police staff should not receive additional shift premium (time and a half or double time) for weekend day working if it is part of their normal contracted hours. The rate for routinely working a public holiday should be reduced to double time only. This should be agreed in the Police Staff Council and incorporated into individual contracts of employment using the established mechanisms for doing so. In the case of police forces outside the PSC arrangements, these changes should be agreed in the usual manner with the relevant unions.
4. Recommendation 4 – The Office of National Statistics should consider disaggregating police staff in their Annual Survey of Hours and Earnings in the future, so that their pay can be more easily compared and understood.
5. Recommendation 5 – Determination Annex E, made under Regulation 22 of the Police Regulations 2003, should be amended to require the chief officer to consult, rather than agree, with the local joint branch board and individual officers in connection with the bringing into operation of a variable shift arrangement. That consultation should take place over a period of at least 30 days. Before making his decision, the chief officer should be required to consult the affected officers and take full account of their individual circumstances, including the likely effects of the new arrangement on their personal circumstances. New shift arrangements should not be brought into effect earlier than 30 days after the communication of the decision of the chief officer.
6. Recommendation 6 – Determination Annex G, made under Regulation 25 of the Police Regulations 2003, should be amended to replace time and a third premium pay for casual overtime with plain time. The minimum hours for being recalled between duty should be abolished and instead paid at plain time for the hours worked, with travelling time.
7. Recommendation 7 – Determination Annex H, made under Regulation 26 of the Police Regulations 2003, should be amended to remove double time premium pay and the notice period of five days for working on a rostered rest day. Time and a half premium pay should be payable for working on a rostered rest day with fewer than 15 days' notice.
8. Recommendation 8 – Determination Annex H, made under Regulation 26 of the Police Regulations 2003, should be amended to allow the payment of overtime at double time for 25 December and seven other days chosen for the next financial year by the officer before 31 January. Cancellation with fewer than 15 days' notice should require the authority of an Assistant Chief Constable.
9. Recommendation 9 – The Police Staff Council's handbook, Section 1, paragraph 6.1.2 should be amended to provide for the payment of additional hours of Sunday working at the rate of time and a half. This should be agreed in the Police Staff Council and incorporated into contracts of employment using the established mechanisms for doing so. In the case of police forces outside the PSC arrangements, these changes should be agreed in the usual manner with the relevant unions.

10. Recommendation 10 – For working public holidays, police staff should receive double time for working on 25 December and on seven other days chosen for the next financial year by the employee in question before 31 January. Cancellation with fewer than 15 days' notice should require the authority of an Assistant Chief Constable. This should be agreed in the Police Staff Council and incorporated into contracts of employment using the established mechanisms for doing so. In the case of police forces outside the PSC arrangements, these changes should be agreed in the usual manner with the relevant unions.
11. Recommendation 11 – Police officers on mutual aid service should be paid for the hours they are required to work each day, plus travelling time to and from the place of duty. Where those hours coincide with the unsocial hours period, or the duty has been required at short notice and they are eligible for the new overtime rates, the officer should be paid at the applicable premium rates.
12. Recommendation 12 – The definition of 'proper accommodation' should be revised to describe a single occupancy room with use of en suite bathroom facilities. Where such accommodation is not provided, the officer should receive a payment of £30 *per* night. The current definition of 'higher standard accommodation' should be removed and not replaced.
13. Recommendation 13 – Officers held in reserve on a day and who have not been paid for any mutual aid tour of duty that day, should receive the on-call allowance of £15 for that day.
14. Recommendation 14 – The Police Advisory Board should establish and publish improved guidance as to the types of outside jobs and business interests which are likely to lead to the rejection of applications in this respect. This should be done after consultation with potentially affected parties or their representatives.
15. Recommendation 15 – Regulation 7(5) of the Police Regulations 2003 should be amended to remove the Secretary of State from the appeals process.
16. Recommendation 16 – A medal should be awarded for five years' service as a special constable.
17. Recommendation 17 – Special constables should be eligible for police team recognition awards alongside regular police officers and police staff.
18. Recommendation 18 – Special constables should be eligible for all new police medals.
19. Recommendation 19 – The Special Constables (Amendment) Regulations 2002 should continue to be used in connection with the provision of financial rewards for special constables, where police forces consider that they will be effective and represent value for money, but the role of the Home Secretary in approving those schemes should be removed.

Chapter 3

20. Recommendation 20 – Police officers and all members of police staff below the top of their pay scale should be suspended at that increment for a two-year period commencing September 2011.
21. Recommendation 21 – The current systems of performance-related pay should be suspended until September 2013.
22. Recommendation 22 – Forces reviewing their performance and development systems and training for managers should do so in the knowledge that they may be used in determining pay within the next two to three years.
23. Recommendation 23 – There should be no changes to the present basic pay arrangements for Chief Constables and Deputy Chief Constables.
24. Recommendation 24 – Assistant Chief Constables should move from their current pay scales onto a single rate for the job based on the weight of what they do, in the same way as their Chief Constable and Deputy Chief Constable colleagues. Part 2 of this review will set out in more detail how such a scheme should be implemented.

25. Recommendation 25 – The chief officer bonus scheme should be suspended for a two-year period commencing September 2011.
26. Recommendation 26 – The post-related allowance for chief superintendents should be retained at its present level for the short-term, to reflect the different weights of jobs at the same rank.
27. Recommendation 27 – The bonus scheme for superintendents and chief superintendents should be suspended for a two-year period commencing September 2011.
28. Recommendation 28 – The higher basic pay for London inspectors and chief inspectors should be retained in the short term.
29. Recommendation 29 – Competence Related Threshold Payments should be abolished from 31 August 2011 and all outstanding CRTP payments up to that date should be paid on a pro-rated basis.
30. Recommendation 30 – Chief officers should continue to be able to make *ex gratia* payments of £50 to £500 to any officer to recognise a piece of work which is outstandingly demanding, unpleasant or important.
31. Recommendation 31 – Chief officers should recognise whole teams, both officers and staff, with a team recognition award payment of £50 to £100 each for outstandingly demanding, unpleasant or important work, or outstanding work for the public.
32. Recommendation 32 – ACPO and the Police Federation of England and Wales, along with other interested parties, should convene a working group to establish a series of new national policing awards.

Chapter 4

33. Recommendation 33 – Special Priority Payments should be abolished from 31 August 2011 and all outstanding SPPs up to that date should be paid on a pro-rated basis.
34. Recommendation 34 – An interim Expertise and Professional Accreditation Allowance of £1,200 *per annum* should be introduced from September 2011 for officers meeting the skills or length of service criteria in the four stated priority functions. It should be paid monthly and pro-rated where an officer works part-time. It should be removed when an officer leaves the qualifying role.
35. Recommendation 35 – The Expertise and Professional Accreditation Allowance should be expanded or replaced when a more sophisticated system of job banding or professional accreditation is established and has been introduced.
36. Recommendation 36 – Arrangements for police forces to recognise the skills of police staff should remain unchanged in the short term.

Chapter 5

37. Recommendation 37 – Police Authorities should be 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.
38. Recommendation 38 – Police Authorities should publish details of all benefits for chief officers and their values in their annual reports, itemised by officer.
39. Recommendation 39 – Chief officers should provide receipts for all expenses, and information as to expenses above £50 paid to chief officers should be published quarterly on the Police Authority's website.
40. Recommendation 40 – The section on officer accommodation in the 'Guide to conditions of service for police officers seconded to central services' should be revised. The presumption should be that officers are accommodated in property owned by the relevant organisation or

wider police service. Only when no such property is available should private rental property be used, and the cost of accommodation should be kept to a reasonable minimum, including an expectation of approximately 30 minutes' travelling time to work. Officers should only be reimbursed for actual accommodation or purchase of a property in exceptional circumstances.

41. Recommendation 41 – Receiving organisations should list where they have agreed exceptional accommodation charges with officers in their annual report on an anonymised basis.
42. Recommendation 42 – Regional allowances should remain unchanged in the short term.
43. Recommendation 43 – The replacement allowance for housing should remain. However, the amount an officer receives should not increase from 31 August 2011 with changes in personal circumstances, such as promotion. The existing framework, by which the amount an officer receives reduces when he lives with another officer also receiving the allowance, should remain.
44. Recommendation 44 – A national on-call allowance for the Federated ranks should be introduced from September 2011. The amount of the allowance should be £15 for each occasion of on-call after the officer in question has undertaken 12 on-call sessions in the year beginning on 1 September. An on-call occasion should be defined as the requirement to be on-call within any 24-hour period related to the start-of-the-police-day.
45. Recommendation 45 – The national on-call allowance should be reviewed by the Police Negotiating Board three years after its introduction in the context of better management data.
46. Recommendation 46 – The link between the Motor Vehicle Allowance for police officers and that for local authorities should be re-established from September 2011.
47. Recommendation 47 – First-class travel expenses for the ranks of superintendent and above should be published quarterly on the force's website.
48. Recommendation 48 – Officers' maternity entitlement should increase from 13 weeks at full pay to 18 weeks at full pay, with officers having the option, with the agreement of their chief officer, to spread the final five weeks of maternity pay over 10 weeks at reduced rate.
49. Recommendation 49 – Staff standby allowance should be reduced to £15 from September 2011.
50. Recommendation 50 – First-class travel expenses for police staff members should be published quarterly on the force's website.

Chapter 6

51. Recommendation 51 – Regulation 13 of the Police Regulations 2003, which allows for the dismissal of officers, should be retained for probationary officers.
52. Recommendation 52 – All police forces should take steps to learn from those police forces which have attained best practice in the area of the handling of poor performance and discipline, including in the training of supervisors who may have to use UPP procedures.
53. Recommendation 53 – Police forces should collaborate to identify a cadre of Assistant Chief Constables who specialise in unsatisfactory performance and attendance procedures and hear cases across police force boundaries.
54. Recommendation 54 – The Police (Performance) Regulations 2008 should be amended to provide that if a police officer has had two or more adverse determinations made against him, on substantive (rather than procedural) grounds, in concluded UPP proceedings within the past five years, subsequent UPP proceedings should begin at Stage 3.
55. Recommendation 55 – The Police Pension Regulations should be amended to allow chief officers to make a choice in relation to the time at which their pension benefits crystallise.
56. Recommendation 56 – The existing regime concerning the severance terms which may be provided to Chief Constables and Deputy Chief Constables should be retained in the short-term.

57. Recommendation 57 – The criteria for the use of the powers in Regulation A19 should be amended, with service-critical skills and performance being explicit considerations.
58. Recommendation 58 – As quickly as possible, police forces should be provided with the ability to offer voluntary exit terms to police officers, substantially on the terms contained in the Civil Service Compensation Scheme 2010.
59. Recommendation 59 – Regulation 5(4) of the Police Regulations 2003 should be amended so that an officer giving written notice to return from part-time to full-time working, must be appointed by the Police Authority within two months if the force has a suitable vacancy, and within four months of the notice being received.
60. Recommendation 60 – The current system of severance for police staff, with its local flexibility, is appropriate and should remain.

Chapter 7

61. Recommendation 61 – Forces and their occupational health departments should continue to develop and improve schemes to monitor the use of long-term sickness, recuperative duty and restricted duty, to improve the management of those on restricted duties and work with officers to bring them back to full duties as quickly as possible.
62. Recommendation 62 – Current sickness policies should remain unchanged in the short term.

Appendix 2 – History of police pay

Federated ranks and Superintendents

Before 1919

1. Before 1918 the constable's pay varied from force to force. Borough Police Authorities were at liberty to fix the rates that seemed to them to be appropriate. The Secretary of State had power to make rules with regard to the pay of the county constabularies, and had, in 1886, issued model scales. These scales provided no fewer than seven different weekly rates for constables which might be adopted according to local circumstances; they were never revised and by 1918 the maximum rate had been exceeded, with the sanction of the Secretary of State, in most of the county forces. Although the rate of pay in one force tended to affect that in a neighbouring force, and some counties acted in concert in fixing scales of pay, there were wide variations.
2. With the introduction in 1918 of the 50% exchequer grant in aid of police expenditure, the Secretary of State took steps which brought about a considerable measure of uniformity in the rates of pay. As a condition of grant he required Police Authorities to adopt a scale of £2 a week rising to £2·50 for constables, or one of £2·15 rising to £2·55; the latter was called the "Metropolitan" scale, but many Police Authorities outside London adopted it. By 1919 one or other of these scales had been adopted by nearly all forces.

1919 and the Desborough Committee

3. The Desborough Committee recommended in their report, presented in July 1919, that the Secretary of State should have power to fix standard scales of pensionable pay for sergeants and constables and that certain other conditions of service should be made uniform. Rates of pay were recommended, based on an appraisal of the value of the police to the community, the qualifications required and the remuneration which seemed "reasonable and proper in all the circumstances and likely to attract recruits of the right stamp". Lord Desborough expressly broke the link with agricultural and unskilled workers which had hitherto obtained. The pay recommended for constables was £3·50 a week on appointment, £4·50 after 10 years and £4·75 after 22 years.
4. The rates of pay recommended by the Desborough Committee were brought into operation with effect from 1 April 1919, and power was taken in Section 4 of the Police Act 1919, to enable the Secretary of State to make regulations as to pay and other conditions. When the first Police Regulations were made, in 1920, the Desborough scales were embodied in them, and they also made provision for certain standard emoluments, and in particular that every member of a police force should receive free accommodation or be granted a rent allowance in lieu.

1919 to 1939

5. Changes were made, with effect from 1 October 1931, following the report of the Police Pay (New Entrants) Committee, under the Chairmanship of Sir George Higgins, which recommended *inter alia* that:
 - a. the principle of standard scales of pay for constables and sergeants should be retained;
 - b. new entrant constables should, however, have a modified scale of pay starting at £3·10 (instead of £3·50) and reaching £4·50 after 12 years (instead of 10 years).

However, except for this minor modification the Desborough scales continued in force until 1939.

1939 to 1949

6. During the Second World War, the two standard rates of pay, for men who joined before and after 1 October 1931, were supplemented from time to time by bonuses, which were initially non-pensionable, but became a pensionable addition to pay from 1 September 1944. The

existence of two scales of pay for men performing the same work, side by side, had long given rise to discontent, and on 1 April 1945, a common scale of pay for constables was again introduced. However, police pay fell behind industrial pay in comparative terms during and immediately after the war, despite a substantial increase in 1946. The resulting discontent, combined with a severe manpower deficiency (18% overall) led the Government in 1948 to set up an independent inquiry under Lord Oaksey KC ‘to consider in the light of the need for the recruitment and retention of an adequate number of suitable men and women for the police forces of England and Wales and Scotland, and to report on pay, emoluments, allowances, pensions, promotions, methods of representation and negotiation and other conditions of service’. Lord Oaksey’s committee recommended increases amounting to 15%, effective from 1 July 1949.

1949 to 1960

7. In March 1951, the Police Federation sought a further increase in pay, and since suitable negotiating machinery for the settlement of claims, which had been recommended by the Oaksey Committee, had not then been instituted, the Secretary of State appointed Sir Malcolm Trustram Eve KC to be Chairman of the Police Council for England and Wales for a meeting, held on 24 and 25 July 1951, for the specific purpose of considering the question of pay. Since the Council failed to reach agreement, Sir Malcolm Trustram Eve, assisted by two Assessors, Lord Crook and Sir Alexander Gray, subsequently made his own recommendations which were implemented on 3 August 1951.
8. In 1953, machinery was brought into being for the settlement of police pay and other conditions of service by negotiation. The negotiating body, which was known as the Police Council for Great Britain, agreed to a new scale of pay for constables which came into effect from 14 January 1954.
9. The next pay negotiations took place in September 1955, but agreement could not be reached and the claim was referred to arbitration. The arbitrators’ award was brought into effect from 15 December 1955 and was subsequently backdated to 8 September 1955.
10. Following a further pay claim, the arbitrators awarded a revised and shortened scale for constables which came into effect from 1 February 1957.
11. On 10 September 1958, following a further disagreement on the negotiating body, the arbitrators awarded a new scale which was effective from 22 April 1958.
12. The pay increases in the 1950s tended to keep pace with changes in prices rather than industrial earnings, and by 1960 Ministry of Labour figures suggested that the maximum salary of the constable was 5% below average industrial earnings, and the minimum salary 30% below. It was against this background and a static level of strength that in January 1960 a Royal Commission, under the chairmanship of Sir Henry Willink QC, was appointed to consider (among other things):

“the broad principles which should govern the remuneration of the constable, having regard to the nature and extent of police duties and responsibilities and the need to attract and retain an adequate number of recruits with the proper qualifications”.

1960 to 1962

13. The Royal Commission looked at the merits of three approaches to police pay, “fair comparison”, “supply and demand”, and “the rate for the job”. They concluded that the principle of fair comparison could not be applied to the police “because there are no substantial categories of employment within the service which have exact counterparts outside”; that the supply and demand approach was inadequate because the law of the market would not lead to the stability in police pay which was considered essential to morale; and therefore that the primary principle which should govern police pay was the rate for the job. This the Royal Commission defined as “a rate which fully recognises the exacting nature of the police way of life and, in addition, fairly compensates him for his inability to increase his earnings (through overtime,

bonuses etc)”. This definition was translated into figures by means of a formula. The base (A) to the constable’s maximum was the average minimum wage paid to 18 skilled occupations covering several million employees, and amounted to £543. To this figure was added (B) which was 45% of (A) and compensated the requirement to work in shifts, at night and at weekends, without extra pay. It was also intended to compensate the policeman being unable to take outside employment. A third element (C) was 25% of (A) plus (B), and was the expression of a “broad evaluation of the constable’s duties and responsibilities, his way of life, his knowledge and professional skills, and his physical and personal attributes”. From the resulting figure of £984, £74 was deducted as the value of the housing provision. This gave the constable a maximum of £910, from which the Royal Commission derived a pay scale giving a minimum of £600, and a long service maximum of £970.

14. The present arrangement for the review of police pay flow from the Royal Commission report of 1960 and an agreement reached on the Police Council in 1962. Very broadly it can be said that the former determined the basis and level of pay and established a relativity with other work people; and that the latter produced an agreed formula to govern future adjustments of pay at two-yearly intervals having regard to wage movements in outside industry generally.
15. The 1962 Police Council agreement was expressed as follows:

“Both Sides agree to adjust the scales of pay, having regard to the foregoing considerations, at intervals of two years and as may be justified in the light of :

- a. wage movements at comparable levels in the country as a whole, normally as expressed by the Index of Wage Rates, with appropriate modifications, and*
- b. general economic factors which affect the police service to the same extent as the rest of the community.”*

In practice, wage movements over the two-year period have been measured by the Index of Basic Weekly Wages Rates as published by the Department of Employment.

16. The provision at 15b above was later brought into play in 1962, 1966, 1968, 1972-74 and 1976-77 (*i.e.* at times when there was a published pay policy).

1962 to 1972

17. The concept of an *interim* adjustment within the two-year period was first conceded in January 1970 in the light of a deteriorating police manpower situation and a rapid rise in outside earnings in the preceding 15 months.
18. The settlement reached with effect from 1 September 1970 was “*special*” in that it involved a total cost of 16% whereas the balance due under the Police Council formula was some 8%. In fact there was a common increase of not less than 10% and the balance of 6% was used in a way calculated to encourage recruitment and to arrest the serious premature wastage of trained and experienced officers.
19. There was nothing “*special*” about the interim increase of 6.5% agreed with effect from 1 September 1971. A claim was made by the staff side on the grounds that there had been an “*excessive rise*” in the Index of Wage Rates of 12.7% between 1 September 1970 and 1 September 1971 which had more than wiped out the common increase granted to their members under the September 1970 agreement. It was readily accepted that there were good management reasons for an interim increase and that there were advantages in reducing the size of the eventual award due in September 1972. The award was limited to 6.5% rather than the full amount due under the formula (12.7%) because at that time (November 1971) it was expected that some pay settlements in the public sector would be around 7%. The 1972 review resulted in an increase of 15% effective from 1 September, broadly in line with the Wages Index. The Federation accepted the settlement reluctantly and expressed dissatisfaction with the way the pay formula had been applied.

1972 to 1975

20. The interim pay adjustment effective from 1 September 1973 was in line with Government pay policy at that time, *i.e.* £1 a week plus 4%.
21. The 1974 review took place within the terms of the then Government's Stage 3 Pay Code and resulted in an increase of either 7% or £2.25 a week plus payments for unsocial hours working, the overall average increase being about 16.7%. Threshold payments were additional and equal pay for women officers was also achieved. As part of the settlement it was agreed to undertake a review of the structure of police pay and a working party of the Police Council was set up for this purpose. The settlement was implemented after Stage 3 had expired. Had it followed pay policy then prevailing (Retail Price Index less threshold payment on account), it would have been less favourable.
22. The 1975 review, which was in accordance with the Social Contract, contained an element of restructuring in addition to providing an increase in pay to compensate for the rise in the cost of living over the previous 12 months. The restructuring stemmed from the extensive review of the entire structure of police pay carried out by the Police Council working party referred to above. The settlement, including threshold payments, increased the annual police pay bill by around 30%, which was more favourable than the average settlement under the Social Contract. The effective date was 1 September 1975, which fell within the first round of the current Government's pay policy (limited to £6 a week) but the police were allowed to keep the more favourable social contract settlement by means of special transitional provisions in the White Paper (Cmnd 6151) which protected agreements reached before publication of the White Paper and with an effective date not later than 1 September 1975.

1976 to 1977

23. In 1976 the Government introduced the second round of incomes policy and the White Paper (Cmnd 6307) made it clear that there were no transitional provisions. Round 2 provided a pay limit of 5% with a maximum of £4 and a minimum of £2.50 per week and on 21 July 1976 an offer of an increase for the Federated ranks from 1 September was made in accordance with Round 2. This was accompanied by an offer from the Official Side to monitor pay and manpower movements in the police service and outside on a continuing basis. The offer was rejected by the Staff Side who took the view that the previous year's agreement had been a commitment from before the introduction of the first round of pay policy and that the police were therefore entitled to a Round 1 £6 increase from September 1976 rather than a less favourable Round 2 increase.
24. There was thus a clear division of opinion between the Police Federations and the Official Side on the interpretation of pay policy in Round 2. The Police Federation asked the Official Side to join in making representations to the Government for the payment of increases of £6 a week, but the Official Side did not feel able to associate themselves with representations for what they regarded as a breach of the pay policy. The Police Federations for England and Wales and for Northern Ireland, though not the Scottish Federation, thereupon withdrew from the Police Council. After the withdrawal of the two Federations in 1976 great efforts were made to resolve the dispute outside the normal negotiating machinery, but without success.
25. Following informal discussions between the Home Secretary and both sides of the Police Council, the Prime Minister met leaders of the three Federations on 7 March 1977 and confirmed that any settlement would have to be within Round 2. He asked the Federations to resume discussions with the local authorities and the Government with a view to settling the pay dispute with the Council under Round 2 and confirmed the Government's willingness to consider improving certain fringe benefits under the next phase. The Federations of England and Wales and Northern Ireland did not return to the Police Council but attended a number of informal meetings under the chairmanship of Sir John Nightingale, Chairman of the Police Council, outside the machinery of the Council. At the last of these, on 25 April 1977, the Federation representatives were offered a package under Round 2 approved by the Official Side of the Police Council and representing the limit to which the Government could go within

Round 2. Apart from an increase of 5%, with a minimum of £2.50 per week and a maximum of £4 per week, backdated to 1 September 1976, it contained a number of forward commitments to consider improvements in fringe benefits for the next round, subject to pay policy.

26. The Police Federation of England and Wales took the view that these proposals were not enough to justify acceptance of the offer, and on 9 May 1977 the Police Federation formally rejected it. On 19 May 1977, the Home Secretary announced that because of the impasse on police pay Regulations would be laid before Parliament providing Round 2 increases from 1 September 1976. The Home Secretary also announced that he proposed to proceed with the review of negotiating machinery for police pay and that he was prepared to accept in principle the Federation's proposal for a review, in the longer term, of their role, functions and constitution. In July 1977 the Government announced the setting up of a body to review the negotiating machinery. Lord Edmund-Davies was appointed as Chairman.
27. The third phase of incomes policy began on 1 August 1977. The rigid policy of Round 2 was replaced by guidelines with a measure of flexibility but restricting increases to 10% of earnings.
28. In September 1977, the Police Federations submitted a statement of claim for increases between 78% and 104% based on the adjustments in pay which they said were necessary to restore the relative position established by the Royal Commission of 1960, changes in police work and anticipation of inflation. In response, the Government made it clear that any settlements for 1977 would have to come within the agreed 10% increase under the third phase of the incomes policy, and on 27 October the Home Secretary offered the Police Federations an immediate increase of 10% backdated to 1 September 1977, with an undertaking of an independent inquiry into the proper basis of police pay. The Official Side of the Police Council endorsed the offer, which was subsequently accepted by all the Police Federations and the Superintendents' Associations.

1978 to 1979

29. The Committee of Inquiry on the Police under the chairmanship of Lord Edmund-Davies had been established in conditions of considerable tension involving the police, whose pay in the 1970s had fallen significantly behind comparable occupations. It reported in July 1978 (Cmnd 7283) and recommended a substantial increase (of the order of 45%) in police pay, and also a pay formula which would increase police pay in accordance with a combination of changes in the index of average earnings and changes elsewhere in the community in subsequent years.
30. The Police Federation accepted the Edmund-Davies recommendations and abandoned its policy of seeking the right for police officers to strike.
31. In 1979, the newly-elected Conservative government immediately implemented the Edmund-Davies recommendations in full.

1992 to 1993

32. In 1992, the Home Secretary, Mr Kenneth Clarke QC MP, announced an inquiry into police pay and conditions. His view was that the system of police pay and conditions was in need of substantial reform. The report of the Inquiry into Police Responsibilities and Rewards under the chairmanship of Sir Patrick Sheehy was published in June 1993 (Cmnd 2280). It made very wide-ranging and radical recommendations, including the abolition of certain ranks, the abolition of police regulations concerning pay in favour of a new pay matrix based on the scope of a role, the responsibilities attaching to it and its scale, specialist requirements, the nature of the policing environment, the experience and skills of an individual, and his performance in the role. It also recommended a change to a lower index for police pay, the abolition of casual overtime, and the end of secure tenure for police officers. The report also made proposals for radical reform of police pensions.
33. The Police Federation immediately rejected the report, and launched a vociferous campaign of opposition to the Sheehy recommendations, which began with an open meeting in Wembley

Arena attended by 23,000 off-duty police officers. By then, Mr Michael Howard QC MP had replaced Mr Clarke as Home Secretary. Mr Howard's first priority as Home Secretary was to take immediate steps to reduce crime as far and as quickly as possible, and he considered that he could not do so with sufficient success and speed if the police service were demoralised. As a result, most of the Sheehy report's most radical recommendations were not implemented.

2002

34. The Police Negotiating Board agreed a series of significant changes to police pay in 2002, following the Government's police reform White Paper *Policing a New Century: A Blueprint for Reform* (Cmnd 5326). Chief officers were made eligible for performance-related bonuses of up to 15% of their basic pay, to be determined by the Police Authority. Superintending ranks were made eligible for accelerated progression through their payscales based on performance, and a non-pensionable bonus for those at the top of their payscales was introduced. The Federated ranks were made eligible for Competence Related Threshold Payments, which were intended to provide an additional sum for those considered especially competent at the top of their payscales. Special Priority Payments were also introduced, as a means of tackling retention problems in particular posts and higher responsibility.

2006

35. In 2006, the Staff Side of the PNB tabled a claim for the annual increase of officers' pay by 3%, based on the Edmund-Davies index.
36. The Official Side did not provide a specific proposal at that time, and so a failure to agree was registered. On 18 October 2006, the matter was referred to the Police Arbitration Tribunal. The Tribunal found in favour of the Staff Side claim of 3%, and the Home Secretary approved the award, backdated to 1 September 2006. Following this, the Home Secretary commissioned a review of police pay arrangements to be conducted by Professor Sir Clive Booth.

2007

37. Professor Sir Clive Booth was required to review both the method of indexation of police pay for the short-term, and the negotiating machinery. His reports were published in February and December 2007.
38. His first report concluded that the increase in police pay for 2007-08 should be 2.325%. His second report recommended that the PNB should be replaced by a pay review body, similar to other public sector employees.
39. The Official Side of the PNB accepted the proposed 2.325% and tabled that figure, whereas the Staff Side tabled a claim for 3%. The PNB failed to agree, and the matter was referred to the Police Arbitration Tribunal. In December 2007, the Tribunal awarded 2.5%. The Home Secretary, Ms Jacqui Smith MP, accepted the ruling, but did not backdate the award to September 2007, thereby reducing the value of the amount over the year. The Police Federation severely criticised the Home Secretary for this, and called for her resignation.

2008 to 2010

40. The Official and Staff Sides at first failed to agree a three-year pay deal, and the issue was referred to the Police Arbitration Tribunal. Before the Police Arbitration Tribunal made its determination, a three-year settlement was agreed: increases in police pay of 2.65% for 2008, 2.6% for 2009 and 2.55% for 2010.

2010

41. The incoming coalition Government committed itself to a review of police pay and conditions. The Home Secretary, Mrs Theresa May MP, appointed Mr Thomas P Winsor to carry it out.

Note: In relation to the period up to 1978, this history of police pay is a reproduction of the account in Appendix III of the Edmund-Davies report.

Appendix 3 – Police pay and pension structures, funding, accountability and roles

1. **This Appendix summarises the negotiating mechanisms for police officer and staff pay, outlines the police pension arrangements and the funding and accountability of the police service, and provides examples of a number of police officer and staff roles.**

Pay negotiating mechanisms

Police officers

2. The Home Secretary makes regulations in respect of police officers' pay and conditions of service, using the powers in section 50 of the Police Act 1996 and section 1 of the Police Pensions Act 1976. However, there is a statutory negotiating framework for changes to pay and conditions.

Police Negotiating Board

3. The current police officer negotiating machinery has been in place since 1980. Section 61 of the Police Act 1996 provides for the continued existence of the Police Negotiating Board (PNB) for the United Kingdom.
4. The PNB covers police officers' hours of duty, leave, pay and allowances, pensions and the issue, use and return of police clothing and personal equipment. The Home Secretary, the Northern Ireland Minister of Justice, and Scottish Ministers are required to supply the PNB with a draft of any regulations they propose to make in relation to these matters, apart from pensions, and to take into consideration any recommendations made by the PNB. In relation to pensions, the Police Pensions Act 1976 requires Ministers only to consult the PNB; it does not require that regulations are provided in draft and any response be taken into account, but in practice this is done.
5. The Chair and Deputy Chair of the PNB are appointed by the Prime Minister (after consultation with Scottish and Northern Irish Ministers).
6. The constitution of the PNB sets out, amongst other matters, the Board's membership and committee structure, and the conciliation and arbitration procedures. Under the constitution, matters on which no agreement is reached, and which are not resolved by conciliation, may be referred by either Side to arbitration. Pension matters cannot be referred to arbitration.

Membership of the PNB

7. The PNB is made up of an Official Side and a Staff Side. The twenty two members of the Official Side are representatives of the Home Secretary, Scottish Ministers and the Northern Ireland Minister of Justice, the Association of Police Authorities of England and Wales, the Association of Chief Police Officers (ACPO), the Convention of Scottish Local Authorities, the Northern Ireland Policing Board and the Association of Chief Police Officers in Scotland (ACPO(S)).
8. The 22 members of the Staff Side are representatives of the Chief Police Officers' Staff Association (CPOSA), the Police Superintendents' Association of England and Wales, the Police Federation of England and Wales, the Scottish Chief Police Officers' Staff Association, the Association of Scottish Police Superintendents, the Scottish Police Federation, the Superintendents' Association of Northern Ireland and the Police Federation for Northern Ireland.

PNB ways of working

9. The PNB holds quarterly meetings. It also has three standing committees, which meet, if required, on the day of the full PNB meeting. These deal with issues for, respectively, the Federated ranks (cadet, constable, sergeant, inspector and chief inspector), the superintending ranks and chief officers.
10. Much of the work of the PNB is carried on outside the formal quarterly meetings, either through the Side Secretaries on a bilateral basis or through the quarterly Joint Secretaries' meeting, or through working parties, which then report to the PNB. This procedure is adopted for large and complex matters, or where information has to be gathered and evaluated to support negotiations.

Police Advisory Board of England and Wales

11. Section 63 of the Police Act 1996 provides for Police Advisory Boards (PABs) for England and Wales (PABEW), and for Scotland. The Act describes the role of the countries' PABs as to advise the Secretary of State, and Scottish Ministers, on general questions affecting the police. In practice, this means it considers those conditions of service matters not covered by the PNB, including: recruitment and appointment, conduct and discipline, and promotion arrangements. The boards must also be consulted on regulations covering specific workforce issues not covered by the PNB (although in Scotland, particular bodies or associations can be consulted as an alternative to the PAB).

Police Advisory Board membership

12. The PABEW comprises the Chair and Deputy Chair, members nominated by the Home Secretary, four representatives of the Association of Police Authorities, two representatives of the Association of Chief Police Officers of England & Wales (to include the Metropolitan Police Commissioner), one representative of the Chief Police Officers' Staff Association, two representatives of the Police Superintendents' Association of England & Wales, five representatives of the Police Federation of England & Wales, and representatives of the MPS and the Police Staff Council Trade Union Sides.
13. PABEW working parties may also invite representatives of organisations able to provide specialist knowledge, such as the Independent Police Complaints Commission, the National Policing Improvement Agency and Skills for Justice.

Police Advisory Board ways of working

14. The PABEW has formal quarterly meetings, which are usually held on the same days as PNB quarterly meetings. Much of the substantive work of the board is undertaken through working parties, which give detailed consideration to issues and make recommendations for decision by the full board.
15. The Home Office provides funding that pays for the Independent Chair and Deputy Chair of the PNB and PABEW, and contributes to the costs of running the Independent, Official Side and Staff Side Secretariats. During the past five financial years, the cost of the Home Office annual allocation to the PNB has been around £450,000 *per annum*¹.

Police staff

16. Police staff are employed by Police Authorities, who are responsible for setting their pay and conditions of service and negotiating at force level on these.

¹ Costs for full financial years ranged from £425,494, to £479,871. Figures were provided in answer to Parliamentary Questions 303913 and 303914 in December 2009.

Police Staff Council

17. The Police Staff Council (PSC) negotiates national agreements on pay and conditions of service for police staff, including Police Community Support Officers (PCSOs), in England and Wales. The national agreements of the PSC are only binding if Police Authorities and Chief Constables agree to incorporate them within the contracts of employment of their employees. The Metropolitan Police Service (MPS), City of London, Kent and Surrey police forces do not take account of PSC agreements.

Police pensions

18. A pension is an income in retirement, usually earned during the recipient's life whilst working, and built up through a combination of his contributions from his salary and payments into a pension fund by his employer or the organisation for which he works.

Police officer pensions

19. There are two pension schemes to which police officers may belong. They are the Police Pension Scheme 1987 and the New Police Pension Scheme 2006. They were established by the Police Pensions Regulations 1987 and 2006, respectively (both made under section 1 of the Police Pensions Act 1976).
20. The Police Pension Scheme 1987 (PPS) allows officers to earn one 60th of final salary for each of the first 20 years of service, and two 60th of final salary for each of the next 10 years of service. This provides a target pension of two-thirds of the officer's final salary. There is no automatic lump sum payable, but officers can decide to exchange part of their pension. This typically leaves them with a pension of half final salary. Officers in the PPS currently pay contributions of 11% of their pensionable pay; Police Authorities pay the employer contribution of 24.2%.
21. This scheme can pay a pension as early as age 48 and a half. It was closed to new members with effect from 6 April 2006.
22. The New Police Pension Scheme 2006 (NPPS) allows officers to earn one 70th of final salary for each year of service for 35 years. This provides a target pension of half final salary. Officers also earn four 70ths of final salary for each year of service for 35 years, to provide a target lump sum of twice final salary. Officers in the NPPS currently pay contributions of 9.5% of their pensionable pay; Police Authorities pay the employer contribution of 24.2%.
23. The scheme has been open to new entrants since 6 April 2006. The normal minimum pension age under NPPS is 55. It also provides a more modern range of benefits, including survivor pensions for nominated unmarried partners.
24. In addition to ordinary pensions paid on normal retirement, both schemes provide for compulsory retirement on the grounds of ill-health, age or in the interests of the effectiveness and efficiency of the police force. In the case of ill-health retirement, an ill-health pension will be paid, as an officer is required to retire when permanently disabled for police duty. In case of compulsory retirement on other grounds, the appropriate ordinary pension is payable.
25. There is also a system of police injury benefits, which is separate from the pension schemes and funded from forces' operating accounts. This provides additional payments to former officers who have left the police and are permanently disabled as a result of receiving an injury in the execution of duty. In the event of an officer's death as the result of such an injury, the scheme provides for certain payments to be made to the deceased officer's surviving family.

Financing of police officer pensions

26. The two police pension schemes are unfunded, like the majority of other public service schemes. There is no defined pension fund. The scheme is designed so that the combined employer and officer contributions for each serving officer cover the cost of that officer's

pension in retirement. The pensions to retired officers in payment today are therefore the consequences of pension entitlement and contributions built up in the past.

27. The contributions paid by officers and Police Authorities are put into a separate account in each police force area, ring-fenced from the police operating account. Police Authorities pay the pensions of former officers from the pensions accounts. These are balanced on an annual basis, with any surplus recovered by the Government and any deficit in the accounts met by central Government top-up grant.

Police staff pensions

28. Police staff are entitled to join the Local Government Pension Scheme (LGPS) in the relevant police force area, or the Principal Civil Service Pension Scheme (PCSPS) in the case of staff in the Metropolitan Police Service.
29. The LGPS is a funded scheme, with funds managed on a local basis. Employees currently pay contributions of between 5.5% and 7.5%, depending on their salary levels. The employer contribution rate varies from fund to fund, and is determined by an actuarial valuation of each fund's assets and liabilities. The minimum age at which members of LGPS can receive an unreduced pension is normally 65, although there are occasions – for example, redundancy – where it can be lower. The “Rule of 85” applies to some members: if the member's age plus length of service is equal to or greater than 85, he can retire with an immediate unreduced pension.
30. The PCSPS is an unfunded pension scheme and has a number of different sections. Many members will be members of either ‘Classic’ or ‘Premium’ and have a normal retirement age of 60, with the ability to receive a reduced pension from 50 or 55 in certain circumstances. A new scheme, ‘Nuvos’, was introduced for new entrants from 30 July 2007. This provides a normal retirement age of 65 and the ability to receive a reduced pension from 55. Under the PCSPS, employees pay 1.5% (in Classic, to cover adult survivor benefits) or 3.5% (in Premium and Nuvos). Employer contributions are 16.7% to 24.3%, depending on the salary level of the employee.
31. Both LGPS and PCSPS have ill-health retirement provisions and associated redundancy schemes.

Police funding

32. Police forces in England and Wales are each given funding from three main sources, namely (a) the Home Office, (b) the Department for Communities and Local Government (CLG) or the Welsh Assembly Government (WAG), and (c) the police precept component of local council tax. This arrangement reflects the fact that Police Authorities are part of the local government system, but that policy responsibility for policing rests with the Home Office.
33. Forces also generate a small amount of income for themselves. Sources include charging event organisers (such as football clubs) for policing, borrowing, payments from other public bodies (such as local authorities), and investments.

Home Office police grants

34. The Home Office funding is made up of the main grant and a special payment to the Metropolitan Police to cover the extra duties of policing a capital city (on the spending of the latter of which there are no conditions). Other Home Office funding is given in the form of specific grants; these usually have conditions attached to their use.
35. The Home Office also provides capital funding, which can only be invested in depreciable goods such as infrastructure or technology. Capital funding is distinct from resource funding, which must be spent in-year, such as staff costs. In 2010/11, this amounted to £210m (reduced by £10m in-year). Forces have complete spending discretion over capital funding. Of that £210m in 2010/11, £73m is ‘supported capital expenditure’ (SCE) – an amount of borrowing which government supports by an annual grant for debt interest and repayment. The remainder is a grant.

36. Grants are paid to Police Authorities, who pay their own running costs by deducting a small percentage from the grants. Nationally, this averages at approximately 0.5% of total funding (including the precept).

CLG and WAG police grants

37. The Department for Communities and Local Government pays two grants to the police: the revenue support grant (RSG) and a proportion of national non-domestic rates (business rates). Parliament agrees both of these as part of the local government finance settlement. The local government and police grant settlement processes run in parallel.
38. For 2010/11, funding from RSG and business rates total £3.5 billion. This amount was not reduced in-year.
39. The four Welsh police forces receive funding from the Welsh Assembly Government instead of the Department for Communities and Local Government. In 2010/11, the amount was £167 million.

The police precept

40. There is significant variation between individual police forces in the amount of annual precept charges raised from the local council tax. This is because the funding is based on the cost of housing in the area. For example, in the case of the police precept for a band D property in 2009/10, the UK average was approximately £160 *per household per year*; the highest in England and Wales was the Metropolitan Police at £224 and the lowest was Northumbria at £81.
41. How much money a force raises from precept also depends on the make up of its tax base (*i.e.* the number of properties in each band).
42. The proportion of total police funding paid for by the precept has been increasing in recent years, from an average 17.9% in 2000/01 to approximately 26.4% in 2009/10.

Allocations of grant to Police Authorities in England and Wales 2011/12 – 2014/15

43. Total Government funding for the police (*i.e.* excluding police precept funding) has increased steadily for at least the last 30 years. In real terms, Government funding increased by 7% between 2005/06 and 2009/10.
44. In the years 2011/12 – 2014/15, there will be an equal share of reductions to the police core settlement from the Home Office, funding from the Department for Communities and Local Government and from the Welsh Assembly. Every Police Authority will sustain a cash reduction in this funding of 5.1% in 2011/12 and 6.7% in 2012/13. When funding for specific grants is added to this, the total cash reduction in core government funding to the police remains 4% in 2011/12 and 5% in 2012/13.
45. There will be a significant reduction in the funding allocated by means of specific grants. Specifically, the rule 2 grant², crime fighting fund (which was paid to maintain police officer numbers) and the basic command unit fund have all been absorbed within the police main grant with the aim of giving local areas more flexibility to allocate the funds as they wish.
46. Funding is set aside in 2012/13 to fund the first elections of Police and Crime Commissioners in that year, and has therefore had no impact on allocations to forces.
47. The table below outlines proposed / indicative police funding allocations for the next four financial years.

2 'Rule 2' grants were a set of five grants, created as specific grants, which previously formed part of the core settlement. They are: the Rural Policing Fund (previously £30m), the Forensic Grant (previously £45.6m), the Special Priority Payments Grant (previously £69m), the London/SE Allowances Grant (previously £47.9m), and the Initial Police Development and Learning Grant (previously £16.2m).

Police revenue funding – proposed figures for 2011/12 and indicative figures for 2012/13 to 2014/15

	2011/12 £m	2012/13 £m	2013/14 £m	2014/15 £m
Main grants				
Home Office Police Main Grant	4,579	4,251	4,515	4,429
National, International and Capital City Grant (Metropolitan Police Service only)	200	189	185	183
Communities and Local Government general grant	3,345	3,138	3,093	3,051
Welsh Assembly Government general grant	161	151	149	147
Specific grants				
Welsh top up	13	13	20	20
Neighbourhood policing fund (NPF)	340	338	–	–
Counter-terrorism specific grant	567	564	563	562
Council tax (2011/12) freeze grant	75	75	75	75
Police and Crime Commissioners election funding	–	50	–	–
Private Finance Initiative grants	54	54	60	79
Total Government Funding	9,341*	8,830*	8,660	8,546
% change in Government funding	-4%	-5%	-2%	-1%
*This includes a small amount of funding that will form part of a contingency fund, which is not shown in the table above.				

Specific Grants

48. The neighbourhood policing fund specific grant will continue until directly elected Police and Crime Commissioners are in place. Funding totalling £340m in 2011/12 and £338m in 2012/13 will be made available. Approximately 90% of the grant will be ring-fenced for PCSOs, contributing up to 75% of their salary costs. The remaining 25% will need to be match-funded by the police, councils, businesses and other organisations. This will not apply to the Metropolitan Police Authority which will have full discretion on the spending of this funding from 2011/12. From 2013/14, this fund will be consolidated into the Police Main Grant.
49. Counter-terrorism is prioritised to ensure that the police will have the necessary resources to respond to the changing demands posed by the terrorist threat. In 2011/12, £567m has been allocated to support counter terrorism policing. For 2012/13, the amount is £564m. Much of this latter capacity will be devoted to the London Olympics in 2012.
50. Specific funding will be given to cover the costs of private finance initiative projects which are currently operational, and where grants are being paid in 2010/11, and for projects which become operational in 2011/12.

51. The national, international and capital city grants recognise the unique additional duties performed by the Metropolitan Police Service. In 2011/12, the funding will be £200m. It will be reduced in subsequent years on the same basis as the police main grant.
52. Funding was made available in the police Spending Review settlement to help Police Authorities achieve a council tax freeze in 2011/12. Should every local authority participate in the freeze, it is estimated that they will receive a total of around £75m in each of the next four years to compensate for income that they would otherwise have raised from council tax. Funding for this was included in the police settlement, and has been set aside accordingly.
53. Police capital will be at 55% of its current level by 2014/15. In 2011/12, more pressing capital priorities within the Home Office mean that it will be reduced to 40% of its level this year; however, the police service will be compensated through an increase in capital funding in the following financial year. The majority of this funding will be allocated directly to Police Authorities/Police and Crime Commissioners, who will all receive the same percentage change in funding.
54. In accordance with the commitment made by the then Minister for the Olympics in 2007, the Government will make up to £600m available, if required, for the Olympic safety and security programme. Savings have been identified since 2007 and, at this stage, with almost two years before the Games begin, it is estimated that it should be possible to deliver the core cross-Government safety and security programme for approximately £475m.
55. Beyond the £134m which will have been spent by the Home Office by the end of the current financial year, the Home Office will be providing £107m in 2011/12 and £192m in 2012/13, primarily for the police service, to meet the Olympic safety and security costs. This funding is in addition to the core police funding detailed above and the contributions being made by other Government departments.
56. A further investment of about £280m will also be made available for the specific purpose of supporting the London Organising Committee of the Olympic and Paralympic Games (LOCOG) in its responsibilities to secure Olympic venues before and throughout the games.

Accountability of the police

Police Authorities

57. Police Authorities are independent bodies comprised of councillors and members of the community. They each have a responsibility to ensure the effectiveness of the police service in their respective areas. They set the local strategic direction and priorities of the police force, and represent the local community. They also set the budget and the precept used to fund policing, oversee any complaints against the police, and have the power to appoint, dismiss and discipline chief officers.

Police and Crime Commissioners

58. The Government's Coalition Agreement, *Our Programme for Government*, contains the Government's commitment to replace Police Authorities with elected Police and Crime Commissioners in 2012.
59. Plans for the establishment of Police and Crime Commissioners were set out in more detail in the Home Office's consultation document *Policing in the 21st Century*. In December 2010, the Police Reform and Social Responsibility Bill was published, and the Bill is presently receiving Parliamentary consideration.
60. If Parliament approves the necessary legislation, there will be 41 Police and Crime Commissioners in England and Wales, one for each force area outside Greater London.

61. The proposed legislation contains checks and balances in connection with these governance arrangements. They include measures to ensure that the public have access to information about force performance, and the establishment in each police area of a Police and Crime Panel which will hold the Police and Crime Commissioner to account.

Roles in the police service

62. There are many police officer and police staff roles. The specific units in which police officers work and their job titles may vary from force to force, but the core responsibilities in relation to the prevention and investigation of crime are usually the same.
63. The following brief descriptions of a number of police officer and police staff roles have been provided by Kent Police. They are included in this report as illustrations of the types of job which are done in the modern police service.

Police officers

Core section / response – police constable

64. Patrol specific localities providing high visibility policing; officers respond to emergency and non-urgent calls for assistance, investigate circumstances, and call for and co-ordinate specialist assistance when required.

Neighbourhood policing – police constable

65. Provide public reassurance and tackle the problems that the neighbourhood regards as of the greatest importance.

Adult or child protection – detective constable

66. Conduct investigations in relation to the abuse of vulnerable adults or children within their home environment or family situation, or by carers; liaise with other relevant agencies as required; identify repeat victims and vulnerable adults at risk of harm, and initiate action to protect them.

Custody sergeant

67. Determine the appropriate course of action for each detained person (whether detention should be authorised, whether to charge, caution and/or release with or without bail), and ensure a secure and safe environment whilst permitting the conduct of a lawful investigation.

Intelligence informant handler – police constable or detective constable

68. Provide advice, guidance and immediate professional assistance to other officers, and conduct intelligence interviews with prisoners; collate intelligence concerning cross-border activity and serious crime targets.

Drugs intervention team – police constable

69. Develop and support police and other agencies' plans and operations to reduce the availability of Class A drugs, and prosecute offenders for the supply of them; apply a multi-agency approach to manage those offenders, implementing strategies and tactics to enable them to engage in treatment programmes, monitor them closely whilst in treatment, and target those who fail to participate.

Area crime and incident management – detective constable

70. Attend crime scenes to conduct initial investigations, securing and preserving forensic evidence and evidence from victims and witnesses, and conduct initial investigations into reported crimes to validate crime reports; ensure that investigations are evidence-driven.

Offender management unit – police constable

71. Plan, prepare and coordinate partnership activity for the management of prolific offenders, including people released from releases, those on probation, and offenders identified through intelligence.

Tactical crime investigation department – detective constable

72. Conduct proactive and reactive investigations into complex and serious crimes, ensuring that the best possible evidence is secured and that cases are fully and efficiently investigated to detect crimes and allow a considered decision to be taken about the prosecution of offenders; investigations will primarily be focused on serious acquisitive crime such as burglary, theft of motor vehicles, theft from motor vehicles, and robbery.

Area major inquiry team – detective constable

73. Manage all aspects of serious crimes for an area, including grievous bodily harm, robbery and rape, maintaining the integrity and standards of case investigation and acting as senior investigating officer when necessary; oversee the activities of all team members in completing the necessary investigations.

Licensing officer – police constable

74. Co-ordinate, administer, monitor and review licensing applications and compliance with the conditions of licences, ensuring appropriate police interventions, and the good management of licensed premises in the area.

Firearms – police constable

75. Provide an appropriate and professional level of response to serious incidents involving the police use of firearms, as well as undertaking armed venue security duties; provide 24-hour response to reports of spontaneous firearms incidents, including containments, vehicle drills, building searches and vehicle and person stops.

Tactical support section – police constable

76. Undertake high profile and high impact proactive policing as part of a team; provide a county response to organised criminal networks by initiating and supporting operations designed to disrupt criminal activity by proactive policing; carry out crime scene searches and evidence gathering.

Serious and organised crime – detective constable

77. Secure the best evidence through thorough, proactive and reactive investigation and intelligence gathering, and ensure effective management of all available resources in order to detect complex and serious crimes, allowing the prosecution of offenders; acting as an informant handler as required, and exploiting other sources of information.

Traffic – police constable

78. Undertake traffic patrol work and other patrol-related duties including operating speed traps and other road checks, completing all associated paperwork, and escorting abnormal loads, with the aim of maintaining the effective flow of traffic through the local area and the county; attend serious road traffic accidents, liaising with other emergency services and managing the incident to ensure safety of the public and officers.

Covert support – police constable

79. Provide intelligence and evidence through the use of conventional and technical covert methods, including the use of surveillance, equipment installation and covert entry.

Major crime / homicide / kidnap – detective constable

80. Investigate the most serious and violent offences, including stranger rapes, murder and kidnap.

Police staff

Business manager

81. Manage and co-ordinate a diverse range of support services, including business planning, finance, personnel, area estate assets, fleet management, and health and safety.

Police Community Support Officer (PCSO)

82. Support warranted police officers in providing a high profile visible uniformed presence in a designated neighbourhood, in order to provide public re-assurance and assist in the prevention and reduction of incidents of crime, disorder and anti-social behaviour.

Human resources manager

83. Manage and develop all aspects of human resources services, including the development and maintenance of working practices, systems and processes across the force; provide expert advice and guidance to senior management and others on appropriate job design and reward strategies, and draft policy changes in order to ensure the efficiency and effectiveness of the service.

Force control centre – call handler

84. Answer and evaluate all emergency and public calls to the police force communications centre; undertake searches and checks on force and national computer systems in connection with specified persons, crimes or vehicles.

Training officer

85. Coordinate the training activities of the force, identifying and analysing training needs, arranging, delivering and assessing training, and forecasting future training demand.

Digital forensics analyst

86. Secure and retrieve data from seized digital devices, producing technical documentation in relation to the data, presenting evidence in court and advising police officers on all aspects of the forensic analysis of digital devices; accompany police officers in the execution of search warrants, providing advice on correct methods of seizure and removal of equipment, and conduct on-site examinations; provide technical advice and assistance to officers attempting to trace criminal suspects through digital networks, including the internet.

Crime scene investigator

87. Investigate, recover, collect and record all forms of physical evidence and intelligence from crime scenes, taking photographs, fingerprint lifts, samples and property.

Firearms inquiry officer

88. Assess applications for firearm, shotgun and explosive certificates, including renewals and revocations; prepare recommendations to ensure force compliance with legislation and policy.

Witness care officer

89. Provide an integrated support service and dedicated witness care, including assessment of needs, dealing with compensation issues and helping witnesses to understand the key stages in the criminal justice system as it applies to their cases; liaison with a range of other support groups in order to ensure that police and civilian witnesses attend court at the specified times.

Coroners' officer

90. Investigate reports of sudden, unexpected or unnatural death on behalf of the Coroner, carrying out extensive inquiries, arranging and attending post-mortem examinations and inquest courts, in order to determine the cause of death; act as a representative of the Coroner at all times in order to provide support and guidance to those involved in, and affected by, the investigation of sudden death.

Forensic nurse

91. Provide a forensic nursing service in the custody suite (cells), conducting clinical assessments, collecting forensic samples, providing advice and guidance and maintaining detailed and accurate records to ensure the health, safety and welfare of persons held in police custody; attend the scenes of sudden deaths, including those occurring at nursing homes and similar facilities, examining the body, and identifying and reporting on any suspicious circumstances.

Appendix 4

The Remuneration of the Police in the United Kingdom

Professor Richard Disney, University of Nottingham

Acknowledgements

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Executive summary

1. Police officer scale rates are generally 10-15% higher than those of the other emergency services and for similar ranks in the armed forces.
2. Although the police have a different negotiating structure, police officer scale rates have risen by a similar percentage to those of public sector groups covered by Review Bodies since the early 1990s.
3. For senior police officers, basic pay is typically boosted by bonuses, benefits-in-kind and expenses. Such payments typically represent 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.
4. Using data on the occupational earnings structure from the Office of National Statistics (ONS), average earnings of male police officers from constable to sergeant level are located at around the 75th percentile of the male full time earnings distribution. The earnings of female police officers at these grades are around the 80% percentile of the full time female distribution. Officers at inspector and above are in the top 10% of the earnings distribution.
5. Earnings of police officers are comparable to those in many white collar, professional, occupations.
6. The position of police officers in the earnings structure has remained roughly constant in the last decade.
7. Female police officers (averaged across constables and sergeants) on average earn 10-15% less than male police officers; this gender pay gap is lower than the average gender gap across all occupations. Among senior police officers, due to the composition of ranks, women earned slightly more, on average, than men in 2009.
8. Data on police staff other than officers are hard to obtain from published sources. Using data from returns from a number of police forces to the ONS, it is apparent that police staff in general earn less than police officers but their pay is broadly comparable with similar occupations in other sectors, where such comparisons can be made.
9. Overtime hours worked by police officers (sergeant and below) are no greater than the average of overtime hours worked across occupations. However there is a substantial range in the overtime hours worked by police officers. Moreover, payments at overtime rates arising from changes in shifts and ‘mutual aid’ to other forces are not separately delineated in the ONS data.
10. There is regional variation in average police pay, and in the ratio of average police pay to average pay across occupations in each region. In particular, police pay in London and the south-east is closer to average pay than in regions such as the North and Wales, where private sector pay is lower.
11. International comparisons of police pay are fraught with difficulties and should be treated with caution. Nevertheless, comparisons from a variety of statistical sources suggest that average police pay in Northern Europe (Denmark, Germany and Sweden) is closer to national average earnings than in England and Wales, putting police in those countries at a lower point in the earnings distribution, whereas police pay in Australia, Canada and New Zealand lie at a similar point in the earnings distribution to average police pay in England and Wales. In the United States, police pay is locally bargained and there is wide variation across the country.
12. The combination of early normal pension age (NPA) at age 50 or after 30 years’ service, and accelerated accrual of pension rights after 20 years’ service, rendered the 1987 police pension scheme among the most generous of public sector pension schemes. After the public pension reforms of the 2000s (including the 2006 new police pension scheme), the police scheme remains among the most attractive in terms of NPA (age 55) although the ‘return’ on contributions to the police scheme have been reduced markedly by the 2006 reform and by the shift from RPI to CPI indexation.

13. Police officers pay the highest contribution rate of any public pension scheme, but contributions from employers to the scheme are also among the highest in public pension schemes. There are roughly 131,000 contributors to the 1987 pension scheme (and 13,000 to the 2006 scheme), but almost 125,000 pension recipients and a further 20,000 deferred beneficiaries. This high ratio of pensioners to contributors is a significant cost burden. Combined pension contributions as a percentage of earnings are over 35% in the 1987 scheme and almost 34% in the 2006 scheme.
14. The 2006 reform only applies to new entrants; thus, under present rules, the terms of the 1987 pension scheme will govern the vast majority of retirements for the foreseeable future.
15. The police pension schemes also contain relatively generous provisions for early ill-health retirement on enhanced benefits, somewhat reduced in the 2006 scheme. The co-existing scheme of injury benefits (not financed through the pension scheme) is currently under review.
16. Using data on police forces for England and Wales, there is a strong relationship between the area population of a police force and both the size of the police force and the total pay bill of the police force. There is weak evidence that police forces with a higher population density use more support staff per police officer. There are wide variations in the use of overtime across police forces, as well as in the ratio of support staff to ‘frontline’ officers.
17. The key determinant of differences in police pay bills across forces is the number of police officers employed. Police forces with greater pay bills and more police officers tend to use more non-officer staff, but make less use of overtime. The key ‘driver’ of *changes* in police pay bills over time is the size of the negotiated pay uplift. There is weak evidence that forces attempt to offset higher pay uplifts by making less use of overtime and of support staff.

1. Police officer pay scales and careers

i) Background, and police pay scales in 2010

As at March 2010, there were around 144,000 police officers in the police forces of England and Wales, of which 11,000 were above the rank of sergeant. The total figure represents an increase of some 17,000 over the decade 2001 to 2010¹. In addition, as of March 2010, these police forces employed a further 17,000 Police Community Support Officers (PCSOs). Including civilian staff, PCSOs, traffic wardens and other categories of staff, a further 96,000 staff were employed by police forces in England and Wales in March 2010 in addition to police officers.

The institutional negotiating machinery for police officer pay is the Police Negotiating Board (PNB). The PNB is the vehicle through which negotiations concerning pay uplifts and other matters relating to police pay scales and pay remuneration more generally are conducted by the Official Side (Police Authorities) and the staff side (the Police Federation, the Superintendents' Association and the Chief Police Officers' Staff Association). The PNB then makes recommendations to the Home Secretary, which are generally accepted, although awards have been staged in some years and in 2007 the then Home Secretary refused to backdate a pay increase of 2.5% agreed by the parties.

As of 1st September 2010, current pay scales reflected the final year of a three year pay deal negotiated in 2008 by which pay scale rates increased by, respectively, 2.65%, 2.6% and 2.55% in successive years.

Pay in the police service rises in a series of incremental scales and grades through constable and sergeant, potentially to the ranks of inspector, superintendent and assistant chief police officer.

Pay of a police officer on starting police service currently (1st September 2010) commences at £23,259, irrespective of age, and rises by a series of 10 pay points to a maximum of £36,519. At this point, officers may be eligible for a Competence Related Threshold Payment of £1,212. Promotion to police sergeant allows the officer to enter a scale commencing at £36,519 or £37,767, depending on where the officer was on the constable scale, rising to a maximum of £41,040. Again, at his or her highest point, a Competence Related Threshold Payment is available.

Various additional payments may be made. A Dog Handler's Allowance of £2,133 is paid to officers caring for a police dog at home. For officers working in the London area there is an additional London weighting of £2,277. Officers in the Metropolitan and City of London police forces may also be entitled to additional 'London allowance' reflecting higher housing costs which boost the effective London weighting for most officers by a further amount of £4,338, and officers in the forces surrounding London may be entitled to additional housing allowances of £2,000 (county forces adjacent to London) or £1,000 (outer south-east counties).

For senior officers, pay commences at £46,788 (Inspector) with 4 scale points; £51,789 (Chief Inspector) with 3 scale points; £62,298 (Superintendent) with 5 scale points (with a further Range 2 scale of protected pay); £74,394 (Chief Superintendent) with 3 scale points; and £86,229 (Assistant Chief Constable/Commander) with 6 scale points. Finally, Chief Officers' Pay and Deputy Chief Officers' Pay rates are specific to particular forces and vary from £127,017 to £181,455 and from £108,873 to £139,119 respectively outside London. There are higher scale rates for the Commissioners of the Metropolitan Police Service (MPS) and the City of London Police service, and for their Deputy and Assistant Commissioners respectively.

¹ Source: CIPFA data. Returns for Scotland and Northern Ireland are incomplete.

ii) ‘Typical’ police careers: some vignettes

Police careers are rich in variety. The description of pay scales and ranks should not imply that police officers automatically march through the ranks of upward progression to achieve senior positions. The diversity of police careers can be illustrated by some vignettes; fictional but conveying this variety of experience².

Officer One

John joined a small rural force at age 19 after A levels. He completed his 2 year probation satisfactorily and was a response driver for two years in a busy market town. After marrying, he applied successfully for a vacant position on a rural beat. He became popular amongst the community, enjoyed the work, and remained there for the remainder of his service. He was trained to level 1 in public order and was occasionally deployed in that capacity. He had no promotion aspirations and never took the examination. He retired on completion of his 30 years service.

Officer Two

Jane joined the Metropolitan Police at age 24 with a degree in history. She served her probation in an inner city Operational Command Unit (OCU). It was soon obvious that she had high potential for promotion. After three years service, she took Part I of the promotion examination to the rank of sergeant which she passed. She applied for the High Potential Development Scheme and, after Force selection, went forward to the national selection competition where she was successful. She was promoted to Sergeant, completed the initial course and after was promoted to uniformed inspector and given a shift to command. She spent two years successfully performing this duty having married during the time and then took a period of maternity leave. On returning to the Force she was promoted to chief inspector responsible for operations at an outer London OCU before spending 18 months as a staff officer to an Assistant Commissioner at New Scotland Yard. She was promoted Superintendent at age 33 and was then to chief superintendent at age 36 when she took command of a busy and sensitive OCU. She was, by this time, attracting a reputation as being an outstanding leader and in response to an advertisement applied to be considered for the National Strategic Command Course. She was successful and having completed the course, applied for an Assistant Chief Constable’s vacancy in a rural Force. The panel selected her and she moved with her family to the Force area. She undertook two different roles as she prepared for further advancement and on the retirement of the Deputy Chief Constable she was selected to replace him. At age 44 she was appointed Chief Constable of a neighbouring rural force and at age 48 she moved again to be the Chief Constable of one of the country’s five major police forces. Having reached 30 years service, she decided to continue serving until age 58 (continuing to contribute to her pension but attracting no additional pension benefit by so doing).

Officer Three

Peter joined the service at age 29 having been a plumber. He came from a working class background and had no formal qualifications. He was very motivated by his new career and did quite well in initial training. During his probationary period in a northern city force he developed a reputation as a street-wise officer. As his only interest was in crime matters, he completed his probation with a reputation for competence in this area and was identified as a trainee detective. After completing a period working in plain clothes he attended a detective training course and at its conclusion, was appointed a detective constable. After a year he transferred to the Force Major Investigation Unit which undertook investigations into non domestic murders, over-the pavement robberies, kidnaps and similar serious crimes. He continued to work there for eight years as a well respected detective. He was reluctantly persuaded into taking the examinations for promotion to sergeant, because his supervisors saw in him natural leadership skills. He had several attempts at taking the examination until,

² My thanks to Sir Edward Crew for constructing these particular vignettes.

with 15 year service, he was successful. He was promoted at age 46 with a wealth of practical experience and served as a detective sergeant. He led a small crime squad of detectives and uniformed officers dealing with drug dealing within the OCU. This was a successful team which he led for two year but there was serious concern when during a drugs search he was stabbed in the stomach. He was seriously injured and although he recovered physically, he suffered post traumatic stress and was posted to restricted duties. He remained on restricted duties for many years. His health continued to deteriorate and he left the Force on an ill health pension with 27 years' service.

Officer Four

Fred joined the police cadets at 16 with six good GCSEs and joined the force at age 19. He was enthusiastic and completed his probation satisfactorily. He aspired to be a Class I driver and went through all the courses to achieve his ambition as a response car driver. Initially working shifts 24/7, as his children grew up, working the weekend and Bank Holiday working became progressively less attractive for him. With ten years service he decided to look for another opportunity to use his skills and was successful in being selected to work in the Force's Uniform Support Group. He was now trained to level 3 public order and use of Tazer. Still, at 15 years service, unsociable and unpredictable hours were beginning to tell. He struggled to pass the promotion examination successfully. Ultimately he was posted to a custody suite as custody officer where he dealt with solicitors making demands for their clients. The benefit, although still unsocial, was that the hours were predictable which brought more contentment at home. He later spent time as a neighbourhood policing sergeant which he enjoyed having responsibility for 5 Constables and 10 PCSOs. He took the inspector's examination but although successful could not get promoted because of competition for positions, but eventually landed a job in the intelligence unit which suited his family's lifestyle as it involved weekday workings without weekends although the occasional overtime could still be found.

Officer 5

Clive joined the service at age 24, completed his probation satisfactorily and transferred to the CID where he developed his skills and interests. After general CID duties, he was posted to the Anti-Terrorist Branch where he built a level of expertise. He initially had no aspirations for promotion as he believed his interests and strengths were in 'front line policing' but, as time progressed, was becoming restless at the lack of opportunity to enhance his reward and recognition package. He was receiving increments and being paid for working overtime but saw other officers, whom he considered less able, being promoted and better rewarded. He was also becoming mindful of retirement years. Eventually, he took the promotion examination to the rank of sergeant which he passed and was promoted into uniform duties as there were no vacancies for the foreseeable future within his specialism. His annual income had hardly increased and he was less fulfilled in his job, but was motivated by the important difference to his pension rights.

Officer 6

Paul joined the service aged 29 and married during his probation. His wife had a high paid career and when they had their first child a few years later they agreed that Paul would take a career break after his wife's maternity leave to act as a house husband. When their child was five, Paul returned to the Force and worked in a mutually acceptable flexible pattern amounting to three days per week. Without making additional contributions to his pension, he was faced with the prospect of serving for many more years to achieve a full pension or draw a pension at 30 years which was severely reduced.

2. Pay scale comparisons

i) Comparison with other scale rates in selected public sector occupations

There has been a long history of discussions as to whether police pay uplifts should be determined by a formula and if so by what comparison group or index. Several public sector pay groups such as the police and firefighters which are not covered by the Review Body system of evidence-based pay-setting have had pay broadly set by comparisons with indices such as percentiles of the earnings distribution or comparator groups. These systems of pay-setting are in contrast to pay structures where rates of pay are set by explicit job evaluations based on job content and by comparisons of jobs with comparable pay content, or by market-based formulae such as recruitment and retention criteria³.

The formula for determining the level and increase of police scale rates was initially based on *earnings* data from the New Earnings Survey (now ASHE – the Annual Survey of Hours and Earnings) updated by the Average Earnings Index. From 1994 the formula moved to one based on *settlements* in the private sector. Sir Clive Booth's first report in 2007 'Fair Pay for Police Officers' recommended replacement of this benchmark by an explicit 'public sector facing index' of pay settlements⁴. The choice of an appropriate comparator or index in pay-setting arrangements has been an issue which has provoked intense discussion in police pay negotiation and this report does not take a particular stand on it. Nevertheless, in the absence of specific job evaluation and market force criteria, it might seem natural, at least in terms of popular perception, to commence the examination of police pay by examining the pay scales of the police relative to those of the other emergency services. These comparisons of scale rates are depicted in Table 1.

Table 1 suggests that police scales compare very favourably with the scales for ambulance staff and firefighters – averaging around 10-15% more than these occupations. Police negotiators have argued that somewhat more generous treatment of the police should compensate for the fact that police have foregone the right to strike. Whilst this may be relevant in the comparison with ambulance staff and firefighters, it is not relevant to the comparison with the armed forces where police rates are again somewhat more favourable. In comparing with the armed forces, however, it should be noted that the armed forces are eligible for various forms of housing allowance, whereas automatic housing allowances for new recruits to the police force were abolished in 1994. It is also pertinent that the military pay scales depicted in Table 1 incorporate a specific uplift known as 'X-Factor'⁵.

³ An example of a job-evaluation based pay structure is the Agenda for Change pay structure introduced for NHS employees in the mid-2000s. Review Body deliberations on pay uplifts are usually based on a combination of market forces and job content criteria.

⁴ Sir Clive Booth (2007) *Fair Pay for Police officers: The First Part of a Review of Police Officer Pay Arrangements*. In his second report *Determining Pay in the Police Service: The Second Part of a Review of Police Service Pay Arrangements*, Professor Booth proposed creating a Pay Review Body for the police. As part of the three year deal on police pay instituted in 2008, both these proposals were 'put on ice'.

⁵ "The X-Factor is a percentage increase to basic pay, which reflects the difference between the conditions of service experienced by members of the Armed Forces and conditions in civilian life, which cannot directly be taken into account by the job evaluation process. The X-Factor compensates for such things as, for example, being subject to military discipline, liability for duty at all times, the inability to resign at will, change jobs or negotiate pay, and the danger, turbulence and separation which are part of Service life. The X-Factor also considers some of the advantages of being in the Services, such as travel, adventure, the chance to learn a trade, variety, leave and job security." (<http://www.modoracle.com/finance/>) In the last quinquennial review of 'X-factor' by the Armed Forces Pay Review Body, the X-Factor component of pay was raised from 13% to 14%. See: (<http://www.publications.parliament.uk/pa/cm200809/cmhansrd/cm090226/text/90226w0036.htm>).

Table 1								
Police	Ambulance		Firefighters		Armed Forces			
Sept 2010 scale rates	Agenda for Change scale rates: April 2010		July 2009 scale rates		2010-11 scale rates including 'x-factor'			
Police constable	Band 5: paramedic		Firefighter		Range 1 e.g. Private/Able rating/ Aircraftman			
0 £23,259	16	£21,176	Trainee	£21,157	1	£17,015		
1 £25,962	17	£21,798	Development	£22,038	2 min/max	£17,486	£18,432	
2 £27,471	18	£22,663	Competent	£28,199	3 min/max	£17,957	£20,420	
3 £29,148	19	£23,563			4 min/max	£19,529	£21,773	
4 £30,066	20	£24,554	Crew Manager		5 min/max	£20,582	£24,075	
5 £31,032	21	£25,472	Development	£29,971	6 min/max	£21,442	£25,246	
6 £31,917	22	£26,843	Competent	£31,263	7 min/max	£22,359	£26,405	
7 £32,703	23	£27,534			8 min/max	£23,383	£27,592	
8 £33,753					9 min/max	£24,230	£28,940	
9 £35,796								
10 £36,519					Range 2: e.g. Leading rate/ Corporal			
					1 min/max	£26,405	£27,592	
					2 min/max	£27,592	£28,940	
					3 min/max	£28,940	£30,357	
					4 min/max	£29,161	£31,065	
					5 min/max	£29,390	£31,814	
					6 min/max	£29,624	£32,474	
					7 min/max	£29,840	£33,182	
Police sergeant	Band 6: Ambulance practitioner advanced, to emergency team leader		Watch Manager		Range 3: Petty Officer/Sergeant			
0 £36,519	21	£25,472	Development	£31,940	1 min/max	£30,103	£32,756	
1 £37,767	22	£26,483	Competent A	£32,827	2 min/max	£30,799	£33,604	
2 £39,033	23	£27,534	Competent B	£34,961	3 min/max	£31,573	£34,456	
3 £39,867	24	£28,470			4 min/max	£31,892	£34,890	
4 £41,040	25	£29,464			5 min/max	£32,723	£35,570	
	26	£30,460			6 min/max	£33,854	£36,249	
	27	£31,454			7 min/max	£34,112	£36,929	
	28	£32,573						
		£34,189						

ii) Pay uplifts awarded to police officers, relative to some other public sector occupations

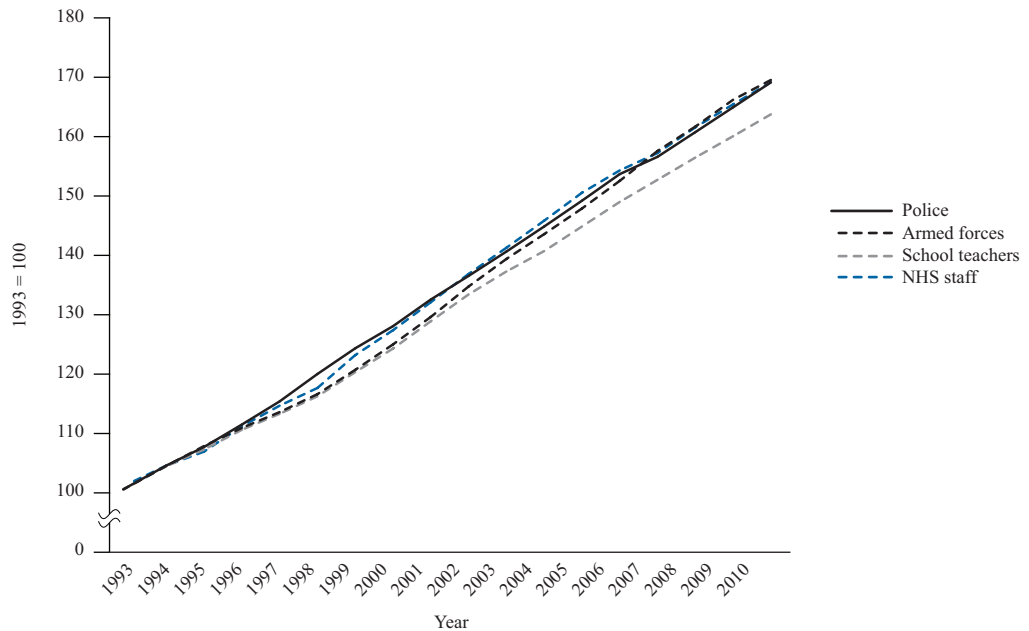
Year-on-year increases in pay scales over time in the public sector are affected by a myriad of factors including cost-of-living increases, relative pay movements in comparable occupations, recruitment and retention difficulties, affordability criteria, and so on. A variety of negotiating arrangements are in place in the public sector. The pay scale uplifts for most of those occupations utilised as comparators for police pay in Table 1 are determined through the Review Body system, whereby independent bodies make recommendations concerning pay increases for their remit groups based on evidence submitted by the parties and by the criteria described above. These Review Body recommendations are normally accepted, although sometimes pay awards may be staged by the government. In recent years, however, there have been several occasions in which Review Body recommendations have been rejected by the government in favour of lower or indeed zero scale increases.

Figure 1 utilises data compiled by the Office of Manpower Economics for the value of pay uplifts *implemented* (as opposed to recommended) for three key public sector occupational groups covered by the Review Body System – the Armed Forces, NHS staff (excluding doctors and dentists – who have a separate Review Body), and school teachers. The recommended increases since 1993 in scale rates are cumulated to 2010 and compare to the implemented pay uplifts for police (sergeant and below). Note that these figures do not take account of various reforms to public sector pay structure – such as the implementation of the Agenda for Change pay structure in the NHS. Nor do they allow for increments within pay scales, changes in overtime, bonuses etc, all of which constitute components of changes in *earnings*. Earnings changes are discussed in the next section. Finally, these cumulative changes are graphed in *nominal*, not real, terms. The object is simply to see whether the system of police pay negotiation has treated the police any more favourably in terms of increases in pay scale rates, relative to some comparator occupations covered by the Review Body system.

Figure 1 suggests that the cumulative uplifts in police pay have broadly been on a par with these Review Body remit groups since 1993 (this starting date is chosen merely from the point of view of data availability). Pay uplifts in the armed forces lagged behind the police in the early part of the period but ended the final decade on a par with police scales. NHS staff pay scale uplifts also lagged slightly in the late 1990s but accelerated in the early 2000s to end the decade at roughly the same cumulative increase as the police and armed forces. Pay uplifts of school teachers have lagged slightly behind those of the other three groups across the whole period in this comparison, but the differences in cumulative increases are not substantial. In suggesting that these scale increases have been very similar across these groups, the *caveat* must be reiterated that these are only scale uplifts arising from the various negotiating frameworks; many other factors must be considered before relative increases in earnings can be considered.

Figure 1

Pay uplifts awarded to selected public sector groups 1993 to 2010



Source: Appendix 4 of this report.

iii) Pay of senior police officers

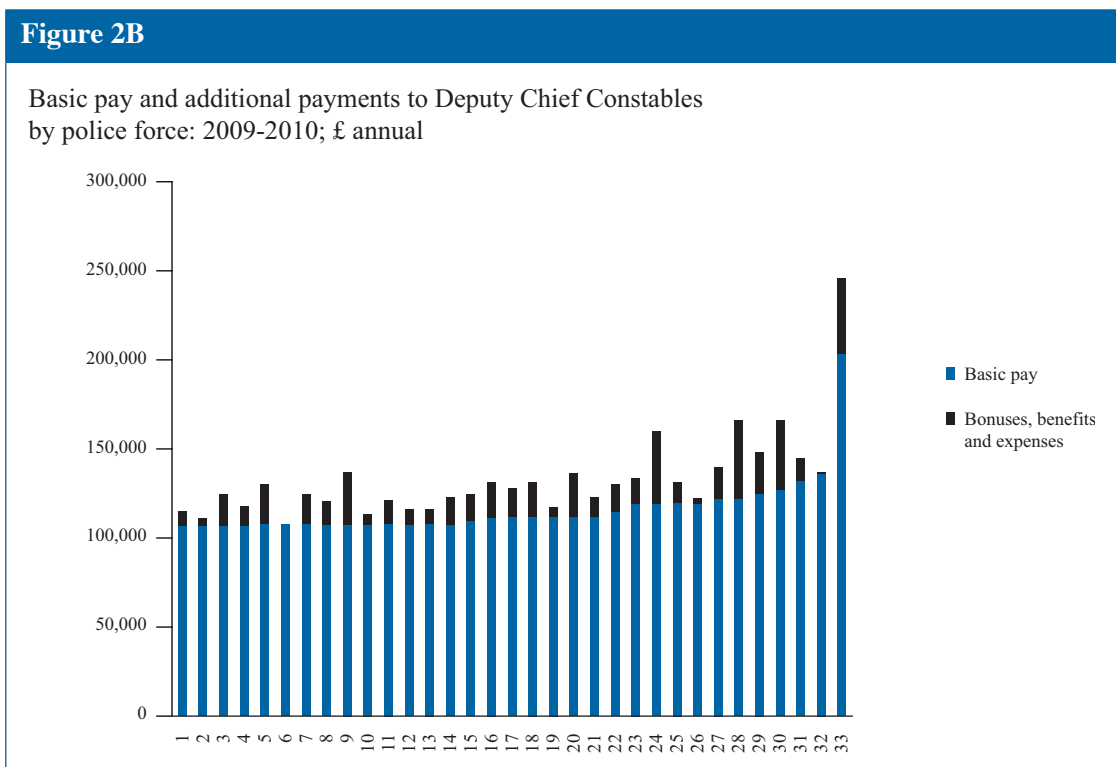
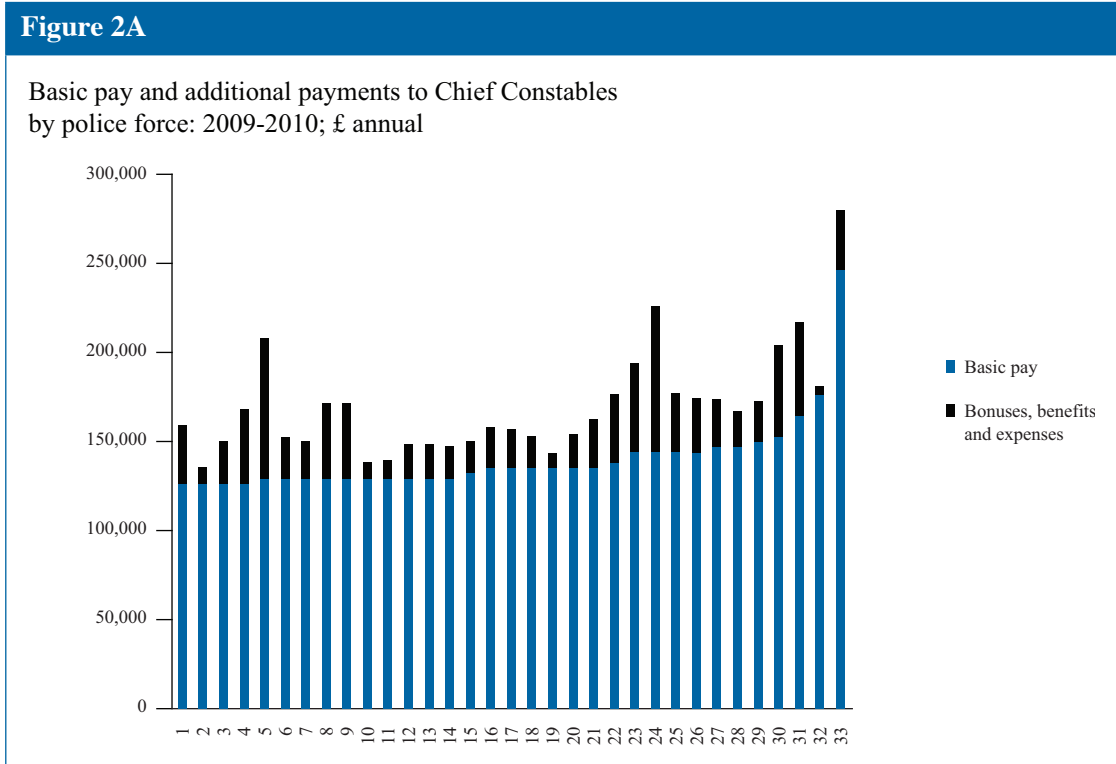
As mentioned in the introduction, pay rates for senior police officers are also set through the police negotiating framework, with rates of basic pay for Chief Constables and Deputy Chief Constables differentiated according to the size and population of the county. Assistant Chief Constables' pay is governed by six scale rates.

Senior police officers may however be entitled to other benefits. Although not eligible for overtime (see Section 4) and leaving aside pension arrangements for the present (see Section 8), senior officers may receive bonuses (related to achievement of targets which may be set by local Police Authorities or national policing plans), benefits-in-kind, such as the use of vehicles, and allowances for expenses. In addition, there is some evidence of 'golden handshakes' and re-negotiation of pension and severance arrangements for senior appointments (especially where transfers occur between police forces). It should be noted that such additional payments are not uncommon for senior managers and executives in the public sector⁶, let alone among CEOs and senior appointments in the private sector. Nevertheless, these additional payments drive a significant wedge between published scale rates and actual remuneration levels.

Figure 2 reports on pay scale rates compared to actual remuneration levels for Chief Police Officers (Panel A) and Deputy Chief Officers (Panel B) by police force for 2009-2010. The actual remuneration data are collected by the Home Office (in contrast, scale rates are published online). The remuneration data are incomplete, insofar as data for a few police forces were not made available, and the data on additional bonuses, in-kind benefits and expenses may not be comprehensive. Where data are available on recruitment bonuses or severance payments, these are included in the calculation of additional remuneration. Where there is staff turnover, and pay can be annualised, it is done so in the calculations in Figure 2 but, for some forces, it is clear that there was a gap between the departure and reappointment of senior officers and an annualised pay level cannot be constructed. The police forces in the panels are ranked from those where scale rates are lowest (typically, the smaller English counties), through the larger metropolitan forces and finally, to the London Metropolitan Force (Commissioner and Deputy Commissioner).

⁶ For example, payment of recruitment and retention premia is almost universal among very senior managers (VSMs) in the National Health Service.

For Chief Police Officers (Chief Constables, in most cases), scale pay rises from just over £127,000 to over £181,000. Actual remuneration varies more widely, from £140,000 to £226,000. (The Chief Commissioner of the London Met is an outlier). In general, additional remuneration in the form of bonuses, expenses, in-kind benefits and additional payments (where identified) adds just under £30,000 to the scale figure, on averaging increasing pay above the scale rate by 21%. For deputy Chief Police Officers (normally Deputy Chief Constables), the additional remuneration categories add around £16,500 to base pay – an increase of 14%. Many Assistant Chief Constables also receive additional payments which would typically add around 10% to base pay.



General comparisons of pay of police officers with other occupations are considered in greater detail in the next section. However, it seems appropriate to consider specifically comparable remuneration of senior appointments in the public sector at this point. Pay scales for senior appointments to sectors covered by the Senior Salaries Review Body are publicly accessible⁷. Clearly these senior appointments cover a wide range of occupations and it is unclear which level of senior appointments in these fields would be directly comparable to Chief and Deputy Chief Constables. However, by way of illustration, scale rates for very senior managers in the NHS vary from £105,000 (Band 1, PCT Chief Executive) to £204,000 (SHA Chief Executive, London). Pay of CEOs of NHS Foundation Trusts is typically somewhat higher. The pay of Permanent Secretaries in the Civil Service varies between £140,000 and £190,000; and pay band 3 of the Senior Civil Service varies from £101,000 to £208,000. Most such positions are also entitled to some form of bonus arrangement (though as a fraction of pay, they would typically be lower than for senior police officers) but recruitment premia are common in, for example, the senior echelons of the NHS and in specific civil service appointments.

In the absence of specific job evaluations, it is hard to make any direct comparisons between pay of senior police officers and these occupations, although it will be noted that the scale rates for these senior public sector appointments bracket the remuneration levels for police officers depicted in Figure 2. However, 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. Senior appointments in local government do not come under any centralised pay-setting arrangements, and appointment procedures seem to have generated a high degree of pay dispersion, with some well-publicised appointments of local government chief officer at rates well above those of senior police officers. On the other hand, it could be argued that realigning senior police pay with senior local government pay is not the solution, and indeed that a further analysis of the pay of senior local government appointments is overdue. Moreover, there is some evidence that the tenures of local authority senior executives have become more closely related to performance and of shorter duration where performance targets are not attained⁸. In contrast, use of performance targets for senior police officers is patchier and sub-standard performance is less likely to lead to severance other than through retirement.

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- 7 The latest report is: Review Body on Senior Salaries (2010) *Report No. 73, Thirty-Second Report on Senior Salaries*, March 2010, Cmnd 7804, TSO. The SSRB remit covers judicial appointments, senior appointments to the armed forces and the civil service, very senior managers in the NHS (but not Foundation Trusts) and it currently also makes recommendations on parliamentary pay.
- 8 See House of Commons, Public Administration Select Committee (2010) *Top Pay in the Public Sector: Report, Formal Minutes, Oral and Written Evidence*, Sixth Report of Session 2009-10 – HC Session 2009-10, 172-I.

3. Earnings in the police service compared to other occupations

This section and subsequent sections analyse the earnings and hours of police relative to other occupations, rather than simply describing scale rates and scale rate increases. These analyses use the Annual Survey of Hours and Earnings (ASHE), an employer-based survey conducted by the Office of National Statistics, and described more fully in the text box on the next page. ASHE is the most comprehensive survey of earnings across all occupations in the UK. An attraction of the survey is that, being based on a large sample derived from National Insurance numbers, pay distributions can be analysed disaggregated down to 4-digit occupation. This allows us to identify two categories of police officers in the data, as well as many other specific occupations.

i) Weekly earnings of police and comparisons with other occupations

Tables 2 and 3 consider the weekly earnings of police officers in 2009 (the most recent year of ASHE available) relative to a number of other occupations using the ASHE data. ‘Weekly earnings’ includes overtime pay and, in this particular comparison, both full-time and part-time staff. The role of overtime payments is considered in more detail in a subsequent section of this report.

The object of the tables in this section is to locate police earnings in the pay distribution using two broad definitions of comparability. First, the tables illustrate the range of occupations with median pay comparable to the median pay of both junior and senior police officers (for a definition of ‘median’ and other distributional measures, also see the ensuing text box). Second, median pay levels are identified for other occupations, primarily in the public sector, which might constitute broad comparison groups for police officers in a ‘public facing index’. It should be re-emphasised that this report does not advocate any specific reference occupation as the comparator to the police force; it merely provides these two benchmarks as potential comparators. And note also that, whereas Table 1 considered police scale rates in relation to other occupations, these tables consider *actual* earnings (including, as already stated, overtime payments).

Taking Table 2 first, and as a preliminary to investigating police pay; the first row of data refers to the weekly earnings of all occupations, for men, in 2009. ASHE grosses up to identify just over 12 million male jobs with a median weekly wage of £491, up 1.4% from the previous year. Mean (average) earnings are higher (due to the skewness of the earnings distribution) and grew at a slightly lower rate than median earnings. The 25th percentile of the male weekly earnings distribution in 2009 was £330.7 and the 75th percentile was £716.7. The ratio of these two numbers, known as the ‘interquartile range’ (IQR) was 2.2. (The text box also discusses the meaning of ‘percentile’ and ‘quartile’). In Table 3, comparable statistics for the earnings of women are presented. Women’s average earnings are lower. In part, but not wholly, this is because women on average work fewer paid hours. This greater variance in women’s weekly hours is also reflected in the higher IQR of women’s pay, at 2.8.

The report now focuses on police pay in relation to alternative comparators. Occupations are ranked by median earnings – from the occupation with highest median pay to the lowest.

Tables 2 and 3 highlight the two categories of police officers that are identified in ASHE – inspectors and above, and sergeants and below⁹.

From Table 2, median weekly pay of senior male police officers (inspectors and above), at £1,026, is just over double median average earnings for men as a whole, and grew at almost double the rate of overall median earnings between 2008 and 2009. Pay in these bands is relatively compressed, with an IQR of 1.3, but it should of course be borne in mind that the more narrowly the occupation is defined, the lower the likely variance of pay within the occupation. Weekly pay of inspectors and above is on a par with other professional managers in the public and private sector as can be seen from the occupations with median earnings in a similar bracket – for example senior civil servants, and solicitors, judges and legal professionals.

For more junior male police officers (sergeant and constables), median weekly pay is £743.40 in 2009. At the lowest quartile, police officer pay is £625.40 and at the highest quartile, £860.50. This puts these police officers on a par with many broadly ‘white collar’ occupations such as quantity surveyors, accountants and engineers, and slightly higher than senior officers in the fire service. Note however that train drivers, at £768.9 at the median, on average earn more than police sergeants and constables. Comparing this police group with other public sector occupations, median weekly earnings of police sergeants and constables exceed those of paramedics by around £30 per week, (male) nurses by around £160 per week, firefighters (below senior level) by around £190 per week, and prison officers by around £210 per week.

⁹ Although earnings data in ASHE are the most accurate data available, given the large sample size, the figures on *employment* by occupational category should be treated with caution since weighting to appropriate population figures is only done at a higher level of occupation aggregation and by other weighting factors within ASHE. The weighted total police force numbers in ASHE shown here, even allowing for inclusion of other police categories such as transport police (who are on the same scale rates as the police forces analysed here) and the forces in Scotland and Northern Ireland, are too high relative to actual police employment.

The ASHE data, and the use of percentiles of distributions

The ASHE data set

Much of the analysis of earnings and hours in this report uses data from the Annual Survey of Hours and Earnings (ASHE), collected by the Office of National Statistics. The Annual Survey of Hours and Earnings (ASHE) provides information about the levels, distribution and make-up of earnings and hours paid for employees within industries, occupations and regions. It is collected from employers on the basis of a sample of National Insurance numbers and pay records and, for this reason, is generally agreed to be more accurate than earnings data self-reported by employees. For the questionnaire, see:

http://www.statistics.gov.uk/downloads/theme_labour/ASHE-2009/2009-form.pdf

The ASHE was developed to replace the New Earnings Survey (NES) in 2004. ASHE includes improvements to the coverage of employees, to the method of imputation for item non-response and to the weighting of earnings estimates, relative to NES. However, trends in earnings can be tracked over long periods using combinations of NES/ASHE. The latest published ASHE (October 2010) is for 2009.

Given the large sample size of ASHE, it can be used to analyse distributions of earnings to the 4-digit level of the Standard Occupational Classification (SOC) dating from 2000. Two important 4-digit SOCs for the ensuing analysis in this report are:

1172 Police Officers (inspectors and above) (Classified as SOC 152 before 2002)

3312 Police officers (sergeant and below) (Classified as SOC 610 before 2002)

Some other non-officer grades in the police force are subsumed into various categories including:

4113 Local government clerical officers and assistants

4142 Communication operators

4150 General office assistants/clerks

ONS does not flag up how it allocates reported police service job titles into SOC categories.

Analysis of percentiles of distributions

Much of the analysis of this report utilises *percentiles* of the distribution of earnings, hours, and so forth. A **percentile** is the value of a variable below which a certain percent of observations fall. So the 75th percentile of the earnings distribution (also called the third quartile) is the level of earnings below which 75% of observed earnings levels will be found. The **median** is the 50th percentile, where exactly half the observations fall below and above the observation. It is often more useful to look at the median of a distribution rather than the commonly-used mean when the distribution is skewed.

Other useful statistical measures include **deciles**, which are ordered by each tenth percentile of the distribution starting from the lowest to highest observation and **quartiles**, which are each twenty-fifth percentile (the ‘second quartile’ is therefore the median). Useful measures of inequality of distributions of earnings include ratios of percentiles e.g. the ‘50/10 ratio’ is the ratio of earnings at the median to a person at the tenth percentile, and the ‘75/25, or inter-quartile, ratio’ is the ratio of earnings of a person at the 75th percentile to a person at the 25th percentile.

ASHE data provide not just means and medians of distributions (of, for example, earnings or hours in a particular SOC) but also various percentiles of the distribution, where size of sample permits. ONS highlights the ‘confidence intervals’ that can be attached to statistics of the distribution where samples are relatively small.

Table 2: Weekly pay – Gross (£) – For male employee jobs: United Kingdom, 2009

Description	Code	Number of jobs (thousand)	Median	Annual percentage change	Mean	Annual percentage change	Percentiles		IQR 75 to 25 ratio
							25	75	
All employees		12,249	491.0	1.4	589.3	0.9	330.7	716.7	2.2
Medical practitioners	2211	108	1,384.6	0.3	1,536.4	4.4	888.2	2,074.3	2.3
Financial managers and chartered secretaries	1131	204	1,174.2	2.0	1,360.7	2.0	813.0	1,667.3	2.1
Senior officials in national government	1111	8	1,150.3	-7.8	1,250.0	-0.6	x	x	x
Air traffic controllers	3511	6	1,146.6	-1.2	1,210.1	-3.3	x	x	x
Brokers	3532	20	1,107.7	-3.7	1,521.4	2.1	766.6	1,800.3	2.3
Police officers (inspectors and above)	1172	13	1,026.0	2.7	1,126.2	3.2	957.6	1,214.9	1.3
Solicitors and lawyers, judges and coroners	2411	46	996.6	4.5	1,174.2	3.4	716.8	1,556.3	2.2
Legal Professionals	241	53	957.9	2.1	1,138.3	2.4	688.0	1,533.2	2.2
Functional Managers	113	868	923.1	0.4	1,081.8	-0.4	672.4	1,310.3	1.9
Train drivers	3514	24	768.9	4.5	784.4	3.9	756.7	802.3	1.1
Health And Social Services Managers	118	48	767.8	3.5	806.9	6.1	575.5	959.9	1.7
Electrical engineers	2123	27	766.7	-2.5	803.4	-0.8	624.2	955.8	1.5
Managers and senior officials	1	2,427	764.9	1.5	922.2	-0.2	538.8	1,104.8	2.1
Chartered and certified accountants	2421	51	747.4	3.7	789.5	2.9	567.7	925.3	1.6
Mechanical engineers	2122	41	743.9	2.1	765.6	4.3	562.8	925.2	1.6
Financial Institution And Office Managers	115	224	743.8	-0.4	849.0	-1.9	549.9	1,029.5	1.9
Police officers (sergeant and below)	3312	193	743.4	0.7	769.9	0.3	625.4	860.5	1.4
Management accountants	2422	8	739.8	8.8	788.5	9.8	610.5	x	x

Table 2: Weekly pay – Gross (£) – For male employee jobs: United Kingdom, 2009 *continued*

Description	Code	Number of jobs (thousand)	Median	Annual percentage change	Mean	Annual percentage change	Percentiles		IQR 75 to 25 ratio
							x	x	
Veterinarians	2216	x	738.1		858.2		x	x	x
Legal professionals (not elsewhere categorised)	2419	6	737.5	-7.1	866.1	-7.5	453.5	x	x
Quantity surveyors	2433	28	732.9	4.9	747.7	5.8	506.4	980.8	1.9
Senior officers in fire, ambulance, prison and related services	1173	19	732.3	0.1	851.8	2.4	627.3	920.1	1.5
Paramedics	3213	12	710.2	2.0	743.5	4.3	x	815.4	x
Nurses	3211	78	580.8	7.0	582.8	7.4	477.0	684.2	1.4
Fire service officers (leading fire officer and below)	3313	64	552.9	-1.5	518.2	-0.6	426.3	644.8	1.5
Probation officers	2443	7	552.1	0.8	552.6	9.4	448.0	x	x
Prison service officers (below principal officer)	3314	41	527.1	0.2	514.8	0.6	399.3	587.5	1.5

Source: ASHE, Table 14.1a, 2009 release

Table 3: Weekly pay – Gross (£) – For female employee jobs^a: United Kingdom, 2009

Description	Code	Number of jobs ^b (thousand)	Median	Annual percentage change	Mean	Annual percentage change	Percentiles		IQR 75 to 25 ratio
							25	75	
All employees		12,001	309.8	3.5	370.2	3.2	177.1	490.4	2.8
Directors and chief executives of major organisations	1112	10	1,575.2	2.1	1,697.8	8.7	1,073.0	x	x
Police officers (inspectors and above)	1172	x	1,108.5	-4.8	1,155.2	-7.2	x	x	x
Corporate Managers And Senior Officials	111	31	884.2	14.9	1,063.9	7.6	544.1	1,435.6	2.6
Medical practitioners	2211	82	848.5	-1.9	1,006.4	-0.2	622.6	1,248.8	2.0
Protective Service Officers	117	7	785.0	15.5	819.6	4.8	584.8	x	x
Solicitors and lawyers, judges and coroners	2411	59	775.5	5.6	934.2	7.8	536.9	1,149.9	2.1
Hospital and health service managers	1181	38	771.0	8.4	801.8	7.3	621.1	958.9	1.5
Senior officers in fire, ambulance, prison and related services	1173	x	755.0	14.8	799.5	12.6	x	x	x
Train drivers	3514	x	706.7	1.0	767.8	5.3	x	x	x
Paramedics	3213	4	645.9	6.0	617.3	1.3	x	x	x
Information And Communication Technology Professionals	213	62	631.6	6.9	674.3	2.9	478.5	809.0	1.7
Health And Social Services Managers	118	104	629.2	4.5	647.0	4.0	456.1	789.8	1.7
Transport and distribution managers	1161	9	629.0	7.3	653.3	10.3	445.5	x	x
Secondary education teaching professionals	2314	272	625.9	0.2	601.6	0.6	442.4	749.7	1.7
Police officers (sergeant and below)	3312	60	624.9	2.3	645.8	2.0	532.6	739.4	1.4
Production, works and maintenance managers	1121	74	624.0	2.6	688.2	0.9	418.7	862.4	2.1

Table 3: Weekly pay – Gross (£) – For female employee jobs^a: United Kingdom, 2009 *continued*

Description	Code	Number of jobs ^b (thousand)	Median	Annual percentage change	Mean	Annual percentage change	Percentiles		IQR 75 to 25 ratio
							437.1	843.9	
Education officers, school inspectors	2313	14	619.8	-7.4	647.6	-2.9	437.1	843.9	1.9
Production Managers	112	82	615.9	1.0	681.5	0.4	420.9	857.9	2.0
Business And Statistical Professionals	242	92	611.9	2.4	642.2	-0.1	460.2	775.0	1.7
Psychologists	2212	18	604.9	-0.8	672.2	1.8	475.9	870.4	1.8
Veterinarians	2216	7	561.8	-3.0	651.8	16.0	480.2	x	x
Fire service officers (leading fire officer and below)	3313	4	534.2	2.5	503.3	-7.1	x	x	x
Dental practitioners	2215	7	525.4		527.6	7.3	x	x	x
Nurses	3211	557	495.5	3.4	493.3	4.6	355.8	622.2	1.7
Prison service officers (below principal officer)	3314	16	412.6	-0.7	434.2	1.6	353.2	522.5	1.5

Source: ASHE, Table 14.1a, 2009 release

For female police officers, the picture is similar. For the higher ranks (inspectors and above), numbers of women are relatively small, so ASHE does not provide a complete statistical distribution. Perhaps surprisingly, pay of female inspectors and above is on average slightly higher than male inspectors and above in 2009. Pay of female police inspectors and above is in fact the second highest identified occupation in the ranking of median pay from highest to lowest. However, pay of senior female police officers fell between 2008 and 2009.

For female police officers at the rank of sergeant and below, Table 3 provides a slightly different group of comparators to men in Table 2, reflecting the different occupational mix of jobs held by men and women in the economy. At median weekly earnings of £624.9, female police officers earn on average around £120 a week on average less than male police officers at these grades, and this weekly pay level is very close to that earned on average by female managers and secondary school teachers, according to the table. As with male police officers, female police officers earn significantly more than female firefighters, nurses and prison officers, although considerably less than female train drivers and slightly less than female paramedics.

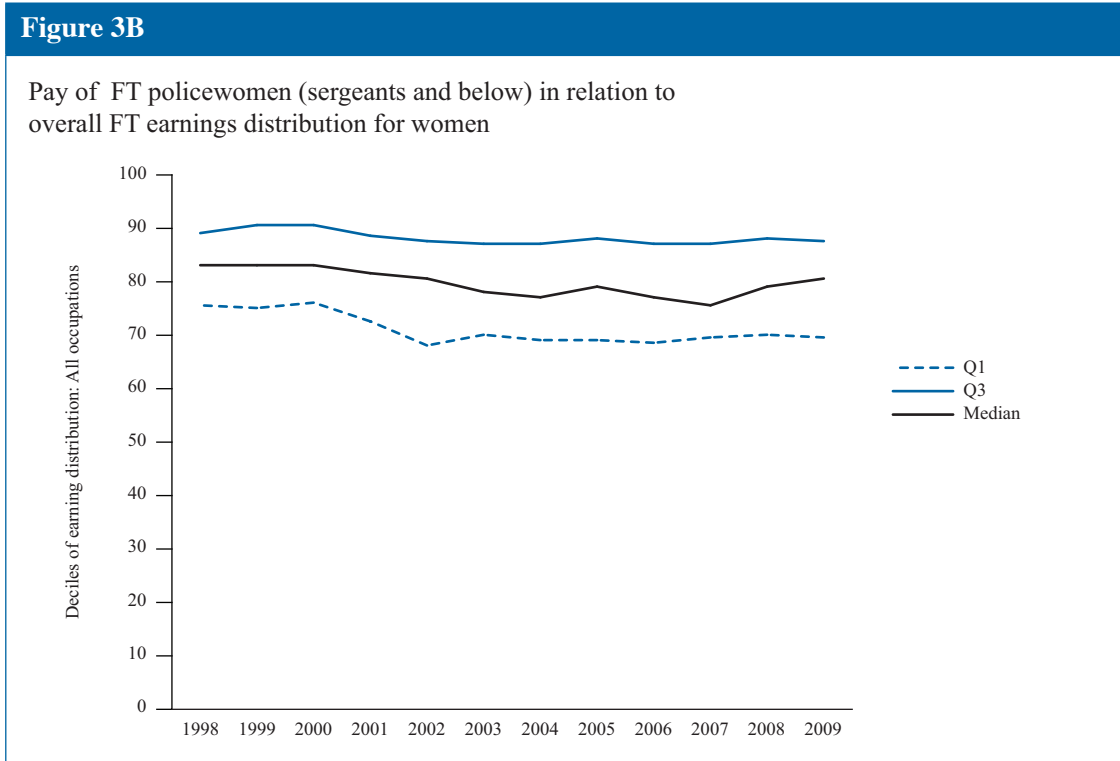
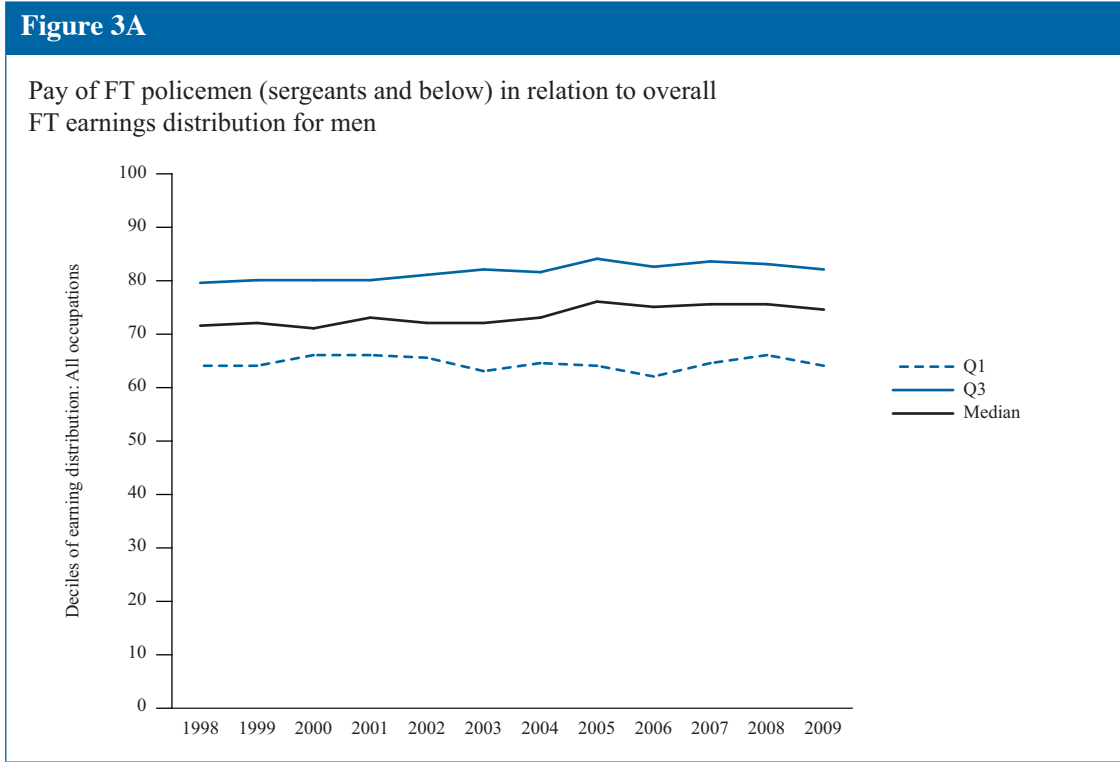
ii) **Position of police officers in the earnings distribution: changes over time**

The report now investigates the question of where police officers' earnings are positioned in the overall distribution of earnings, and how this position has changed over time. It exploits the sequence of ASHE surveys from 1998 to 2009 to examine this issue (the starting point is again driven by data availability rather than any other criterion).

Figures 3A and 3B, for men and women respectively, consider this issue in the case of police officers (sergeant and below). Given that most police are full-time, and earnings for women are depressed by part-time work, we consider the weekly earnings of full-time workers only (including additional payments such as overtime). The results depicted in the figures are described first, before a note of caution is injected.

In the case of men (Figure 3A), the median earnings of a male junior police officer, as defined here, are located at around the third quartile point of the earnings distribution. In plain terms, this means that the earnings of a male junior police officer located at the mid-point of the distribution of earnings of junior male police officers has earnings that are greater than around three-quarters of full-time men. Looking at the time trend, the ratio of the median to the overall earnings distribution rose slightly in the first part of the period considered, and broadly stabilised thereafter.

Both figures also present the location of the *inter-quartile range* for junior police relative to the gender-specific full-time earnings distributions. Thus a male junior police officer at the 25th percentile point of the police distribution had earnings that exceeded roughly 65% of the earnings of full-time men in the distribution; for a male junior police officer at the 75th percentile of the distribution, earnings exceeded 80-85% of the male distribution over the period.



For female police officers (Figure 3B), the percentiles of the earnings distribution are at a higher level of the overall earnings distribution: for example, the median earnings of a female police officer are on average at the 80th percentile of the full-time women’s earnings distribution, although there is some degree of volatility over the period. The third quartile of female police officers’ pay, on average, is only exceeded by around 10% of women’s earnings. It should not be too surprising that female police officers do relatively better than male officers in terms of their position in the overall distribution of earnings – both male and female police officers are on the same pay scales even if (as we shall see) junior female police officers on average earn less than junior male police officers.

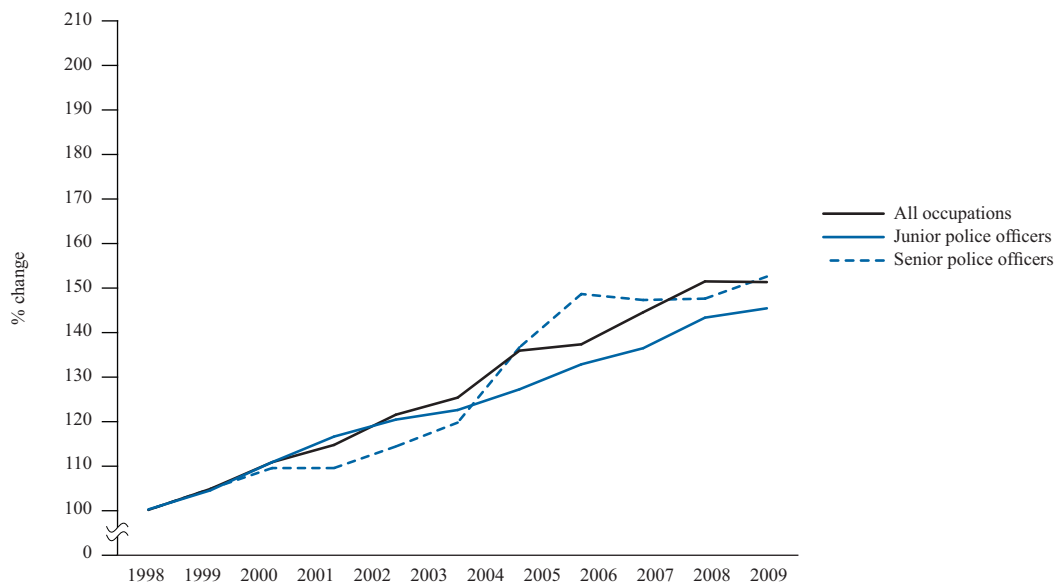
There is an important *caveat* in these comparisons. ASHE data are only published in deciles and quartiles rather than individual percentiles of the distribution (see the earlier text box for a discussion of these terms). Without going to the original data tapes, we have to ‘guesstimate’ the exact percentiles of the overall earnings distribution at which police earnings are located. But, even if we were given more precise numbers, it is in the nature of distributions that sampling error becomes more important at the tails of the distribution simply because there are fewer observations at the tails in normal distributions. Specifically, because senior police officers are located above the 9th decile of the earnings distribution, it is not possible to undertake these comparisons with any degree of accuracy for that occupational category; for similar reasons the third quartile estimates in Figure 3 (especially for women) should be treated with more caution than those for the first quartile and the median of the police pay distributions.

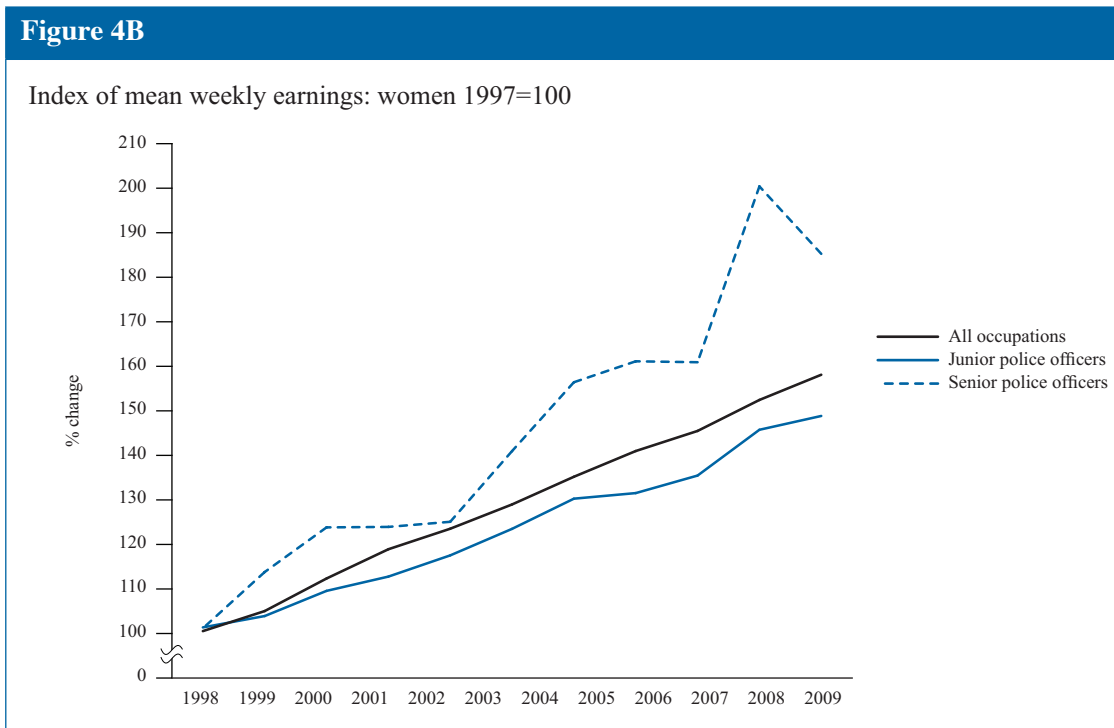
For completeness, a simpler statistic is also presented: the cumulative growth of earnings of male police officers and female police officers over the same period relative to the average cumulative growth of earnings for all occupations. Since we are comparing average (mean) growth rates, the numbers are not directly comparable with the trends in medians and quartiles in Figure 3. The results are presented in Figures 4A and 4B for male police officers and female police officers respectively.

Figure 4A shows little difference in the overall cumulative increase in earnings between occupations as a whole, and junior and senior male police officers. In contrast, Figure 4B shows that, whereas junior female police officers’ earnings have grown slightly more slowly than those of occupations as a whole, senior female police officers’ pay have grown more rapidly albeit with greater volatility. This reflects the relatively small number of senior female police officers and probably also reflect a greater fraction of those women achieving promotion to higher grades in the senior police force.

Figure 4A

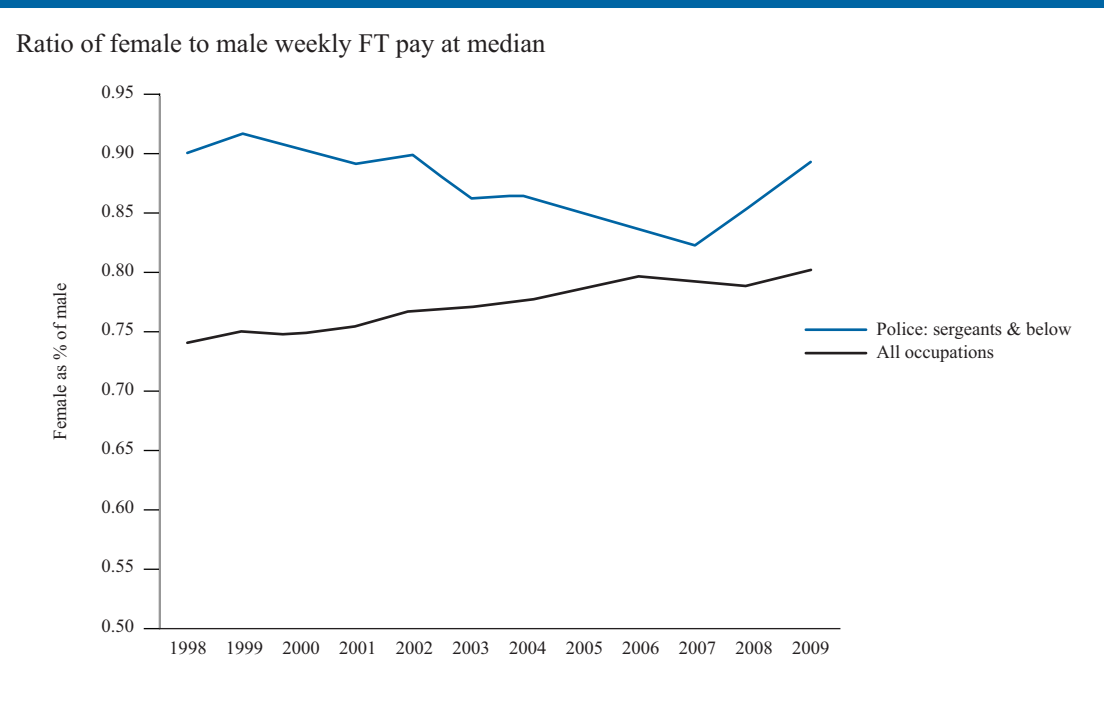
Index of mean weekly earnings: men 1997=100





iii) Pay of women relative to men in the police forces

As already suggested from Figures 3 and 4, pay of senior female police officers is on average on a par with that of senior male police officers, although the ratio is highly sensitive to the distribution of the relatively small number of senior female police officers across the different senior ranks. What of gender-pay differences among junior police officers, relative to occupations as a whole? We focus on earnings of full-time employees including overtime, and the relevant comparisons are illustrated in Figure 5. It can be seen that earnings of junior female police officers have averaged from 85% to 90% of those of male police officers. This ratio is higher than among occupations as a whole. This earnings gap has shown some volatility among the police over time, although it has tended to narrow slowly in occupations as a whole. Comparisons at other points in the earnings distributions (for example, at the first and second quartiles) are very similar to those illustrated here and so are not shown in the figure.

Figure 5

iv) Pay of police staff other than officers

As suggested in the Introduction, the police service employs a variety of staff in occupations other than police officers. The police service is also required to submit information on earnings and hours on these groups to the Office of National Statistics as part of the Annual Survey of Hours and Earnings, but the ONS does not then separately describe the pay of these other occupations (with the exception of the category ‘traffic wardens’) within the police service. Some occupations within the police service, for example, managers, clerical officer and assistants, communications operators (such as dispatchers and control room staff) are aggregated into broad identifiable categories in ASHE such as ‘local government clerical officers’. Other job titles which are more specific to the police service, such as Community Support Officers, fingerprint and forensic analysts, investigators, and custody officers are aggregated into more generic headings within the Standard Occupational Classification (SOC) (which dates from 2000 and therefore precedes the development, of, for example, PCSOs as an occupation with substantial numbers of employees). Finally individual police services employ a few people in variety of occupations (including, for example, nurses and tailors) of which there are too few, relative to the general occupational category, to draw any conclusions about pay.

In this section, the ASHE returns for 14 police forces in England and Wales in 2009 are utilised to examine average pay levels for various common occupational categories within the police service, other than police officers. We are grateful to the forces concerned for providing this information at our request. Since individual forces utilise their own job titles and descriptions in their ASHE returns, the aggregation into categories undertaken as part of this research is necessarily somewhat arbitrary. Moreover, ASHE being a 1% sample, this section necessarily implies that we are taking a sample of individuals from a sample of forces, and the data should be taken as indicative rather than representative on police service pay in these occupations. The sample gives around 280 individuals in all in a variety of occupations. After excluding part-timers (by ONS definitions, those working less than 120 hours in a month) and those occupations where we have less than four observations, we are left with around 235 members of identifiable occupations.

Table 4 therefore provides data on average basic and gross weekly earnings for several occupations in the police service, along with overtime earnings and earnings from shift premia (the latter cannot be obtained for the published ASHE data since it is aggregated into gross

earnings) using our sample data. The final column of the table then provides the average weekly gross earnings from a comparable SOC for each group, which may indeed include the police group identified. Only the data for traffic wardens are provided from the published ASHE data, and can therefore be taken as nationally representative.

Average earnings among these selected occupations can be compared with those of police officers in Tables 2 and 3; in most cases they are of course, significantly lower: that is, police officers are in general on similar earnings levels to managerial grades in the police service. Earnings levels in the police service occupations identified here are broadly comparable with the SOC codes for these occupations (where such occupations can be identified from the SOC manual of occupational classifications). This should be expected by construction; if they are not, we cannot rule out that the discrepancy arises from mis-classification or from inappropriate comparison groups¹⁰. However one very interesting facet of these data are the magnitudes of shift premia – which are not separately reported in the published ASHE data. Shift premia are more significant than overtime payments for most groups and for some occupations are a substantial component of pay: 12% of pay for custody officers, significant for traffic wardens (by imputation from individual returns), and 5 to 10% of pay for other categories. Since, as described in the next section, we do not know from published ASHE data the magnitude of shift premia as opposed to explicit overtime payments for police officers, these figures may give some guidance as to the likely magnitudes for officers.

¹⁰ It should be noted that ONS do not explain how individual jobs are assigned to general SOC classifications – for example, it is not done explicitly by job evaluations. It may well be that some groups – for example, managerial grades in the police service – are assigned to more, or indeed, less plausible occupational categories in terms of job comparisons, by ONS than is done here. In defence of ONS, it should be noted that there is a large discrepancy in job titles across police forces and any assignment strategy will not therefore be without error.

Table 4 : Selected police service occupations: earnings and comparisons						
Police service occupational category	Average weekly basic earnings (£)	Average weekly gross earnings (£)	Average weekly overtime earnings	Average weekly shift premia	Comparable occupation in ASHE (SOC code)	Average weekly gross earnings in comparable occupation
Forensics; investigation services	525.64	611.84	17.74	46.42	Business & public service professionals (24)	734.40
Business and operations managers	810.37	813.09	0	0	Public sector managers (118)	697.6
IT & systems	611.30	611.30	0	0	IT operations technicians (3131)	578.00
Clerical officers	437.86	484.37	14.06	19.33	Local government officers/ assistants (4113)	384.60
Clerical assistants	350.18	371.94	1.95	13.61	General office assistants (4150)	311.40
Custody detention officers	418.65	530.98	12.77	65.14	Prison service officers (3314)	492.00
Communications managers & supervisors	736.78	805.54	13.45	13.96	-	-
Dispatchers, call centre officers etc	421.48	515.84	11.88	50.99	Communication operators (4142)	468.40
Fingerprint and forensic technicians	499.40	544.77	12.67	31.74	-	-
Community Support Officers	412.09	452.90	14.25	33.19	-	-
Traffic Wardens	433.4	490.4	(0.0)	(56.6)	9242	-

4. Overtime hours and earnings

i) Police overtime hours in comparison to other occupations

In this section of the report, police overtime – measured both by hours and overtime earnings – is explored. Again, the Annual Survey of Hours and Earnings is utilised, since employers, in their responses to this ONS survey, are asked to differentiate earnings and hours of their employees into earnings received in ‘normal’ hours in comparison to those received in overtime hours.

It should be noted that these statistics relate to *paid* overtime. Although ‘normal hours’ are defined for most occupations, most white collar occupations are not eligible for formal overtime payments. The same is true for many senior positions within administrative structures; for example, ASHE does not report any senior police officers receiving overtime payments (they are not eligible), so the focus is here on junior police officers (sergeant and below). Finally, it should be noted that overtime payments are not prevalent in some public sector organisations where there have been major adjustments to pay structures and the organisation of work practices.

Table 5, for men, and Table 6, for women, follow the format of Tables 2 and 3 in describing overtime hours of male police officers and female police officers at different percentiles of the distributions of hours, in comparison to average overtime hours for occupations as a whole, relative to other ‘public sector facing’ comparator organisations and relative to ‘high overtime’ occupations. Other occupations with roughly similar overtime patterns to the police are also described.

Table 5, shows that male police officers (sergeant and below) on average worked 3 overtime hours a week in 2009 – a significant fall from the year before. The median number of overtime hours worked was 3.6 hours. At the 25th percentile of the distribution, the figure was 1.7 hours and, at the 75th percentile, 6.9 hours. Because the median is larger than the mean, this implies that the distribution is negatively skewed (unlike the earnings distribution) – most male police officers worked some overtime but the average (mean) was reduced by a minority of male police officers working little or no overtime. By way of comparison, average overtime hours for occupations as a whole are slightly lower, whilst the quartiles (including the median) are slightly higher.

Comparing occupations, the table shows that some public sector occupations such as firefighters and nurses had fewer average overtime hours than the police, although paramedics worked slightly more overtime hours. Not surprisingly, the table shows that occupations with high overtime hours include HGV drivers and other occupations in the transport industry, as well as postal workers. Occupations with similar patterns of overtime hours to the police include IT and scientific professionals, persons working in security occupations and, perhaps slightly surprisingly, administrators in ‘government and related occupations’ (which will, of course, include white collar staff employed by the police forces).

Table 6 considers the overtime of female police officers. On average female police officers work slightly fewer overtime hours than men. This is true of female occupations in general. Given the different occupational mix of female occupations, slightly different comparators are used in Table 6 when compared to Table 5 but it will be seen that female police officers in general work fewer overtime hours than females working in postal services but somewhat more hours than the larger number of females working in nursing and caring organisations.

Table 5: Paid hours worked – Overtime – For male employee jobs: United Kingdom, 2009.

Description	Code	Number of jobs ^b (thousand)	Median	Annual percentage change	Mean	Annual percentage change	Percentiles	
							25	75
All employees		12,249	4.5	-10.0	1.5	-21.1	1.9	9.0
Paramedics	3213	12	x		5.9	9.0	x	x
Nurses	3211	78	x		1.2	-12.4	1.8	x
Fire service officers (leading fire officer and below)	3313	64	x		0.9	-41.2	x	x
Prison service officers (below principal officer)	3314	41	x		x		x	x
Protective service associate professionals n.e.c.	3319	10	x		4.2	5.0	x	x
Heavy goods vehicle drivers	8211	203	8.5	-2.9	5.3	-14.0	3.8	14.7
Construction Operatives	814	144	7.5	-11.8	4.4	-22.5	4.0	13.6
Transport and mobile machine drivers and operatives	82	705	6.6	-13.6	3.9	-20.4	2.5	11.7
Transport Drivers And Operatives	821	627	6.5	-14.4	3.8	-20.4	2.4	11.5
Postal workers, mail sorters, messengers, couriers	9211	141	5.5	-8.3	2.4	-19.2	2.1	8.7
Van drivers	8212	239	5.3	-9.5	2.9	-16.7	2.1	10.0
Security guards and related occupations	9241	129	5.2	-6.3	1.6	-23.1	2.8	10.5
Administrative Occupations: Government And Related Organisations	411	123	3.8	30.7	0.7	-2.7	1.6	x
Corporate managers	11	2,132	3.7	-5.9	0.4	-30.7	1.8	7.5

Table 5: Paid hours worked – Overtime – For male employee jobs: United Kingdom, 2009 *continued*

Description	Code	Number of jobs ^b (thousand)	Median	Annual percentage change	Mean	Annual percentage change	Percentiles
Science and technology associate professionals	31	417	3.7	-5.9	1.3	-22.1	1.6 7.2
Police officers (sergeant and below)	3312	193	3.6	-18.4	3.0	-9.7	1.7 6.9
Administrative Occupations: Records	413	152	3.6	-0.8	1.4	-16.9	1.5 7.5
Software professionals	2132	268	3.5	8.0	0.8	-25.2	1.4 x
Information And Communication Technology Professionals	213	354	3.4	7.1	0.7	-26.2	1.4 6.6
Protective service occupations	33	308	3.1	-19.6	2.3	-11.8	1.4 6.8

Source: Selected tabulations from Annual Survey of Hours and Earnings, 2009; Table 14.11a

Table 6: Paid hours worked – Overtime – For female employee jobs: United Kingdom, 2009

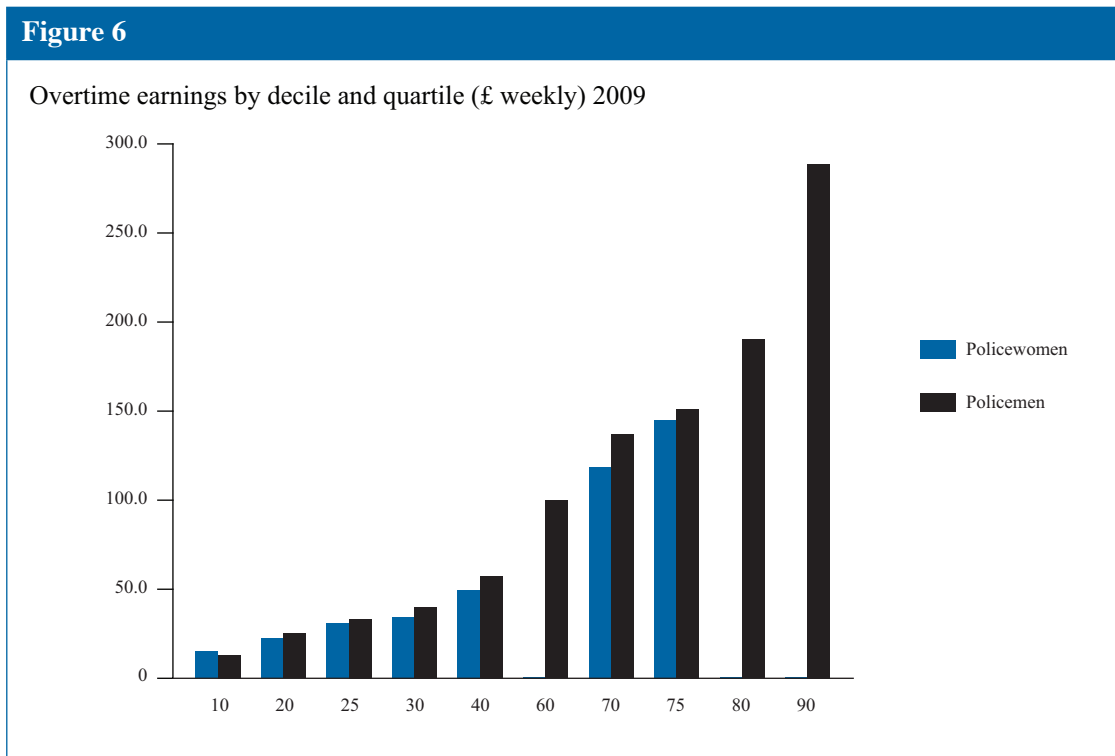
Description	Code	Number of jobs ^b (thousand)	Median	Annual percentage change	Mean	Annual percentage change	Percentiles	
							25	75
All employees		12,001	2.6	-3.1	0.6	-15.3	1.1	5.5
Paramedics	3213	4	x		x		x	x
Fire service officers (leading fire officer and below)	3313	4	x		x		x	x
Prison service officers (below principal officer)	3314	16	x		x		x	x
Protective service associate professionals n.e.c.	3319	5	x		x		x	x
Postal workers, mail sorters, messengers, couriers	9211	36	5.3		1.4	-26.6	x	x
Process, plant and machine operatives	8	186	4.6	8.2	1.5	-21.1	1.6	8.8
Care assistants and home carers	6115	640	4.3	-2.6	1.8	1.1	1.8	8.7
Healthcare And Related Personal Services	611	936	3.7	-5.9	1.5	1.5	1.5	8.0
Police officers (sergeant and below)	3312	60	3.3	-11.4	2.2	-9.2	1.6	x
Protective service occupations	33	86	3.2	-12.5	1.9	-11.1	1.6	6.6
Nurses	3211	557	2.8	-10.7	0.8	-13.7	1.5	5.6
Sales and customer service occupations	7	1,233	2.4	-4.2	1.1	-16.8	1.1	4.9

Source: Selected tabulations from Annual Survey of Hours and Earnings, 2009; Table 14.11a

ii) Overtime earnings

In general, the figures in the last sub-section do not bear out the assertion that police officers are working large amounts of overtime *on average*; however it should be noted that 25% of male police officers are working at least 9 hours of overtime and 25% of female police officers at least 5 and a half hours of overtime a week. Moreover, it is likely that ASHE understates the total amount of overtime pay in one important respect. If junior police officers have their shifts switched without sufficient notice, they are also entitled to premium rates above basic pay of either one-and-a-third, one-and-a-half or double time (this does not apply to senior officers). Temporary work for another police force (known as ‘mutual aid’) may also entitle the officer to higher pay rates. These are forms of ‘shift premia’ rather than overtime *per se*. ASHE adds ‘shift premia’ into basic pay rather than overtime pay, even if paid at overtime rates. So data such as those contained in Tables 2 and 3, which incorporate all sources of gross earnings, will incorporate shift premia as well as ‘pure’ overtime hours, and other allowances, but ‘overtime pay’ is simply defined as pay attached to additional hours over and above ‘normal’ hours, rather than ‘premium hours’ or altered shift patterns. As noted in the previous section, these shift premia seem to be substantial for some other occupations within the police service but we cannot make a direct inference concerning officers’ shift premia here.

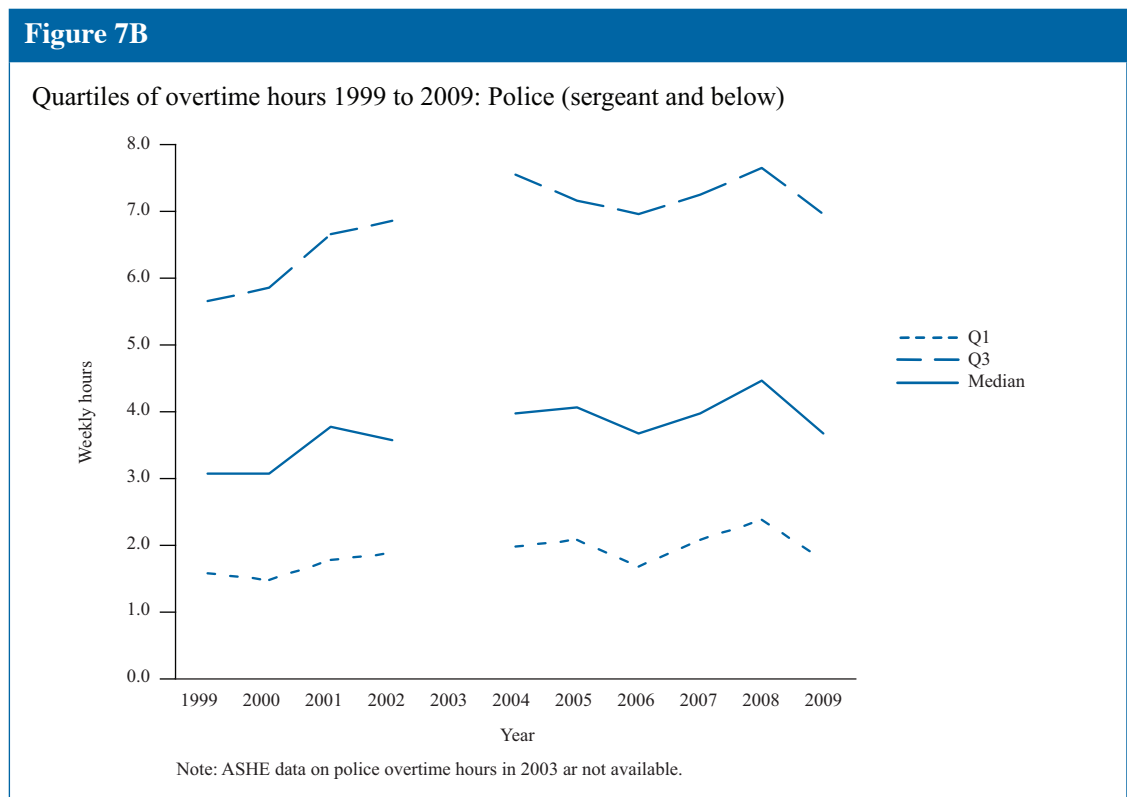
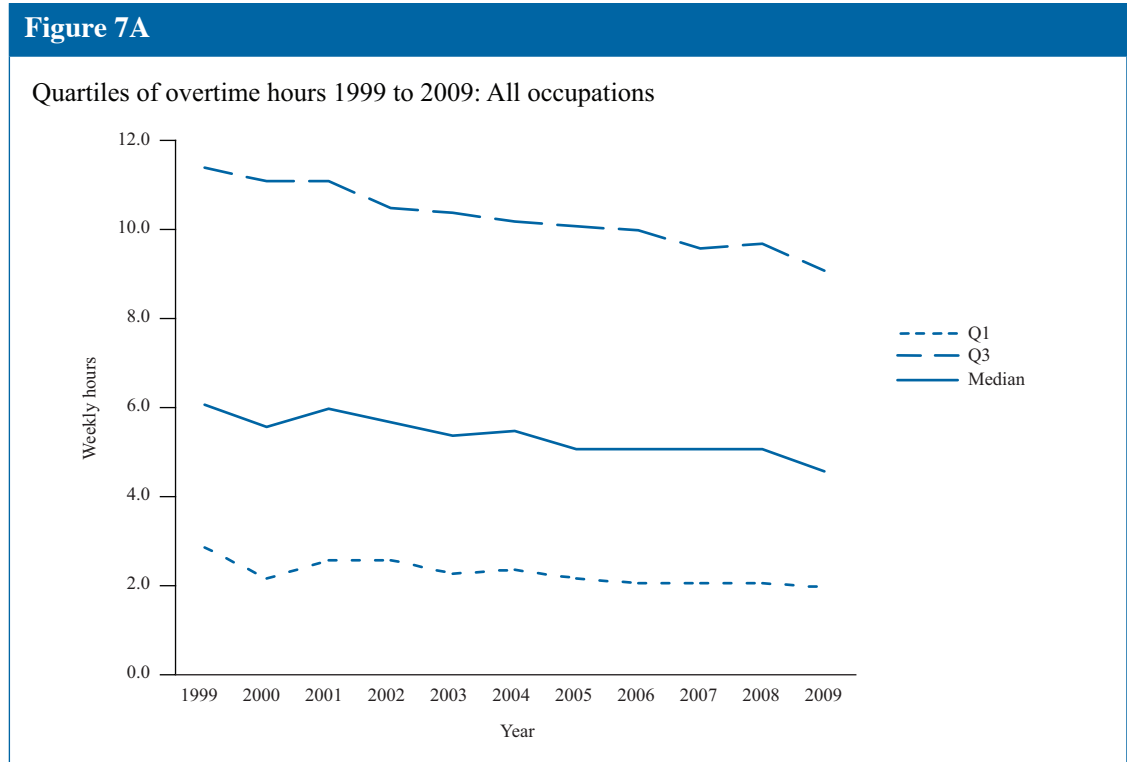
With this caveat in mind, Figure 6 illustrates the distribution of weekly overtime pay in 2009 for male police officers and female police officers (derived from Table 14.4a, ASHE, 2009) – that is, pay received during overtime hours. For male police officers, the amount of weekly overtime pay varies from £15 at the lowest decile to almost £300 at the highest decile. The mean weekly payment is £69.4 and the median is £80.2. For female police officers, there are not large enough sample sizes to derive significant statistics at some deciles, but weekly overtime payments vary from just under £15 at the lowest decile to just over £143 at the highest quartile, with an average (mean) of £44.1 and a median of £63.4. Overall, this implies that overtime contributes around 8.5% of total pay. This calculation excludes shift premia paid at overtime rates.



Finally, in this section, Figure 7 illustrates the trends in overtime hours from 1999 to 2009 for men, comparing ‘all occupations’ (Figure 7A) with male police officers (sergeant and below) in Figure 7B. The comparisons are for overtime hours worked at the 25th, 50th (median) and

75th percentiles. Trends for women are very similar and there are more missing values for female police officers across the distribution, so these comparisons are not illustrated here¹¹.

Figure 7A shows a gradual decline in hours of overtime worked at the illustrated points of the distribution (the quartiles) for ‘all occupations’. In contrast, Figure 7B shows a gradual increase for police in the first part of the period, with no clear trend thereafter and indeed, as shown previously, a sharp fall in 2009.



¹¹ The ASHE data for 2003 are not available.

5. Regional pay variations

In this section, police pay across regions is considered, using ASHE data on regional data by occupation. Since sample sizes are relatively small, the data largely comprise measures of central tendency (median and mean) rather than distributions. Weekly pay will vary across regions for three reasons: first because of the existence of additional payments related to cost-of-living and housing costs in the south-east of England and, especially, the London area; second, because police forces have different age structures and mixes of relatively junior and senior grades (for example, constables relative to sergeants) and third: because of differential use of overtime payments and different components of pay. ASHE does not provide detailed data in the published summaries to allow us to disentangle these factors although of course it is straightforward to predict that average pay, other things being equal, should be higher in London and, to a lesser extent, the south-east, than elsewhere.

Figures 8A and 8B provide estimates of weekly pay for men and women across the regions at the pay median and pay mean respectively for police constables and sergeants. The bars are labelled with these average amounts so, for example the median weekly pay of a male police officer in these grades in London is £846.30 a week and, for a female police officer, £719.00. As expected, London wages are the highest, but it appears that wages in the south-east are not the next-highest category – indeed median wages in the south-east lie in the middle of the distribution, although somewhat high when mean earnings are considered. It appears for both means and medians that police officers in Wales are paid above the national average. These slightly surprising findings perhaps warrant further investigation but may reflect differences in age-profiles and tenure of the respective police forces.

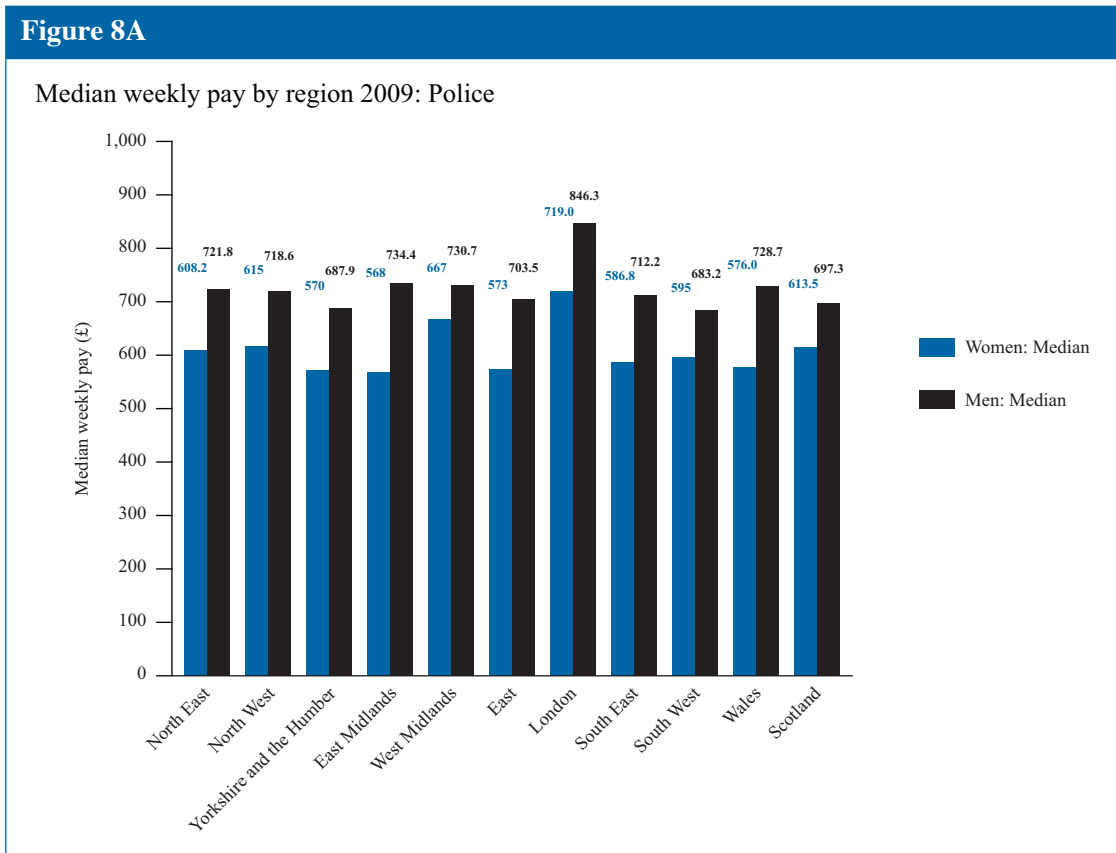
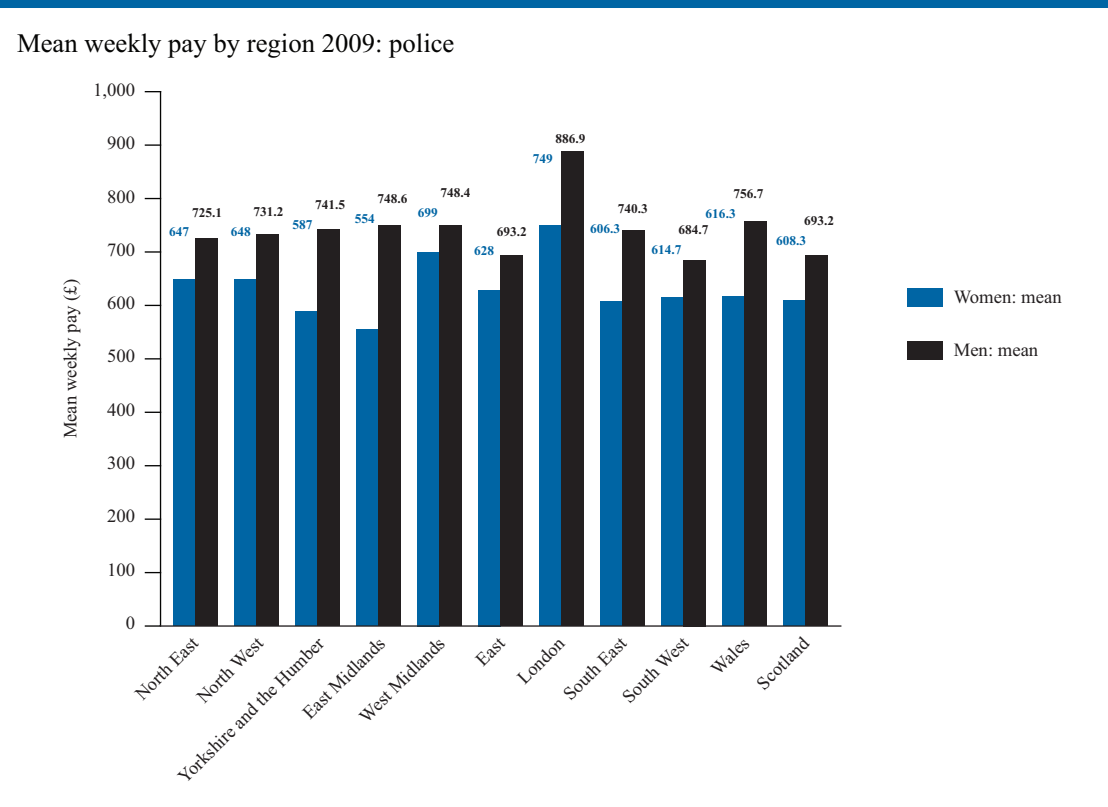


Figure 8B

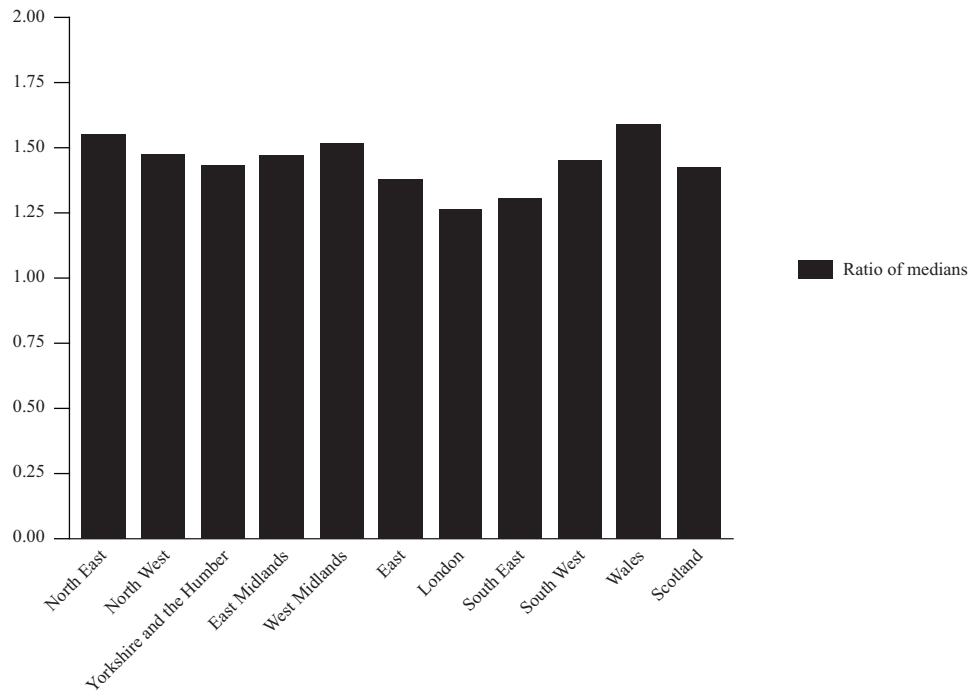


It also useful to look at how these differences in average police pay across the regions relate to average pay across all occupations across the regions. Whilst police pay is highest in London, so too is pay in other occupations, particularly in the private sector, whereas the pay of police forces in Wales, say, may be higher relative to other occupations. The ratios of mean and median weekly police pay, for men relative to these averages for occupations as a whole, are given in Figure 9.

Since average police pay is in the upper half of the overall pay distribution, it is not surprising that Figure 9 shows that these ratios are greater than 1, but the range of differences is quite considerable. For median pay, the ratio is highest in Wales and the north-east at over 1.5; both these regions are typically among lower-paid regions in private sector occupations. At the other extreme, police pay in London and the south-east is only just over 1.25 times the local average, with Eastern England and the south-west also at the lower end. When comparing means, the ratios are lower, because many other occupations have pay distributions that are less compressed in the upper tail than junior police officers. Nevertheless, a similar pattern emerges, with London and the south-east, followed by Eastern England and Scotland, as regions where the police 'pay premium' is lower than the average.

Figure 9

Ratio of police pay medians to medians for all occupations, by region:
for weekly pay of male officers, 2009



Source: Appendix 4.

6. Police pay: international comparisons

Introduction

International comparisons of police pay are, like any international pay comparisons, not straightforward. First, it is difficult to get exactly comparable earnings measures across countries. For example, there is variation as to whether the data are provided for actual earnings or for scale rates; whether data are hourly, weekly or monthly or annual values of pay; whether overtime is or is not included and so on; indeed in one country in this comparison (Denmark), ongoing accrual of pension rights are included in the earnings figures. Second, police forces in other nations often have different functions and no direct comparators with their UK equivalents, and data are only available for certain occupation groups in the police force or aggregate together functions such as crime prevention with prosecution, which would be distinct occupations in the UK. Third, exchange rates fluctuate. Not only is it difficult thereby to make direct cost-of-living comparisons, but periods of sustained exchange rate changes (such as the rise in the Australian dollar) considerably affect cross-country comparisons of police pay. Finally, statistical sources in various countries differ radically in not only the data that are collected, but also in what is made publicly available either through official websites or through correspondence with researchers depending on freedom of information provisions.

In general the United States and northern European countries undertake more comprehensive surveys of earnings and have more open provision of this data than some of the other countries examined here. However, even after this host of *caveats*, some striking facts emerge as to the position of police in the pay distribution of other countries, relative to the UK.

i) Germany

Policing in Germany is the responsibility of states (Landes), with the exception of border police and certain specialist federal criminal investigations. However data on local variations in police pay are not publicly available. In June 2009, average annual earnings in Germany totalled €37,692 – that is, roughly £34,000. From a response to a specific request to the German statistical office, the Statistisches Bundesamt, information on average police pay has been obtained for this report. The average annual pay of a male Police officer at the same point in time was €39,108 – that is, roughly £35,500, and for a female Police officer was €30,120 – which is roughly £27,400. The *absolute* earnings of police staff in the UK and Germany are therefore comparable, but it should be noted that police earnings in Germany are much closer to mean earnings for all occupations than in the UK. However, the data definition for the German police data is “police officers *including administrative staff* (excluding apprentices)”. Administrative staff are not included in the calculations of police pay levels in the UK, and their inclusion in Germany is likely to bias the average of police pay downwards, relative to the UK. Therefore the figures for German police probably understate the average earnings of uniformed officers.

ii) Denmark

Denmark has a national police force, with some differences in organisation between the Copenhagen force and other areas. One of the attractions of examining earnings in Denmark is that highly detailed earnings are available online from Statistics Denmark. Hourly earnings data at mean and quartiles for both men and women are available at the 3-digit level of disaggregated occupational category, which is defined as ‘police officers and investigators’. This coding implies that the two categories of junior and senior police officers examined in the UK data are aggregated into one category in Denmark. A unique and interesting aspect of Danish earnings data are that they compute the value of *all* current and accrued payments (i.e. including pension rights as well as overtime) on an hourly basis. So, although these data are comparable across occupations in Denmark, it is hard to present the absolute value for cross-country comparisons without making strong assumptions. Nevertheless, grossing up

data to a measure of annual earnings by assuming a 35-hour week gives median or mean total remuneration (including accrued pension rights) of police officers in Denmark in the range £53,000 to £58,000. Not surprisingly this is high by comparison with the UK police forces and arises from the inclusion of pension rights in the data for Denmark – an appropriate step would be to add the UK *employer's* contribution as a % of earnings to total UK police earnings to get a comparable figure – which would involve an addition of almost 25% to the UK earnings figure. However, comparisons of earnings across the *Danish* pay distribution can be made on a standardised basis, and an interesting finding is that, as in Germany, police earnings in Denmark are much closer to overall annual earnings than in a number of the other countries considered here: for men, police pay is on average 13% to 18% higher than average male pay; for female police officers, the differential is around 20%.

iii) Sweden

The Swedish police force is organised on somewhat similar lines to that of the UK, with county police forces overseen by a national supervisory structure. There are also some agencies organised at the national level. The Swedish data, available online from Statistics Sweden, are also highly detailed, to the 4-digit level, with one category identified as ‘police officers and detectives’. As in Denmark, the data are provided as means and quartiles, differentiating men and women. Earnings are monthly and narrowly defined, which facilitates grossing-up to obtain annual pay averages. These data are arguably particularly interesting when comparing to the UK: gross annual earnings of these police officer categories in £ sterling seem to be somewhat lower than those for police officers in the UK; moreover, in relation to average pay, police pay in Sweden is much closer to average pay than in the UK and in a number of Commonwealth countries examined here. Taken with the data for Denmark and Germany, it seems that earnings of police officers in continental Europe are much closer to nationwide average earnings levels than in the UK.

iv) United States

As is well known, United States (US) police forces operate at different levels of jurisdiction. Federal police officers are involved in the enforcement of Federal Law and homeland security whereas state police operate at the level of state jurisdiction, such as state traffic laws but also narcotics, supervision of state parks etc. At the county level, law enforcement is in the hands of the Sheriff’s department, which in metropolitan areas may involve the existence of a county police force, and these forces carry out most of the duties that would be associated with local police forces in the UK. Given the variety of jurisdictions and levels of policing, there is wide heterogeneity in police pay in the United States.

The United States Bureau of Labor Statistics provides a wealth of data on occupational earnings (means, deciles and quartiles of the distribution) broken down by highly disaggregated codings and area breakdowns to the county level. So, for example, it is possible to learn that the highest paid police and sheriff’s patrol officers in 2009 work in San Jose-Sunnyvale-Santa Clara California (on an annual average salary of \$95,000) which compares favourably with a police officer working in Oklahoma (\$34,520 annual average)¹². On average, however, US police and sheriff’s patrol officers earn 17-18% more than US firefighters, 17% (mean) to 26% (median) more than US private investigators, and 27% (mean) to 60% (median) more than average earnings in US occupations as a whole. The wide disparity in the median relative to the mean of all occupations lies in the much greater skewness of the all-occupation distribution of earnings relative to that of the police and greater inequality of earnings in the US relative to other industrialised countries.

In general, average (mean/median) salaries for police officers and patrolmen (excluding higher ranks) in the US equate to around £33,000 to £35,000 in the UK – slightly lower than UK averages for police officers at constable and sergeant level. For additional relevant occupational

¹² See <http://www.bls.gov/oes/current/oes333051.htm>

categories in the United States, salaries in 2009 averaged for ‘First Line Supervisors/Managers of Police and Detectives’, \$78,580 (£49,000); for ‘Detectives and Criminal Investigators’, averaged \$65,860 (£41,000), and for ‘Police, Fire and Ambulance Dispatchers’ averaged \$36,470 (£22,800).

Finally, it should also be noted that police pension funds vary greatly across the United States, by state and area level in generosity, funding status and size. In some states, for example, the New York City and State Common Retirement funds, assets are pooled across several categories of public sector employees including teachers, state or local employees and uniformed services, so these are among the largest public sector funds in the United States. In other states, police operate their own funds with specific institutional features (for example as to the ‘defined benefit’ component or as a ‘defined contribution’ fund) and various degrees of generosity.

v) Canada

Canadian police forces have pay scale rates for cadets, after training, for constables (3 grades) and upwards through sergeant to senior officers. Pay differs by province and within province, but individual provinces such as Ontario do provide scale rates on internet sites¹³. Other unofficial sources of information include recruiting agencies and sites with posted vacancies.

In general, provincial police earnings vary widely in Canada. Urban conurbations such as Toronto pay higher rates, but so do more far-flung localities where police staff may be eligible for additional relocation payments (in Ontario, for example, of up to \$30,000 over a longer period for service in the northern part of the province). Typical scale rates would start at just over \$40,000 but most junior police officers would expect to increase their pay to a range of \$55,000 to \$75,000 (or £34,000 to £45,000 at current exchange rates). In addition, overtime rates are payable and there are additional benefits including sick pay and pension arrangements. Above the level of constable, scale rates rise through sergeant to higher ranks, as in the United Kingdom. Press reports suggest that it is ‘not uncommon’ for officers at senior constable or sergeant rank to earn up to \$100,000 after overtime in Canada, but such reports should be treated with extreme caution.

According to Statistics Canada, weekly earnings across all occupations in Canada averaged \$877.75 in 2009. Since hourly earnings rose (from the same source) by 2.3% between 2009 and 2010, annualising this figure gives average earnings in 2010 of around Canadian \$46,700 (or approximately £28,300). The scale rate of pay of a constable 1st to 3rd class in (say) Ontario therefore ranges from 36% to 74% higher than Canadian average earnings, while junior ranks have the opportunity to earn overtime on top of scale rates and of course there are higher ranks above constable in Canada.

vi) Australia

Pay scales and prospective earnings of police in Australia again differ across states with pay levels that vary according to whether the individual is engaged in general duties or within a specialist unit. The career structure starts at a probationary constable, moving through constable, senior constable, sergeant and senior sergeant to higher grades of inspector and above, within some variation across states. Information from official sources on average earnings is not as easily available as in some other countries, but recruiting sources give typical pay ranges that vary from \$53,500 to \$70,800 in New South Wales to \$41,000 to \$61,000 in Queensland for constables, with sergeants receiving around \$70,000 and special constables \$90,000. Converting these figures into £ sterling has to take account of the volatility of the Australian dollar: the Australian dollar has strengthened markedly in recent years.

A useful comparison arises from a summary factor sheet from official sources: www.joboutlook.gov.au which states that *median* earnings of a junior police officer in Australia

¹³ See, for example: <http://www.opp.ca/ecms/index.php?id=98>

are around \$1,300 weekly which converts to £764 at a 2010 exchange rate of around Aus \$1.7 = £1. This is just above median earnings of a male police officer for the UK in Table 2. Just over three-quarters of Australian police are male so, if the difference in male-female police earnings in Australia is similar to that of UK (see Figure 4 above), this gives a differential in earnings in favour of an Australian police officer relative to a UK officer of around 6 per cent. However this is highly sensitive to the exchange rate chosen. More pertinently, however, the same document suggests that median weekly earnings for *all* occupations in Australia are around \$1,000 – thereby suggesting that police officers’ pay lies around 30% above the national average. This is somewhat lower than the differential observed for both the UK and for Canada.

vii) New Zealand

New Zealand is a particularly difficult country for which to get comparative pay distributions since Statistics New Zealand tends to collect annual surveys of household *incomes* rather than earnings by occupation. This partly reflects the very different nature of employment and occupation structures in New Zealand but perhaps also the fact that New Zealand, not being a member of OECD, has not gone through the process of standardising statistical sources that has occurred in other OECD countries.

Official recruitment sources report that New Zealand police officers start at NZ\$51,000 and can expect to have annual earnings of NZ\$57,000 (the latter figure equates to around £26,000 at the NZ \$ to £ exchange rate of the last 12 months)¹⁴. As in Australia and Canada (and Scotland) there remains a ‘cadet’ category on lower pay scales. To obtain estimates of average earnings of police officers, the only statement provided by Statistics New Zealand is that average earnings of police officers is around \$55,900 in the 2006 Census. Current (2010) average earnings for all occupations in New Zealand are around \$40,000 and were around \$35,300 in 2006. On the heroic assumption that police earnings and average earnings grew at the same rate, this implies that the ‘average’ pay of a police officer in New Zealand was around 58% higher than average earnings in this period. This appears to be one of the highest premia to police earnings that we observe around the world and may reflect the very different occupational structure in New Zealand to elsewhere. It may also reflect the fact that police officers in New Zealand are salaried and overtime is only reimbursed with time off *in lieu*.

Summary of international evidence

Table 7 provides a summary of international comparisons of police pay based on the countries summarised in the preceding sub-sections. Despite the variety of definitions of pay and measures of police staffing, as described in the introduction to this section, several key factors stand out. First, there is great variety in pay structures and earnings levels across the comparison countries. Secondly, however, Continental European countries tend to have levels of police earnings much closer to average earnings in the economy as a whole, where the ‘premium’ paid to police officers is much less apparent whereas police pay relative to average earnings is, on balance, comparable to UK levels in many Commonwealth countries and also, on average, in the United States (although the local nature of pay-setting in the United States allows for great heterogeneity in earnings).

¹⁴ Source: <http://www.newcops.co.nz/About/TheJob/Benefits>

Table 7: Police Officer Earnings: Summary of International Comparisons

Country	Police earnings: measure and definition	Annual police earnings (in local currency)	Annual police earnings in £ sterling	Annual earnings, average all occupations (£ sterling)	ratio: police earnings to earnings average across all occupations
United Kingdom	median & mean FT earnings up to sergeant grade 2009	median: men 38,600, women 32,700; mean: men 40,400, women 33,600	32,700 to 40,400	median: men 25,500, women 16,100; mean: men 30,700, women 19,200	median: men 1.51, women 2.03; mean: men 1.32, women 1.75
Germany	Average pay, all including administrative grades, 2009	mean: men 39,108, women 30,120	men 35,500, women 27,400	34,200	0.80 to 1.04
Denmark	Hourly earnings, 2009, police detectives and investigators, includes overtime and accrual of pension rights	<i>Hourly earnings</i> median: men 306, women 290; mean: men 323, women 304	if 35 hour week x 52: 53,000 to 58,000 (incl. pension accrual)	<i>Hourly median (in DK):</i> men 240-277, women 220-262; mean: men 274-291, women 238-278	men: 1.13 to 1.18 women: 1.19 to 1.21
Sweden	Monthly earnings of police officers and detectives, 2009	median: men 30,000, women 28,400; mean: men 29,600, women 28,100	median: men 33,000, women 31,000; mean: men 32,500, women 31,000	median: men 33,000, women 29,000; mean: men 35,000, women 31,000	men: 0.93 to 1.00; women 1.00 to 1.07
United States	Police and sheriff patrol officers, 2009	mean: 55,180, median: 53,210. Median from 78,000-80,000 in California/NJ to 35,000 in Alabama Oklahoma, W Virginia	33,500 to 35,000 at median/ mean. Median varies across states from 21,500 to 50,000	mean: 28,000 median: 21,400	At median, from 2.1 in California to 1.25 in Louisiana; average 1.6. At mean: 1.27
Canada	mean earnings, police constable grades 2010	55,000 to 81,000	33,600 to 50,000	28,500	1.08 to 1.72
Australia	mean earnings up to sergeant grade 2010	48,000 to 90,000	28,000 to 52,900	30,000	0.94 to 1.76
New Zealand	average pay up to sergeant 2006	55,000	26,200	16,800	1.56

7. Recruitment and retention

An important issue in judging whether remuneration levels are appropriate is that of workforce recruitment and retention. Police forces in the UK have not had serious difficulties in recruiting officers for many years, as the occupation has been seen as one with attractive pay and prospects. In this section, the focus is on reasons for exiting the police, using aggregated tabulations of exit rates for police forces in England and Wales based on official returns (Annual Date Return 581) and on separate data on turnover rates by police officers.

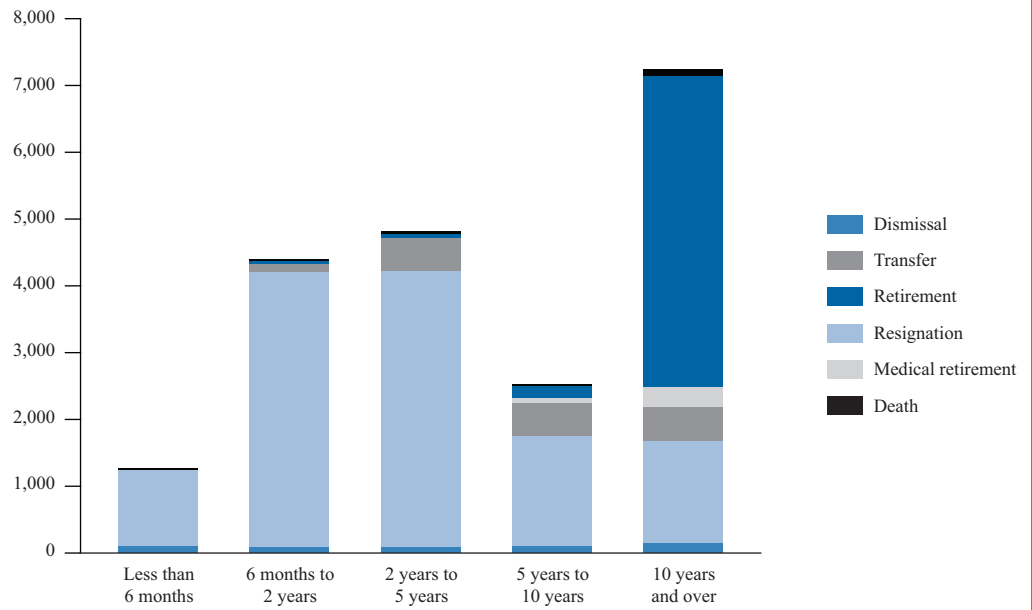
Figure 10 presents administrative figures on reasons for leaving for police *total workforce* (not just officers) in England and Wales in 2008-09, by length of service. Since these are absolute numbers, it should be kept in mind that there are around 144,000 police officers in England and Wales and over 90,000 staff supporting the police – exits from both officer strength and associated police staff are included here. The dominant reason for leaving is voluntary resignation, and it can be noted that around 13,000 police officers and staff in total resigned in this period – around 6% of the total workforce (this ignores transfers to other forces or duties). By way of comparison, voluntary turnover rates in private industry would normally average around 13% annually, although 2008-09 had a particularly low turnover rate in the private sector due to depressed labour demand; moreover public sector turnover rates in general tend to be lower than the private sector.

Among police officers excluding other police staff, exit rates ('wastage') are lower than this. The average 'wastage' rate among police officers among forces in England and Wales for 2009-10 is 4.7% of the forces' strength. This rate includes officers who may not have left the police forces as a whole but who had transferred to another force. The 'wastage rate' by force varies from a high of 8.5% (Lincolnshire) to a low of 3.0% (Devon and Cornwall). Interestingly, given that London is often a high turnover area in other occupations, the largest police force, the London Metropolitan, has one of the lowest wastage rates (3.7%) although many of the other south-eastern Police Authorities (such as Bedfordshire, City of London, Essex and Surrey) have higher-than-average exit rates. These figures for police officers again reflect the relative attractiveness of pay and conditions and the incentives to remain within the force after a certain number of years' tenure given the 'backloading' of pension incentives.

Reverting to the figures for the whole police workforce, and not just police officers, voluntary departures dominate all service durations until 10 years and over, but are largest in absolute number between 6 months and 5 years service. Not surprisingly, exits at 10 years and over are dominated by retirement – on normal conditions or on medical-related conditions. In 2009-10 there were around 5,000 retirements – around 4% of the total workforce, supplemented by some 250 medical retirements. However it should be noted that in addition to 'pure' medical retirements, standard retirement pensions may include various additions for disability and injury, as discussed shortly.

Figure 10

Reasons for leaving police by duration of service 2008-09



8. Pensions and retirement

i) Overview of police pension schemes

Police pensions in the UK, and reforms thereof, have a long history.¹⁵ Most current police officers – both active and retired – are members of the Police Pension Scheme (PPS), which is an unfunded contributory final salary pension scheme that dates from 1987, although the key principles of the scheme date back to its inception in 1921 and to subsequent legislation. However, since April 2006, this scheme has been closed to new members, and new entrants to the police force are offered membership of the New Police Pension Scheme (NPPS) which was introduced as part of the reform process to public pension schemes that was initiated in the early 2000s (see Pensions Policy Institute, 2008). Important differences between the PPS and NPPS are discussed below.

Police staff members of the police services will typically belong to the various local government pension schemes, though police staff members of the Metropolitan Police Service belong to the Civil Service Pension Scheme. However, in contrast to the police scheme, local government pension schemes are not a national scheme, and are at least partially pre-funded. A typical local government pension scheme is again a final salary scheme, has an accrual rate of 1/80th plus 3 times final salary as a lump sum (1/60th for new members since 2008 with no additional lump sum), and a typical rate of employee contributions of 5-6% (raised in 2008 to up to 7.5%). These pension arrangements (and reforms thereof) are pretty standard across the public sector so, in what follows, the discussion will concentrate on the relatively unique features of the pension schemes for police officers: the PPS and the NPPS.

A key characteristic of PPS (and, to a lesser extent, the NPPS), relative to other public sector pension schemes, is that rights are accrued faster and officers can retire with an immediate pension earlier. Under PPS, officers can retire after a full 30 years' service – which for an entrant aged 18 could imply retirement on a full pension as early as age 48 – or at 50 years of age with 25 years' service. Officers with less than 25 years' service can retire with an immediate pension either at their Voluntary Retirement Age (VRA for constables and sergeants is 55; for senior ranks (inspector and above), VRA may be between age 55 and 60) or at the deferred pension age of 60. Officers can continue to serve beyond their respective VRA.

A key reform therefore embodied in the New Police Pension Scheme (NPPS), for entrants from 2006 onwards, is to introduce a Normal Pension Age (NPA) of age 55. In terms of number of years of working life to gain a full pension, however, even after this change police pension scheme members have an advantage relative to other pension schemes. Almost all other public sector pension schemes had a NPA pre-reform of age 60, which has been raised in most cases to age 65. Firefighters are intermediate between most schemes and the police pension scheme in having originally had a NPA of 55, now raised to 60. Police are now broadly on a par with the armed forces where a full career average pension can be obtained at age 55 (or after 34 or 37 years of service depending on rank). But members of the armed forces can obtain a limited intermediate pension after far fewer years of service and, as with the police, there are provisions for disability and health-related pensions from an earlier age.

PPS also has another unique feature: a two-tier accrual rate by which pension rights accrue at an annual rate of 1/60th for the first twenty years, followed by rights accruing at 1/30th for each year thereafter. This 'backloading' of pension incentives provides for very rapid accrual of rights later in the career and gives a strong incentives for those who have been in the police force for a number of years to remain in the force to NPA (see some of the 'vignettes' in Section 1 above). A retiring member of PPS can then receive the pension as an annual sum (annuity) or opt to have part of it commuted to a lump sum. A combination of the value of

¹⁵ For a good account of the evolution of the police pension schemes, see: House of Commons, Library (2009) *Police pension scheme*, standard note SN/BT/700. For a comparison of the 1987 and 2006 police pension schemes with other public sector schemes, see Pensions Policy Institute (2008) *An assessment of the government's reforms to public sector pensions*, London, October.

the pension and the commuted lump sum gives large sums on retirement, especially for senior ranks, as illustrated by some case studies below. But it should be borne in mind that other public sector schemes also offer scope for lump sum commutation of service pensions.

Case studies of pensions based on Officers at top of Payscale with 30 years' service, retiring on the 1987 scheme at or under the age of 50, without London weighting or CRTP, on 31 August 2011. Lump sum calculated assuming maximum commutation and using the factor for age 50 or below as at March 2011. Calculated figures given to nearest 100.

Table 8				
	Final Salary	Full annual pension	Lump sum at retirement	Annual pension (after commutation)
<i>Calculation</i>	<i>n/a</i>	<i>(2/3) x final salary</i>	<i>(19/4) x full pension</i>	<i>(1/2) x final salary</i>
Constable	£36,519	£24,300	£115,600	£18,300
Inspector	£50,751	£33,800	£160,700	£25,400
Chief Superintendent	£78,636	£52,400	£249,000	£39,300
Chief Constable (N Yorks)	£133,068	£88,700	£421,300	£66,500
Chief Constable (Kent)	£151,215	£100,800	£478,900	£75,600

The reformed police pension scheme for new entrants, NPPS, scraps this two-tier accrual structure, replacing it with an accrual structure which whilst simpler is still unique in the public sector. Each year's service accrues pension benefits based on a 1/70th of final salary, and the final pension will be paid on this formula for years of service at age 55 *plus* a lump sum equivalent to 4 times final salary. Survivors' benefits are also made slightly more generous in the NPPS than the PPS, but there are changes to ill-health benefits in the opposite direction, which are described shortly.

The police pension scheme, which is more generous than other public sector pension schemes in terms of earlier Normal Pension Age (both PPS and NPPS), and, in the case of PPS, high accrual rates after 20 years' service, does not come cheap. Arguably, its relative generosity reflects the disproportionately stressful nature of a police career¹⁶. Moreover, serving police officers would also point out that not all this additional cost is borne by the taxpayer; the employee's contribution in PPS is 11% – a rate higher than all other public sector pension fund members bar firefighters. In the NPPS, the employee's contribution rate is 9.5%, which is higher than all public pension schemes including firefighters, who had their contribution reduced to 8.5% in the reform of their pension scheme, which also took place in April 2006.

Some of the key features of the two police pension schemes are summarised in Table 8.

¹⁶ For a discussion of the correlates of stress in the police force, see P. Collins and A. Gibbs (2003) 'Stress in police officers: A study of the origins, prevalence and severity of stress-related symptoms within a county police force', *Occupational Medicine*, 53 (4), 256-264. This study found a high fraction of officers exhibiting stress indicators. However, it also found that many of the determinants of that stress (such as work overload, lack of control and consultation, and work life interfering with domestic life) were not specific to policing. It is often argued that life expectancy of police officers after retirement may be shorter than for other occupations with comparable earnings, but this cannot be corroborated from official data.

Table 9: Summary of provisions of Police Pension Scheme and New Police Pension Scheme

Scheme	Police Pension Scheme (PPS) 1987	New Police Pension Scheme (NPPS) 2006
Eligibility	Joined force up to 05-04-06	Joined force from 06-04-06
Employee contribution rate	11% of salary	9.5% of salary
Maximum pension	2/3 final salary	1/2 final salary + 4 x lump sum
Accrual rate	1/60th 20 years+1/30th after 20	1/70th
Maximum service full pension	30 years	35 years
Earliest pension	48.5 (as early as 46 if transferred in service); deferred 60	55; deferred 65
Indexation of pension	Was to RPI (2010 on to CPI)	Was to RPI (2010 on to CPI)
Survivor's pension	50% of member's pension	50% of member's pension
Ill-health benefit	One level of benefit	Two tier benefit on severity

As already mentioned, the combined police pension systems are costly – not only do they exact high employee contributions (by the standards of other public pension schemes) but the employer contribution is also high – at just over 24% of earnings. The Pensions Policy Institute (PPI) (2008) calculates the average value of the annually accrued pension rights of a serving male police officer as 35% of annual earnings in PPS – that is, the ‘worth’ of an extra year’s pension discounted from retirement to any working age is around 35% of salary in each year. This value is slightly lower than that of men in the armed forces, which PPI calculates at 39%, is about the same as that of firemen (also 35% of salary) and considerably higher than for men in the other public sector schemes, which PPI value at between 22% and 29% of salary. In relation to the new police pension scheme (NPPS), PPI calculate this to be worth 29% of salary for a male police officer, which is a reduction of 6 percentage points – significantly exceeding the reduction in the employee contribution rate. For firemen and for the civil service scheme reforms, the reduction in the value of pensions relative to earnings is greater; for other public sector scheme reforms, somewhat less. PPI also calculate values of women, which are somewhat lower than for men (presumably reflecting lower lifetime earnings not outweighed by higher life expectancy)¹⁷.

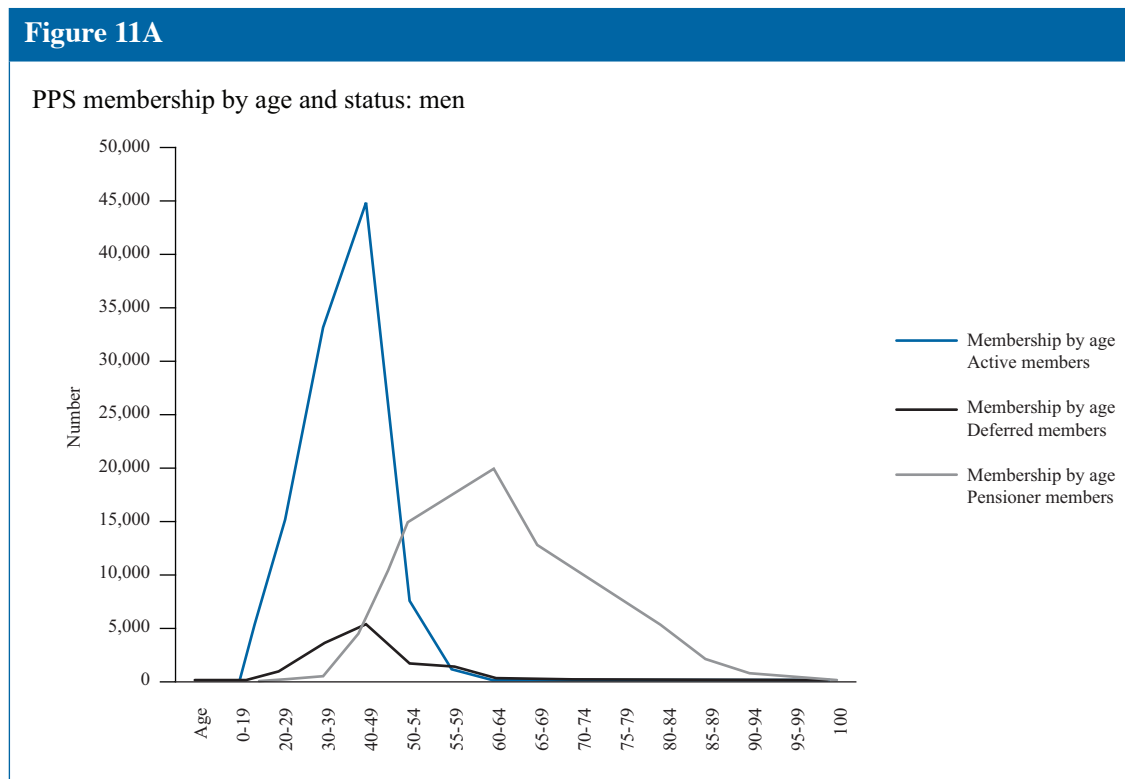
In summary, several points arise from this discussion. First, the police pension schemes are more generous than other public sector schemes, reflecting the earlier normal pension age. Second, although the employee’s contribution rates to the PPS and NPPS are greater than in other public sector schemes, these higher rates do not fully compensate for the higher value of the pension, relative to other schemes. As in most public sector schemes, around two thirds of the cost is borne notionally by the employer, not the employee. Third, the reduction in generosity of the NPPS relative to the PPS is significantly greater (at least for men) than the fall in employee contribution rates. This reflects the abolition of the two-tier accrual rate and so, fourth and finally, the value of pensions relative to earnings in the PPS (unlike the NPPS) is disproportionately weighted towards serving officers with more than twenty years’ service. Whilst PPI calculates the average value of the PPS to serving male police officers as 35% (28% for female police officers), the return is lower for 30 year olds (a proportion of whom will exit the service before reaching NPA) whereas it is as high as 26% to 62% for 50 year olds, depending on actual retirement age.

¹⁷ It should be noted that the generosity of all public pension schemes has been reduced by the decision in 2010 to shift from indexing benefits in payment and earnings’ revaluation to the CPI price index rather than the RPI index. This change will have a particularly significant effect for those schemes with a lower average retirement date such as those of the police and armed forces.

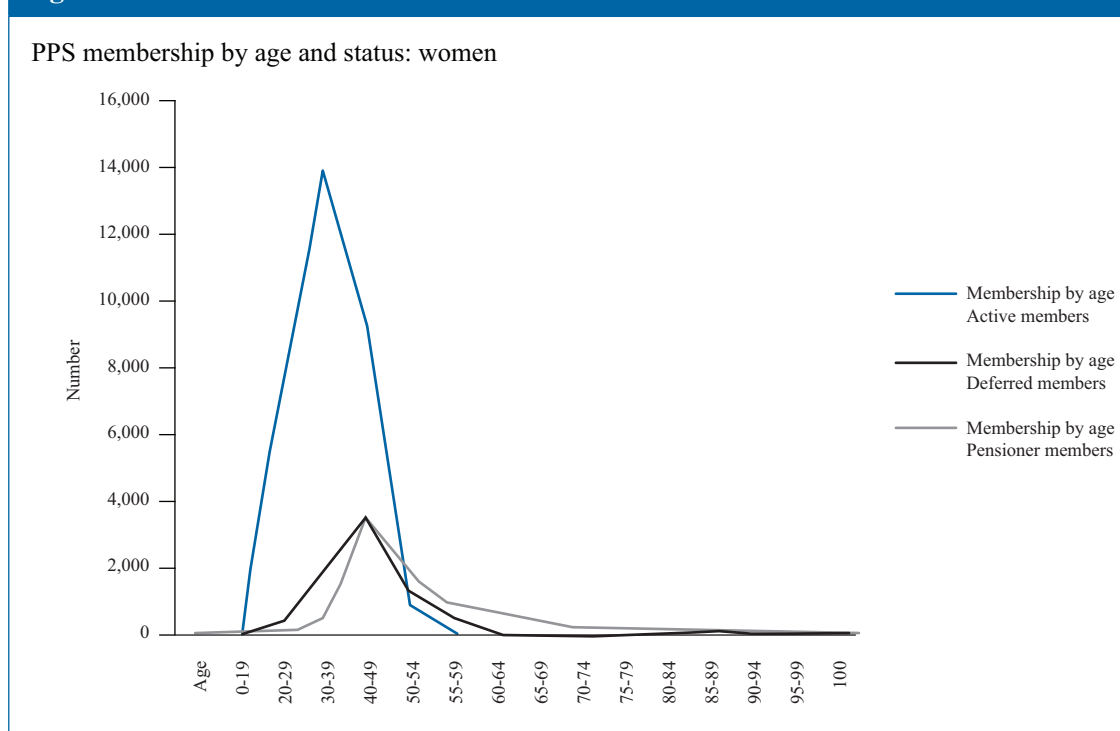
A note of caution should be added concerning the calculation of the ‘value’ of public sector pension schemes relative to earnings. The PPI calculations assume identical exit rates before NPA, mortality assumptions, and salary increases over the working lifetime across all public sector pension schemes. The PPI calculations would overstate the value of the police pension schemes to the extent that (a) a lower fraction of police officers reach NPA, whether through exiting the force or early death, or (b) police officers have lower life expectancy in retirement than other public sector workers. The second possibility is indeed a rationale for the earlier NPA for police officers relative to other occupations such as the civil service, local government and health care. Moreover, the earnings profiles constructed by PPI simply assume constant and identical growth of earnings over the working life across all schemes; an assumption designed to facilitate comparisons across broad public sector groups. The police earnings profile therefore does not capture the heterogeneity of police careers described in the ‘vignettes’ in Section 1 of this report. Further detailed work would be needed to provide specific earnings profiles for particular public sector occupations¹⁸.

ii) Evidence on police retirement

Figure 11 illustrates the distributions of ages of male and female members of the Police Pension Scheme by three categories of status: active, retired and deferred – the last category being members who are not currently working in the police force and who cannot receive their pension until age 60 (age 65 from 2006 in the NPPS). The data are for March 2008 from the records of the pension scheme itself.



18 As in R. Disney, C. Emmerson and G. Tetlow (2010) ‘The value of teachers’ pensions in England and Wales’, *Fiscal Studies*, 31, March, 121-150.

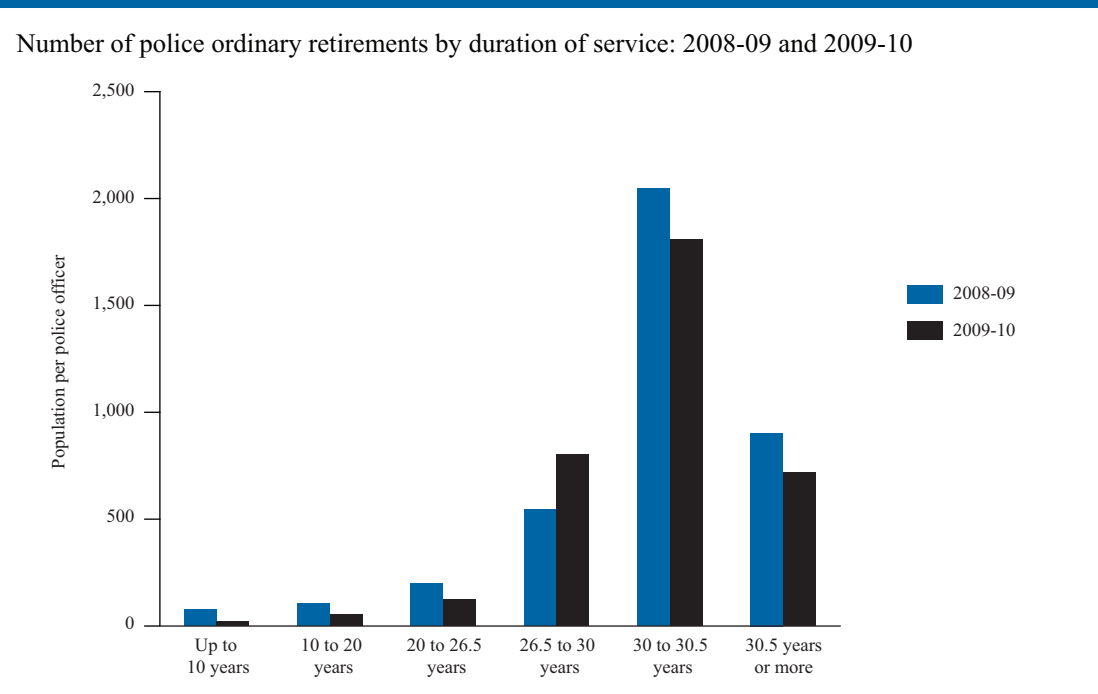
Figure 11B

The largest numbers of active male police officers are grouped in the age bracket 40-49; for women, the peak numbers are in the age bracket 30-39. Of around 100,000 active male police officers, only 8,500 are aged 50 and over. Less than 3% of serving female police officers are aged 50 and over.

There are almost as many retired male police officers as active – at over 95,000 – plus an additional 12,500 with deferred pension rights and a further 800 male dependents of retired female police officers. The ages of retired male police officers are fairly evenly spread between age 50 and 70, peaking in the 60-64 age category¹⁹. There are almost 6000 men in the PPS who are retired and currently below age 50. Deferred male members of PPS are spread across the age range and beyond age 50, since deferred pensions cannot be obtained in PPS until age 60. Among women, there are just over 31,000 active members. Almost half of retired members of PPS are aged under 50 (3,800 out of 8,200, in round numbers), and the age distribution of members with deferred rights and pensioners is very similar. The large number of retired relative to active members is, of course, one reason why the PPS is a costly scheme in terms of required finance. Not shown in the figures are that the average annual pension in payment to a male police officer (mode and median) lies in the range £16,000 to £19,000 and for a female police officer, £8,000 to £10,000, and that there are 13,000 serving officers in the NPPS.

Figure 12 examines ordinary retirements (as opposed to ill-health retirements) for the England and Wales police forces grouped by duration of police service to retirement. Men and women are aggregated in these data; it is likely that, on average, a female Police Officer's years of service at retirement are lower than those of a male Police Officer (as also indicated by the disparity in average pensions in payment between males and females). These data are taken from official returns from police forces to the Home Office reference ADR533 (the numbers disaggregated by police force are too small to permit any detailed analysis by individual forces) for two financial years: 2008-09 and 2009-10.

¹⁹ No inference concerning expected length of life can be drawn from any statistic as to the average age of retired members of the PPS. For further discussion of this issue, see footnote 15 *supra*.

Figure 12

Not surprisingly, ordinary retirements (i.e. not on grounds of ill-health) are grouped at 30 years' service, although a significant number fall just short of this figure. The significant number retiring at longer durations of service than 30 years arise from two sources: primarily senior ranks with more years of active service, and those who have deferred pensions and normally have to wait to age 60 to obtain them (and thereby have accrued years of pension scheme membership beyond years of active service). The data do not provide actual retirement data from active service. However the vast majority of such retirees choose to take a lump sum (an option not open to deferred pensioners) and, from the numbers of those taking the lump sum, it is possible to calculate that around 8-9% of those who first receive their pension after 30 years+ of pension scheme membership are in fact deferrers rather than those retiring with more than 30 years of active service.

iii) Ill-health retirement

Both the original police pension scheme (PPS) and the revised police pension scheme from 2006 (NPPS) offer scope for retirement on grounds of ill-health. Ill-health is defined in terms of the capacity to continue to perform the duties of a police officer; however the schemes differ in how they treat a claimant in terms of capacity to serve in an alternative occupation.

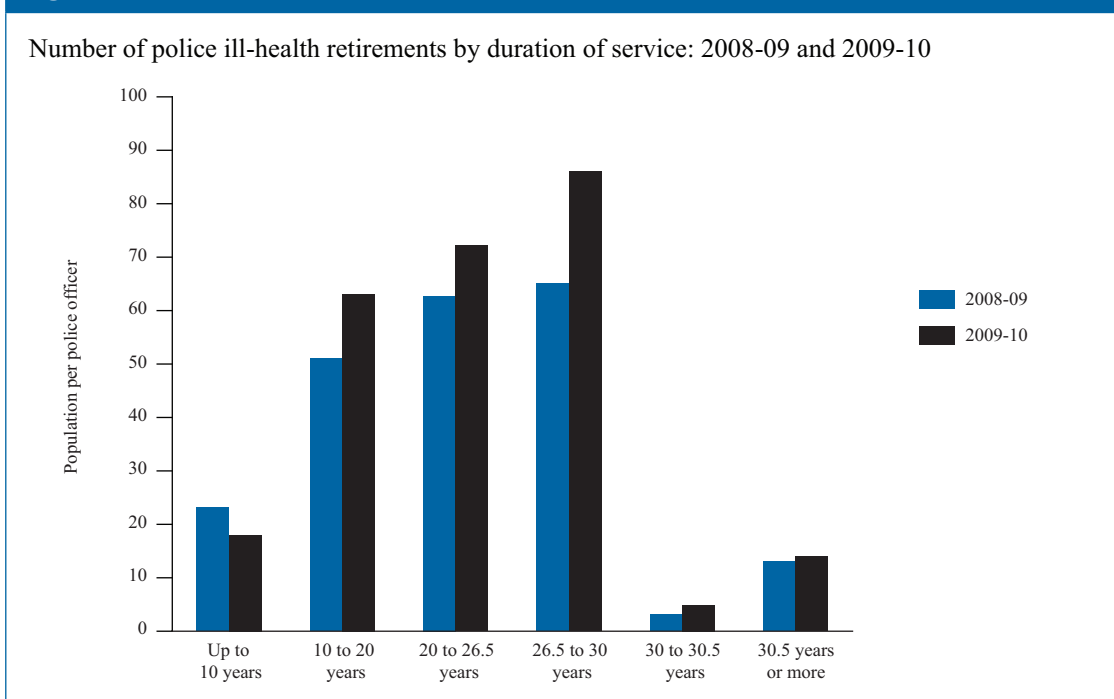
In the PPS, ill-health retirement could be obtained by any officer permanently medically unable to continue to serve as a police officer. The base component of this would be accrued rights to the standard pension. An officer with only 2 years of service could receive a pension immediately based on 2/60th of earnings "without enhancement"²⁰. Above five years' service the officer receives an enhancement. An officer with at least five but not more than 10 years' service has his service doubled. An officer with 10 or more years' service has his service enhanced by 7/60th^s, with a minimum pension of 20/60th^s and a maximum pension of 40/60th^s. In addition there is a cap on any ill-health pension of the pension the officer would have been entitled to had he continued to serve to his voluntary retirement age (age 55 for constables and sergeants). Thus enhancements are related to length of service rather than the nature of the ill-health or disability (subject to that disability rendering the officer permanently unable to serve in the police force).

²⁰ But of course the fact that the pension is received immediately rather than at NPA is an actuarial 'enhancement'.

In the NPPS, there is a two-tier ill-health benefit which relates, not to length of service, but as to whether the officer is capable of employment outside being a serving police officer. For those who are permanently unable to engage in any employment, the enhancement is half the service the officer would have earned had he continued to serve until Normal Pension Age (age 55), up to a maximum of 35 years’ service. This part of the ill-health retirement scheme is similar to PPS except insofar as the accrual structure is linear rather than non-linear (see section (i) above). However, for ill-health retirees deemed medically capable of working outside the police force as a serving officer, the pension benefit payable is simply the accrued ordinary pension without enhancements. In addition, in recent years police forces have been encouraged to make greater efforts to re-employ officers suffering from particular forms of ill-health in alternative positions e.g. away from front-line duties in order to reduce the ill-health retirement ‘bill’.

Figure 13 graphs the distribution of ill-health retirement in two years by length of service within the PPS. Clearly the incentives to retire on ill-health grounds are rather limited at very low tenures and then rise above a tenure of 10 years. However, for those with service of more than 20 years, the incentives to accrue rights within the ordinary pension scheme are already attractive. Although ill-health retirement is subject to medical examination (and the incidence of ill-health may grow in line with stress for police officers with longer durations of tenure), it is clear from the graph that ill-health retirements are indeed pretty evenly distributed across the tenure bands for tenures of 10 years and above.

Figure 13



Finally, in addition to ill-health benefits, it should be noted that there is the entirely separate issue of *injury* benefits, which are not financed out of the pension scheme and which revolve around the issue of injuries sustained in the course of the duties as a serving police officer. This has been the subject of a recent review by the Home Office, and remains under further consultation²¹.

²¹ Home Office (2008) *Review of Police Injury Benefits: Government Proposals*, London.

9. Pay bills of police forces

i) Variations across forces in employment and pay ‘mix’

So far, the analysis has focussed on individual data on earnings, with some regional breakdowns. In this section, the focus is on pay bills across police forces in England and Wales, and the determinants of those changing police pay bills. The data used are police force returns to CIPFA (the Chartered Institute of Public Finance and Accountancy) made available by the Home Office. The data contain detailed expenditure breakdowns by police force, as well as employment numbers disaggregated by grades, some geographical measures and some output measures. The data are comprehensive for recent years for forces in England and Wales, but many data points are missing for Scotland and the Northern Ireland data are too aggregated to be of use here. In what follows, the focus is on the returns for police forces in England and Wales, using data for the financial years 2009-10 and 2008-09 and also or the panel of returns combining the years 2004-05 to 2009-10. These police forces are the two London police forces (London Metropolitan and City of London), the six joint forces in England for Greater Manchester, Merseyside, Northumbria, the West Midlands and South and West Yorkshire, the 31 non-metropolitan (‘county’) police forces for England, and the 4 police forces for Wales. However since the two London forces cover, respectively, a very large population and a very dense population, these two forces are omitted from some of the visual and statistical analyses.

In principle, these data permit a fuller analysis of the relation between inputs and measured outputs (primarily crime clear-up rates conditional on crime incidence). This analysis might be termed an ‘efficiency’ or ‘productivity’ measure, although the pitfalls of constructing such indices for public sector services based on partial measures of outputs is well known, even when inputs are measured pretty comprehensively as in this data set. The focus here therefore is on ‘employment mix’ in terms of the relative proportions of employment categories such as senior/junior uniformed staff, fraction of support staff, overtime paid relative to ‘base pay’ and so on, utilised by different police forces. As will be demonstrated shortly, there is a clear relationship between the size of the police force in each geographical area, and in its pay bill, on the one hand, and population level and density on the other. However within the police force and police pay bill, different mixes of police employment ‘inputs’ are possible, and these variations are explored here.

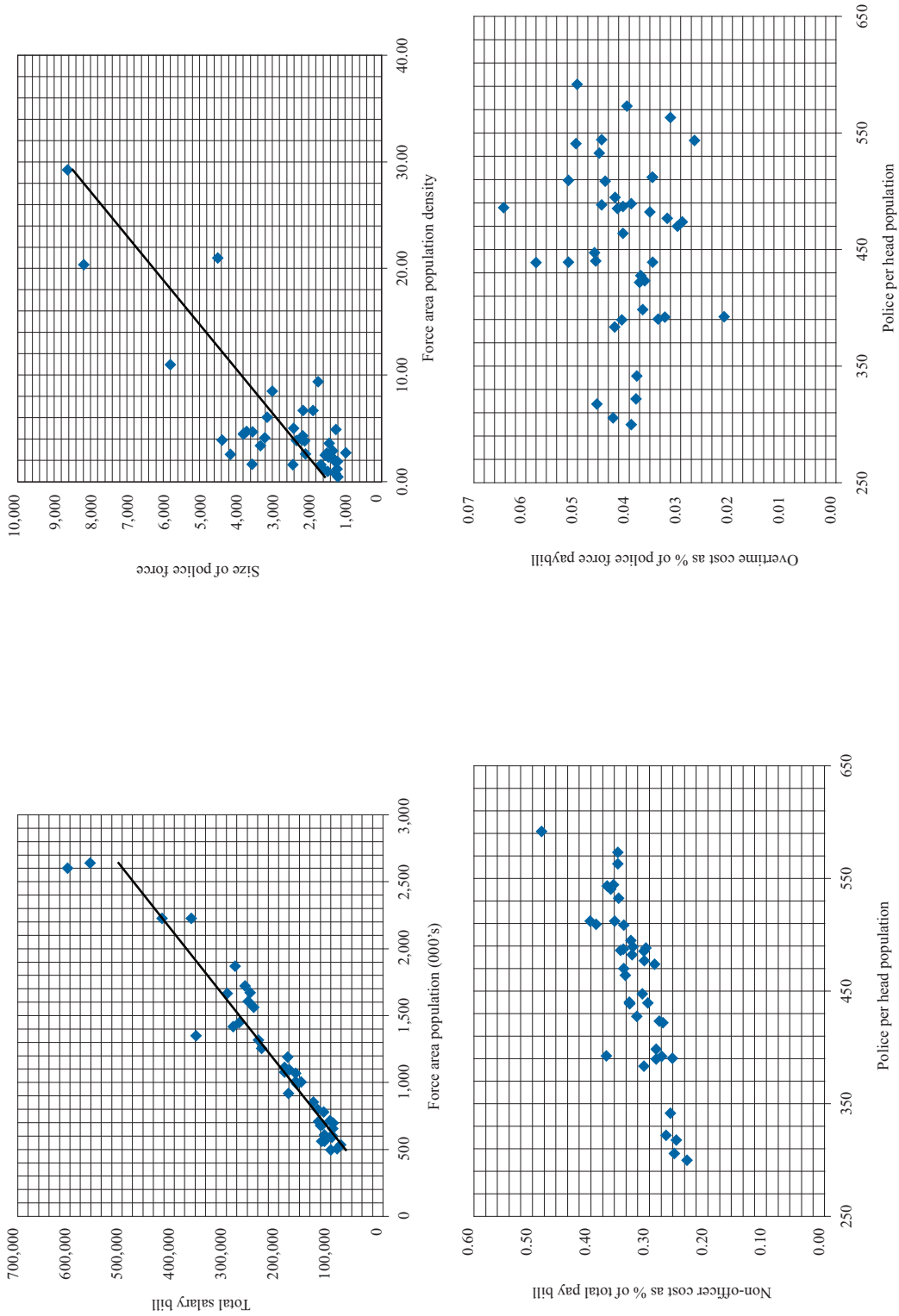
To illustrate these points, the four charts in Figure 14 illustrate some of the correlations between these variables using the data for the 41 police forces in England and Wales excluding the two London police forces for the financial year 2009-10.

Underlying the data is a very strong relationship between the size of the total police force, and indeed total police staff, in every force and the size of the population in the area covered by the force, whether county or metropolitan area or joint area force. Consequently, there is also a strong positive correlation between the size of the total salary bill of a police force and the area population covered by each force. This is illustrated in Chart A.

There might also be a relationship between area population *density* and the size of the police force. The larger authorities in terms of population density tend to be metropolitan urban areas that might require more intensive policing. On the other hand, larger areas, in terms of population size, may allow the development of specialised units and achieve economies of scale that require less police resources per head. This is examined in Chart B, which shows that there is a clear demarcation between four of the larger joint forces and the remaining areas in terms of population density. The population densities of these four joint forces are higher, and so indeed is the average number of police. This gives the strong positive correlation in the data between population density and size of the police force. But examining the two separate groups of forces, which we may term the high density and low density areas, it is clear that *within* these two types of areas, the size of the police force per head of population varies widely.

Figure 14

Police forces in England and Wales 2009-10: Some correlations (Data illustrated exclude London Metropolitan and City of London police forces)



Charts C and D refer explicitly to the *mix* of police staffing and the relation to area characteristics. In both charts, the horizontal axis measures population per police officer in each area, which is derived by combining some of the data in Charts A and B.

In Chart C, the percentage of the pay bill arising from support staff as a % of the total pay bill is measured against population per police officer. ‘Police staff’ here includes all ancillary staff in addition to police officers, such as traffic wardens, community support officers and broadly white collar staff. Since the vast majority of these staff are on lower pay rates than officers, a higher percentage of support staff pay in the pay bill will be associated with an even higher ratio of support staff to police officers. There are various potential hypotheses as to what the relationship of this ratio with population density per police officer might look like. If the non-officer staff is simply an overhead that is broadly proportional to ‘core’ employment of police officers, there should be absolutely no relationship between population density per officer and the proportion of support staff i.e. a broadly horizontal-aligned array of points in the scatter plot. If the support staff required to underpin a police force is fixed, the array of points would be vertically aligned. If more intensive policing (i.e. greater population per officer) requires greater back-up by other resources, than there might be a positive relationship between the population per officer and the percentage of support staff in the pay bill. And this is broadly what is observed in Chart C, although the scatter relationship is more widely dispersed. For example, at a population density of around 400 people per officer, one police force has a support staff pay bill that is around 25% of the total whereas another police force has a proportion of the pay bill much closer to 40%.

This dispersed nature of the scatter plot is seen most clearly in Chart D. Since there is a degree of variation in population density per police officer (as in Chart B), one might expect that officers might be more hard-pressed in areas of high population density if policing intensity is higher. This might be reflected in a higher overtime bill, both for officers and support staff: in other words a positive relationship between overtime pay in the total pay bill relative to police officer pay bill on the one hand, and population density per officer – proxying the intensity of policing, on the other. In fact, Chart D illustrates no such relationship. Indeed overtime pay in relation to total officer pay seems a random variable across area forces, which is uncorrelated with any other observables. Again at 400 people per officer, the overtime pay bill is double in one force that of another; much the same is true at the level of 500 population density per officer. There may be systematic reasons why different police forces pay different amounts of overtime pay, but they do not show up as systematic correlations in these data.

In general, employment mixes vary widely across police forces. Table 9 pools the data on the 43 police forces for the five financial years 2004-05 to 2009-20 and provides some indicators of ‘employment mix’ and ‘pay bill mix’ across police forces. The first row shows that the cost of overtime in the pay bill is, on average, low but varies between 2% and 8% of pay bill. The second row shows that the police force with the highest ratio of senior police officers (i.e. inspector and above) to total police officers has twice the fraction as the lowest force. And the final column suggests that whereas in one police force there are 2 support staff for every 5 police officers, in another force there are more support staff than police officers. This last statistic, although striking, should not be treated as evidence of excessive ‘bureaucracy’ since, as mentioned before, ‘support staff’ include a variety of grades such as traffic wardens, community support officers, telephonists, dispatchers and the like. Nevertheless, these ranges for specific indicators are interesting and would warrant more investigation in a more structured framework concerning the mix of policing resources across forces.

Table 10: Ranges of specific indicators across police forces, England and Wales

Variable	Lowest	First quartile	Median	Second quartile	Highest
Overtime pay as % total pay bill	2%	2%	4%	7%	8%
Senior officers as % of total police officers	6%	6%	8%	11%	12%
Ratio of support staff to police officers	41%	58%	67%	75%	109%

ii) A statistical analysis of ‘drivers’ of pay bills of police forces

This sub-section considers the key ‘drivers’ of total pay bill growth across police forces, using the CIPFA data for the years 2004-05 to 2009-10. At a basic accounting level, the pay bill of a police force is simply determined by the number of employees times the average earnings of each of those employees. Over time, the growth of the pay bill can then be approximated by the net growth of average earnings plus the net growth of the number of employees, at least for relatively small changes in the pay bill. In turn, in this accounting framework, these totals of employment and employment growth can be broken down into the fraction of employees in different categories (officer, support staff, junior versus senior staff) times the average earnings of each group, and average earnings can be broken down into pay rates for normal hours relative to shift premia, overtime payments etc.

Whilst this accounting exercise will fully ‘explain’ the total pay bill and its change over time, it seems useful to identify the key ‘drivers’ of both pay bill differences across forces and changes in average pay bills over time. For example, it seems likely (and indeed proves to be the case) that the number of police officers employed by a particular force will be the key determinant of its pay bill. However, the use of support staff relative to police officers may be higher in a force with more police officers (or indeed lower). A force that has recruited, or retained, a larger number of police officers may thereby be able to reduce the amount of overtime worked by its police officers. And individual forces may have differences in the ‘mix’ of its officers in terms of the fraction of senior officers, with a force with a greater share of senior officers of course having a higher pay bill given its total complement of officers than one with a lower share. So although the accounting exercise will fully describe the pay bill, these relationships (or ‘partial correlations’) between the determinants of police pay are of interest in their own right.

This section therefore uses a statistical exercise, in the form of multiple regression analysis, to examine these relationships between the various ‘drivers’ of pay bills across forces in England and Wales, and also changes in those pay bills over time. Since this is not an accounting exercise, but a statistical method, it will examine average relationships between variables such as the components of pay and employment which will not fully ‘explain’ all the variation in the data. Therefore sampling theory will be applied to highlight the ‘significant’ relationships in the data²².

To summarise the statistical results that follow: the key ‘driver’ in explaining differences in police force total pay bills over time, pooling across six years of data, is the number of police officers employed across forces. There is evidence that higher pay bills are also associated with a higher *fraction* of support staff. Remembering that support staff are generally paid less than police officers, this suggests that employing greater numbers of police officers is associated

22 Strictly speaking, sampling theory is not normally applied when we have a complete survey (of police force data) rather than samples (of police force data). In effect, “measurement error” is created by the imposition of behavioural relationships (or “parameters”) on the data.

with employing disproportionately greater numbers of support staff. On the other hand, greater employment of officers and support staff is associated with a lower fraction of overtime payments in total payments, suggesting that overtime is partly a response to underemployment of police staff relative to ‘need’ (as measured by population and population density). There are also systematic variations across forces in pay bills that cannot be ‘explained’ by these measured indicators of employment mix and pay rates and overtime premia.

When looking at *changes* in pay bills over time, the key ‘driver’ is the annually negotiated pay uplift. Not surprisingly, pay bills change by almost 1 to 1 in line with pay uplifts. However the change is in fact slightly less than 1 to 1, suggesting that police forces facing a greater pay uplift at a given point in time attempt to find economies elsewhere that offset cost increases. Specifically, there is evidence that both overtime as a proportion of the pay bill and support staff as a fraction of police workforces fall when the increase in scale rates and, therefore, the underlying growth of the total pay bill, is higher. In general, there is *no* evidence that growing overtime payments or increasing numbers of senior police officers have contributed to the size and growth of police pay bills; if anything, in the former case, the relationship is the reverse.

To demonstrate these results, a statistical model is estimated which includes the following variables:

- The variable to be explained is the total wage bill of each police force in England and Wales in each of six years from 2004-05 to 2009-10, denoted by *total pay*²³.
- The explanatory variables are:
 - Number of police officers employed, denoted by *num officers*
 - The proportion of overtime in the total pay bill, denoted by *% overtime*
 - The proportion of senior police officers to junior, denoted by *% senior officers*
 - The number of support staff relative to the number of police officers, denoted by *% support staff*
 - The size of the pay uplift for officers negotiated each year denoted by *pay uplift*
 - A set of categorical variables for each police force, to capture heterogeneity in pay bills, and pay bill growth, across police forces. In terms of levels of pay, these capture differences in pay bills across police forces not otherwise explained by the other variables; in terms of pay bill growth, these explain the growth in pay bills across forces not explained by the other variables.
- The numerical variables *total pay*, *num officers* and *pay uplift* are converted into natural logarithms for ease of interpretation of the coefficients – these are denoted *ln total pay*, *ln num officers* and *ln pay uplift*. When we look at *changes* in variables (constructed as the differences in the logarithms of the variables between the two periods), the notation is used: $\Delta \ln total pay$, $\Delta \ln num officers$ and so on (the variable *pay uplift* is already a variable in changes, not levels).

The results are described in Table 10.

Consider first the results in the column headed *ln total pay*. The coefficient indicates that a 10% higher number of police officers in one police force relative to another is associated with a 11.6% higher total pay bill (although statistically, a 1 to 1 relationship between differences in numbers of officers and pay bills cannot be rejected). The other positive coefficient suggests that a 10% increase in the *fraction* of support staff is associated with a 10% higher pay bill. This is harder to interpret except as a reverse causation – that is, that a higher pay bill, other things being equal, is associated with a higher fraction of support staff. Reverse causation also likely underlies the other, negative, coefficients in the column. Clearly, a greater fraction of overtime pay and a greater fraction of overtime in total pay, other things being equal, would increase the pay bill. It seems likely, however, that police forces with higher pay bills (driven

²³ The analysis again excludes the two London police forces as their size and character are very different from the other forces.

by numbers of police officers and support staff) would attempt to reduce overtime payments, and perhaps promotions. The negative sign on the annual pay uplift in police scale rates also has no intuitive meaning when comparing across police forces; however the role of pay uplift becomes important when looking at changes in the total pay bill over time.

Changes in the pay bill over time are investigated in the next column in Table 10, headed $\Delta \ln total\ pay$. Here the crucial driver of pay bills across police forces over time is the annual pay uplift – the coefficient suggests that, were police pay scale rates to be raised by 10% by pay negotiations, the forces’ pay bill would grow by, on average, 9.3%. The fact that the growth in pay bill in such circumstances grows by slightly less than 10% suggests that police forces attempt to make economies elsewhere when pay uplifts are higher. This would again suggest reverse causation and explain the two significant negative coefficients in the column – those on the change in overtime and the change in support staff. The former, the larger coefficient, is best interpreted as say that a 10% increase in pay bills would lead forces to reduce the fraction of overtime pay by 20%. This sounds like a large amount, but given that the median force has an overtime bill of 4% of total pay, it would only involve reducing that fraction to 3.2% of pay. In similar vein, the coefficient on $\Delta\% support\ staff$ suggests that the median force (in terms of fraction of support staff – see Table 9) would attempt to reduce its share of support staff (relative to officers) by around 4%.

Table 11: determinants of total pay bill, and growth of total pay bill by police force, 2004-05 to 2009-10

Variable to be explained:	<i>ln total pay</i>	<i>ln total pay</i>
Explanatory variables:		
<i>ln num officers</i>	1.16 (0.23)**	-
<i>% overtime</i>	-6.76 (0.90)**	-
<i>% senior officers</i>	-1.19 (1.35)	-
<i>% support staff</i>	1.04 (0.15)**	-
<i>ln pay uplift</i>	-0.28 (0.11)*	-
$\Delta \ln num\ officers$	-	-0.06 (0.23)
$\Delta\% overtime$	-	-2.25 (0.93)*
$\Delta\% senior\ officers$	-	-0.19 (1.23)
$\Delta\% support\ staff$	-	-0.65 (0.25)*
<i>ln pay uplift</i>	-	0.93 (0.11)**
R ² (<i>fraction of data variation explained</i>)	0.9831	0.4474
Number of observations	254	209
F test (test of explanatory power of the set of variables)	F(47, 206)=254.51 Prob >F=0.0000	F(47, 161)=2.77 Prob>F=0.0000
<i>Notes on Table:</i> Coefficients are explained in text. Numbers in parentheses are standard errors. ** indicates statistical significance at the 1% level; * at the 5% level. The regressions also include a categorical ('dummy') variable for each police force allow the intercept of the equation to shift for each police force.		

To summarise the results, therefore, the key determinants of total pay across police forces and over time are the number of police officers and the pay uplifts awarded to police officers. Differences in overtime across police forces or over time do not contribute to higher pay bills, in the sense that it appears that forces use overtime variations as a response to higher employment of police officers and higher basic pay for police officers. There appears to be some complementarity between greater numbers of police officers and a higher *fraction* of support staff, but again there is evidence that, over time, police forces adjust their use of support staff in response to higher-than-average changes in pay uplifts to police officers.

Appendix 5 – Methodology

1. The review has drawn upon information gathered from a number of sources. Views of interested parties were submitted to the review in response to consultations, during oral evidence sessions, and in a series of seminars. An economic comparative study was commissioned and data were provided by police forces, the Home Office, and the Police Negotiating Board and were subsequently analysed by the review.

Call for evidence

2. Upon the launch of the review on 1 October 2010, a call for evidence was issued to interested parties. This was in the form of a letter from the Reviewer explaining the purpose and scope of the review, with information regarding the review team, the review's terms of reference, and a timetable. The aim was to collect evidence about:
 - entry routes to the police service;
 - deployment (including shift arrangements, overtime, and mutual aid);
 - post- and performance-related pay;
 - pay progression and length of service;
 - exit routes from the police service and ill-health; and
 - the pay negotiating machinery.
3. A set of sample questions was provided for consideration, although consultees were advised that they should not be restricted by the questions posed, and that everything relevant to the review would be considered. The letter to consultees also advised that, as the review would be open and collaborative, the responses received by the review team would be posted on the review's website in order to invite further comment and discussion.
4. Fifty-eight formal submissions were received and placed on the review's website <http://review.police.uk> (see Appendix 6 for a list of the written submissions received). The review team contacted, and conducted oral evidence sessions with, a number of consultees following the submission of evidence in order to clarify or gain a fuller understanding of points which had been raised (see Appendix 7 for a list of oral evidence sessions and visits to police forces). The submissions and subsequent oral evidence sessions were used to in the review's analysis. A number of the submissions are cited in the report.

Website consultation and analysis

5. In addition to the review's call for evidence, a website consultation was carried out. Any member of the public was able to contribute, and many contributions were made by police officers, staff and special constables.
6. The consultation covered many of the issues which the review would consider in the short-term. The seven questions posed were as follows:
 1. In the current financial environment, how would you change overtime rates?
 2. Should good performance by officers, staff or teams, be recognised in pay or allowances? If so, how? Do you think Competence Related Threshold Payments, superintendents' bonuses or ACPO bonuses currently achieve this?
 3. What pay and conditions incentives would encourage police officers and staff to work on the front line (for example, in response and neighbourhood policing teams)?
 4. Do you think Special Priority Payments recognise those working in less popular roles, or those which require specialist skills? If not how would you achieve this?

5. How would you treat officers on restricted duties? Should ill-health retirement be changed, and if so how?
 6. What factors should influence whether you move up pay scales; for example, time served, performance, skills or others?
 7. Are there any other aspects of police officer and staff pay or conditions that should be changed in order to make them more fair to taxpayers, whilst also recognising the need to be fair to officers and staff?
7. By 31 October 2010, 7,100 comments had been received. A thematic analysis of the responses to each of the consultation questions was carried out. The review commissioned Greenstreet Berman Ltd to consider each of the comments and provide a summary of the contributions, primarily so that the strength of feeling of police officers and staff could be assessed, understood and taken into account. The full methodology of the thematic analysis and the report are on the review's website: <http://review.police.uk>.

Seminars

8. The review team held three seminars in November 2010. They were attended by a range of representatives from police forces and staff associations, as well as individuals from other organisations. The purpose of the seminars was to gather views on current pay systems and processes from people directly engaged in policing. Mr Winsor and Sir Edward Crew attended and participated in all of the seminars, and Sir Edward chaired each one. The seminars were: deployment (9 November 2010), exit routes (10 November 2010) and post- and performance-related pay (11 November 2010).
9. At the seminars, participants were asked to identify problems with existing approaches to pay and conditions, and to propose practical solutions. Transcripts of the seminars, from which comments have been cited in the report, have been placed on the review's website. A full list of attendees is included in each of the transcripts.

Economic comparative study

10. The review commissioned a comparative assessment of the total remuneration packages and conditions of service of police officers and police staff in relation to:
 - other relevant domestic public servants;
 - other relevant domestic occupations in other sectors;
 - police officers in other jurisdictions.
11. The assessment was conducted by Professor Richard Disney, Professor of Labour Economics at Nottingham University. His work involved:
 - an assessment of the current worth of police officer and staff remuneration packages, including pensions and allowances;
 - assessments of the pay and conditions of a broad range of police officer and staff ranks and positions, when making comparisons with other domestic and international sectors;
 - a commentary on how favourably the current police package compares with other public sector and private sector employment packages;
 - a commentary on how well the current police package compares with the packages of police officers in other jurisdictions and other staff employment packages.
12. Findings of the economic comparative study (see Appendix 4 for the full report) have been used in the review's analysis.

Data collection 1

13. All 43 police forces in England and Wales were asked to provide a range of data on post- and performance-related payments, deployment, and entry and exit routes from the police service. The review team worked with police force representatives to determine the most appropriate available data. Contact with the police forces was made through the CIPD Police Forum at a meeting on 21 October 2010, and the data request was made by email from the CIPD Police Forum chair to all forum members on 26 October 2010.
14. Several pieces of information were requested in this initial data collection, including:
 - the total value of Competence Related Threshold Payments, Special Priority Payments and bonus payments, issued *per* year since 2003/04;
 - the total cost of officer and staff overtime for each of the overtime rates, *per* year since 2000/2001;
 - the total cost of officer and staff overtime *per* function, *per* year since 2000/2001;
 - the numbers of officers with current approved business interests, and the numbers of officers who had had their business interest applications rejected;
 - the numbers of police officers and staff dismissed from the police force using the unsatisfactory performance procedures;
 - the numbers of officers currently employed on the High Potential Development Scheme; and
 - the percentage of police staff (excluding PCSOs) who are also members of the Special Constabulary.
15. Forty-one police forces provided data to the review team. These data were then collated into a dataset for analysis.

Collection of Annual Survey of Hours and Earnings data

16. The Annual Survey of Hours and Earnings is a national survey run by the Office of National Statistics. Data from this survey were used in the economic comparative analysis conducted on police officer earnings for the review by Professor Richard Disney. However, due to the coding process adopted by the Office of National Statistics for police staff roles, it is not possible to separate data in relation to police staff from data about people in other public bodies in similar roles. For example, a member of police clerical staff would be included in a category with other public sector clerical workers, even though the police staff member's functions may be considerably more specialised. It was therefore necessary to collect some additional data (the raw ASHE data for members of police staff) for an economic comparative analysis regarding police staff specifically.
17. The review asked a representative from each police force to confirm whether or not they had retained a copy of their 2009 return to the Annual Survey of Hours and Earnings. Of the 33 police forces which responded, 17 had kept a copy of their police staff return. Those police forces which had retained their 2009 ASHE return were subsequently asked to send a copy to the review. A total of 13 police forces submitted their returns, covering in aggregate 268 police staff. The relevant anonymous data from the returns were then collated into a dataset for analysis (see Appendix 4 for the report and detailed methodology).

Data collection 2

18. On 15 December 2010, a data request was sent to police forces (again using the CIPD Police Forum) requesting data regarding police forces' officer headcount *per* hour of duty and the potential savings of two staff progression scenarios.
19. A template was provided to police forces to enable them to provide the Review team with the following:

- total officer strength (full-time equivalent) by rank;
 - the numbers of officers regularly working a rotating shift pattern;
 - the numbers of officers regularly working between the hours of 8:00pm and 6:00am; and
 - the numbers of officers on duty *per* hour and by rank, for each hour of two prescribed 24-hour periods: a Wednesday and a Saturday. Police forces using duty management systems were asked to provide the data for the Wednesday and Saturday the previous week. Those without a duty management system were asked to collate the data on the following Wednesday and Saturday.
20. In addition to the above data, police forces were asked to provide estimated figures for the potential cost savings to their police forces if a progression freeze were implemented for police staff. For this purpose, police forces were asked to class police staff as non-warranted officers, therefore including PCSOs and designated officers. A template was provided so that police forces could provide estimates for the financial years 2011/12, 2012/13, 2013/14 and 2014/15 in a consistent format. Estimates were requested for each of these financial years, in both the cases of a one-year and a two-year staff progression freeze. Police forces were asked to include employer national insurance and pension contributions in their estimated figures.
21. A total of 22 police forces completed the templates and provided data on the officer headcount *per* hour on the two days requested. Fifteen police forces provided estimated savings from a staff progression freeze. Both of these sets of data were used in the review's financial modelling.
22. Additional data used in analysis
- Police Negotiating Board (PNB) 2009 Equal Pay Survey
 - Police Negotiating Board (PNB) CRTP Survey: 2005, 2006, 2007, 2008, 2009
 - Local Government Employers' 2009 Survey of Special Priority Payments, payments for exceptional performance & post-related allowance: Report of Main Findings
 - The Chartered Institute of Public Finance and Accounting (CIPFA) Police Actual Revenue Expenditure and Income 2000/01 to 2009/10
 - Police Authorities' statements of accounts (2009/10) (used to provide details of chief officers' remuneration, including salary, bonus, expense allowances, and benefits in kind).
23. The Home Office Annual Data Requirement (ADR) is a list of all requests made to all police forces in England and Wales using the Home Secretary's statutory powers to require the provision of information. Police forces submit a variety of data relating to police personnel such as rank, ethnicity, disability, age, sickness, secondments and promotions. Some of these statistics are published in a Home Office Statistical Bulletin entitled 'Police Service Strength'. Those data not previously published are not verified with police forces subsequent to submission.

Appendix 6 – List of submissions received

Alex Marshall, Chief Constable, Hampshire Constabulary
Association of Chief Police Officers
Association of Chief Police Officers: Restricted officers and unsatisfactory performance procedure
Association of Chief Police Officers: Voluntary early retirement and voluntary severance
Association of Chief Police Officers: Organisational health
Association of Chief Police Officers Women’s forum
Association of Police Authorities
Association of Scottish Police Superintendents
Association of Special Constabulary Chief Officers
Avon & Somerset Police Authority
British Transport Police Authority
British Transport Police
Chair of the Official Side of the Police Staff Council
Chief Police Officers’ Staff Association
Chief Police Officers’ Staff Association: Supplementary submission
Confederation of British Industry
Crown Prosecution Service
Essex Police Authority
John Randall, Independent Chair of the Police Negotiating Board and Police Advisory Board for England and Wales
Joint Secretaries of the Police Staff Council
Kerrin Smith, Detective Chief Inspector, North Yorkshire Police
KPMG
Lawrence T. Roach QPM, Deputy Assistant Commissioner of the Metropolitan Police, 1990 to 1996
Linda Van den Hende
Local Government Association
Lord Blair of Boughton QPM
Mark Rowley, Chief Constable, Surrey Police
Metropolitan Police Authority
Metropolitan Police Service
Metropolitan Police Disability Staff Association
National Black Police Association
National Association of Muslim Police
National Association of Retired Police Officers
National Policing Improvement Agency

National Trans Police Association

Nigel Brook, Assistant Chief Officer, West Yorkshire Police

Northern Ireland Justice Minister

Northern Ireland Police Board

Northern Ireland Police Service

North Wales Police

Northumbria Police

Official Side of the Police Negotiating Board

Paul Kernaghan, former Chief Constable of Hampshire Constabulary 1999 to 2008

Police Authorities of Wales

Police Federation of England and Wales

Police Federation of England and Wales: Supplementary submission

Police Federation of Northern Ireland

Police Mutual

Police Superintendents' Association of England and Wales

Police Superintendents' Association of England and Wales: Supplementary submission

Police Superintendents' Association of Northern Ireland

Prospect

Robert Bartlett, retired chief superintendent

South Yorkshire Police

South Yorkshire Police Authority

Staff Side of the Police Staff Council

Unison

Unite

Appendix 7 – List of oral evidence sessions

The review conducted a series of oral evidence sessions, visits to police forces and informal discussions with police officers and members of staff. The principal meetings and individuals are listed below, but this is not exhaustive. The review is very grateful to those who provided their time and their thoughts.

1. Official Sides of the Police Negotiating Board and Police Staff Council:

Association of Chief Police Officers of England, Wales and Northern Ireland

Sir Hugh Orde QPM, President
 Commander Richard Morris, Chief of Staff to the National Olympic Security Coordinator
 Chief Superintendent Robert Price

Association of Chief Police Officers of Scotland

Chief Constable Ian Latimer, Northern Constabulary
 Mr Peter Thickett, Director of Human Resources, Lothian and Borders Police

Association of Police Authorities of England, Wales and Northern Ireland

Councillor Rob Garnham, Chair
 Mrs Ann Barnes, Chair of the Official Side of the Police Negotiating Board
 Councillor Malcolm Doherty, Chair of the Official Side of the Police Staff Council
 Mr Anthony Gibbons, Head of Policy, Community and Workforce

Convention of Scottish Local Authorities

Councillor Ian Mackintosh, Official Side Chair of the Police Support Staff Council Scotland
 Councillor George Kay
 Councillor Allan Falconer
 Mr John Emos

Department of Justice, Northern Ireland Executive

David Ford MLA, Justice Minister
 Ms Kathie Walker,
 Mr Walter Myles

Home Office

The Rt Hon Theresa May MP, Home Secretary
 The Rt Hon Nick Herbert MP, Minister of State
 Dame Helen Ghosh, Permanent Secretary
 Sir David Normington, Permanent Secretary 2006 to 2010
 Mr Stephen Rimmer, Director-General of the Crime and Policing Group
 Mr Stephen Kershaw, Director of Policing
 Mr Andrew Wren, Head of Police Productivity Unit
 Mr Simon Broadhurst, Legal Adviser's Branch
 Mr Graham Smith, Legal Adviser's Branch
 Mr Victor Marshall, Police Powers and Protection Unit
 Ms Sara Aye Mounq, Police Productivity Unit
 Mr Richard Pugh, Police Productivity Unit
 Ms Tara Deshpande, Police Productivity Unit
 Mr Stephen Finer, Police Productivity Unit
 Mr Mark Stephenson, Police Productivity Unit
 Ms Sara Alderman, Police Productivity Unit

HM Treasury

Ms Liz Davidson, Home and Legal Team
Mr Anthony Thomas, Home and Legal Team
Mr Philip Spracklan, Home and Legal Team

Official Side Secretariat of the Police Negotiating Board

Ms Sarah Messenger, Secretary
Mr Graham Baird

Scottish Government

Kenny MacAskill MSP, Cabinet Secretary for Justice
Mr Nick Bland, Head of Policy, Strategy and Delivery
Mr Scott McEwan, Policy Manager

Scottish Police Authority Conveners Forum

Councillor Iain Whyte, Convenor Lothian and Borders Joint Police Board
Councillor George Kay, Convenor Fife Police Authority
Councillor Martin Greig, Convenor Grampian Joint Police Board
Mr David Higgins, Secretary

2. Staff Sides of the Police Negotiating Board and Police Staff Council:

Chief Police Officers' Staff Association for England, Wales and Northern Ireland

Chief Constable Paul West QPM, Chair
Assistant Chief Constable Dave Jones, Negotiating Secretary
Assistant Chief Constable Nick Ingram

Chief Police Officers' Staff Association for Scotland

Deputy Chief Constable Andrew Barker, Chair

Police Federation of England and Wales

Sergeant Paul McKeever, Chair and Chair of the Staff Side of the Police Negotiating Board
Sergeant Ian Rennie, General Secretary and Secretary of the Staff Side of the Police
Negotiating Board
Constable Simon Reed, Vice-Chair
Mr Raj Jethwa, Head of Research

Police Federation of Northern Ireland

Sergeant Terry Spence, Chair
Sergeant Stevie McCann, General Secretary

Police Federation of Scotland

Constable Calum Steele, General Secretary

Police Superintendents' Association of England and Wales

Chief Superintendent Derek Barnett, President
Chief Superintendent Irene Curtis, Vice President
Chief Superintendent Graham Cassidy, National Secretary
Chief Superintendent Tim Jackson, National Deputy Secretary

Police Superintendents' Association of Northern Ireland

Chief Superintendent Gary White, President
Superintendent Robert Drennan, Vice President

Police Superintendents' Association of Scotland

Chief Superintendent David O'Connor, President
Ms Carol Forfar, General Secretary

Unison

Ms Carol Nobbs, Chair of the Staff Side of the Police Staff Council
Mr Ben Priestley, National Officer
Mr David Bryant, National Officer
Mr Chris Hanrahan, Police and Justice Executive

Unison Scotland

Mr Raymond Brown, Staff Side Chair of the Police Support Staff Council Scotland
Mr George Irvine, Staff Side Vice Chair of the Police Support Staff Council Scotland

3. Police forces and Police Authorities

British Transport Police

Chief Constable Andrew Trotter QPM

Cambridgeshire Police

Deputy Chief Constable John Feavours

Civil Nuclear Constabulary

Mr Philip Leigh, Head of Staffing Services

City of London Police

Commissioner Adrian Leppard

Dorset Police

Mr Graham Smith, Director of Human Resources

Dyfed-Powys Police

Chief Constable Ian Arundale
Deputy Chief Constable Jackie Roberts
Assistant Chief Constable Nick Ingram
Mr Andrew Bevan, Director of Finance and Resources
Superintendent Huw Rees
Sergeant Karen Griffith
Sergeant Ian Price
Constable Andrew Jones
Constable Jemma Jones
Ms Julie Bougourd
Mr Steve Cadenne De Lennoy
Mr Christopher Francis
Ms Karen Marshall
Mr Huw Morgans

Mr Glen Thomas
Ms Sarah Welsby

Fife Constabulary

Assistant Chief Constable Andrew Barker

Greater Manchester Police

Chief Constable Peter Fahy QPM
Chief Superintendent Timothy Forber
Superintendent Christopher Sykes
Inspector Jamie Daniels
Inspector Paul Hatton
Sergeant Lynsey Curry
Sergeant Liz Hopkinson
Constable Robert Carroll
Constable Michael Hayman
Constable Jenny Minshull
Constable Jennifer Mitchell
Constable Liam Redgrave
Constable Linda Turner
Constable Susan Webb
PCSO Helen Parr
Ms Cathy Butterworth, Director of Human Resources
Ms Gillian Low, Detention Officer

Humberside Police

Chief Constable Tim Hollis CBE QPM

Kent Police

Chief Constable Ian Learmonth
Temporary Deputy Chief Constable Alan Pughsley
Assistant Chief Constable Allyn Thomas
Assistant Chief Constable Gary Beautridge
Assistant Chief Constable Andy Adams
Chief Superintendent Paul Brandon
Mr Ian Drysdale MBA, Head of Human Resources
Ms Sarah Mott, Rewards and Benefits Manager
Temporary Detective Chief Inspector Lee Whitehead
Inspector David Coleman
Inspector Francis
Inspector Joseph Holness
Inspector Jones
Sergeant Nigel Stevens
Constable Anthony Bonehill
Constable Harley
Constable David Hulme
Constable Timothy Moody
Constable Woolcraft
PCSO Robert Spicer
Ms Vicky Duncan
Mr Dennis Goodwin
Mr Trevor Shoosmith

Lancashire Constabulary

Chief Constable Steve Finnigan CBE QPM

Leicestershire Police

Ms Alison Naylor, Director of Human Resources

Merseyside Police

Mr Colin Matthews, Human Resources

Metropolitan Police Authority

Mr Kit Malthouse, Deputy Mayor

Ms Jane Harwood, Deputy Chief Executive

Mr Alan Johnston

Metropolitan Police Service

Sir Paul Stephenson QPM, Commissioner

Deputy Commissioner Tim Godwin OBE QPM

Assistant Commissioner Lynne Owens QPM

Assistant Commissioner Ian McPherson QPM

Commander Peter Spindler

Mr Martin Tiplady, Director of Human Resources

Chief Superintendent Gordon Briggs

Chief Superintendent Matthew Horne

Chief Superintendent Alastair Jeffrey

Chief Superintendent Michael Johnson

Chief Superintendent Peter Terry

Chief Superintendent Philip Williams

Superintendent David Harper

Superintendent Robert Murrill

Superintendent Keith Surtees

Superintendent Elaine Van-Orden

Superintendent Helen Wallace

Mr Kevin Courtney, Head of Pay and Benefits

Chief Inspector Seb Florent

Chief Inspector Keith Giannoni

Chief Inspector Simon Turner

Inspector David Cottrell

Inspector Darren Lewis

Inspector Kevin Jefferey

Inspector Andrew Noise

Inspector Alex Rothwell

Acting Inspector Derek Carroll

Sergeant Mick Berry

Sergeant Paul Cubberley

Sergeant John D’Arcy

Sergeant Callum Drummond

Sergeant Nicola Duffy

Sergeant Andrew Harding

Sergeant Dave Humphrey

Sergeant Alun Jones

Sergeant Alan Low

Sergeant Nigel Mussett

Sergeant Gary Myers

Sergeant Lucy O'Connor
Sergeant Anthony O'Sullivan
Sergeant Susan Pawsey
Sergeant Tony Smellie
Constable Nigel Baker
Constable Zara Baker
Constable Martin Browning
Constable Colin Burnett
Constable Anita Butler
Constable Andrew Davenport
Constable Richard Fowler
Constable Peter Frost
Constable Analeigh Hipkin
Constable Alan Hopkins
Constable Graham Holmes
Constable Wayne Grimwood
Constable Baljit Kaur
Constable John Knox
Constable Karen Lambe
Constable Andrew Roberts
Constable Cassie Taylor
Constable Steve Thornton
Constable David Williams
Constable Sophie Wiles
Constable Justin Wiseman
PCSO Jonathan Browne
Mr Deonne Beavers, Custody
Ms Lisa Hearn, Duties Office
Ms Merle Hughes, Police conference liaison officer
Ms Claire Kirk, 'Home Office Large and Major Enquiries System' indexer
Mr Sanjay Patel, Analyst
Ms Sandy Payne, Borough Operations Office
Ms Kate Stanley, Clerical support worker

Ministry of Defence Police

Chief Inspector Pam Hewitt, Human Resources Policy

Norfolk Police

Chief Superintendent Jo Shiner

Northern Ireland Policing Board

Mr Jimmy Spratt MLA, Chair of Human Resources Committee
Mrs Rosaleen Moore OBE, Vice Chair of the Human Resources Committee
Mr Adrian Donaldson, Chief Executive

Northumbria Police

Ms Joscelin Lawson

North Yorkshire Police

Chief Constable Grahame Maxwell QPM
Ms Joanna Carter, Chief Finance Officer

Police Service of Northern Ireland

Chief Constable Matt Baggott CBE QPM
Deputy Chief Constable Judith Gillespie OBE
Mr Joe Stewart OBE, Director of Human Resources

South Wales Police

Mr Umar Hussain, Director of Finance

Strathclyde Police

Chief Constable Stephen House QPM

Suffolk Constabulary

Chief Constable Simon Ash

Surrey Police

Chief Constable Mark Rowley QPM
Inspector Craig Knight

Thames Valley Police

Ms Terri Teasdale, Director of Resources

West Midlands Police

Chief Constable Chris Sims QPM
Deputy Chief Constable David Thompson
Mr Derek Smith, Director of Resources

4. National Police and External organisations

ACPO Terrorism and Allied Matters

Mr Alan Williams, Director of Finance

British Airways

Mr Paul Farley, Head of Reward
Mr Dave Lucas

Ernst and Young

Mr John Marsh, Business Development Director

Her Majesty's Inspectorate of Constabulary

Sir Denis O'Connor CBE, QPM, Her Majesty's Chief Inspector of Constabulary
Mr Steve Corkerton, Head of Workforce

Her Majesty's Prison Service

Mr Michael Spurr, Chief Executive Officer of the National Offender Management Service

KPMG

Mr Mick Williams, Senior Manager

London Fire Brigade

Mr Dominic Johnson, Head of Employment Relations

Metropolitan Police Disability Staff Association

Mr Andy Garrett, Chair

Metropolitan Police Inspectors' Branch Board

Inspector Mark Crake, General Secretary

Inspector Perry Oliver, Deputy General Secretary

Ministry of Defence

Commander Dominic Argent-Hall

National Policing Improvement Agency

Chief Constable Peter Neyroud QPM, former Chief Executive 2007 to 2010

Temporary Chief Constable Nick Gargan, Chief Executive

Ms Angela O'Connor, Chief People Officer

Mr David Hayes, Workforce Change Manager

Ms Sarah Hughes

Mr Stuart Villers

Ms Laura Welsh

Police Mutual Assurance Society

Mr Stephen Mann, Chief Executive

Mr James Henderson, Director

Police Negotiating Board and Police Advisory Board of England and Wales

Mr John Randall, independent Chair

Policy Exchange

Mr Blair Gibbs, Head of Crime and Justice

PriceWaterhouseCoopers

Mr David Williams, Senior Manager and former Director of Personnel in West Midlands Police.

Reform

Mr Dale Bassett, Research Director

Royal Mail

Mr Ian Bond, Group Head of Reward

Welsh Assembly Government

Ms Karin Phillips, Deputy Director of the Community Safety Division

5. Individuals

The Lord Blair of Boughton QPM, Commissioner, Metropolitan Police Service, 2005 to 2008
The Rt Hon Kenneth Clarke QC MP, Home Secretary, 1992 to 1993
The Lord Condon of Langton Green, Commissioner, Metropolitan Police Service 1993 to 2000
The Lord Dear of Willersey, Chief Constable, West Midlands Police 1985 to 1990
The Lord Howard of Lympne QC, Home Secretary, 1993 to 1997
Mr Shabir Hussain, former Commander in the Metropolitan Police Service
The Rt Hon Lord Hutton of Furness PC, Chair of the Independent Public Service Pensions Commission
Sir David Phillips QPM, President of the Association of Chief Police Officers 2001 to 2003
The Lord Wasserman of Pimlico, Adviser to Her Majesty's Government on policing and criminal justice

High Potential Development Scheme officers:

Sergeant Sarah Bordman
Sergeant Nigel Doak
Sergeant Nicola Duffy
Constable Jonathan Evans
Constable Tor Garnett
Sergeant Katy Barrow-Grint
Sergeant Dan McKnight
Sergeant Stephen Moore
Sergeant Heather Whoriskey

Individuals convened by the Police Superintendents' Association:

Superintendent Martin Darlow
Superintendent Michael Prior
Chief Superintendent Simon Torr
Chief Superintendent Joanna Young

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Appendix 10 – Terms of reference

To review the remuneration and conditions of service of police officers and staff, and to make recommendations that enable the police service to manage its resources to serve the public more cost effectively, taking account of the fiscal challenges.

The review should consider the remuneration and conditions of service for police officers and staff, in England and Wales, and how they are determined. The review recommendations should be costed and of sufficient detail to enable effective implementation.

In particular, the review should make recommendations on how to:

- Use remuneration and conditions of service to maximise officer and staff deployment to frontline roles where their powers and skills are required;
- Provide remuneration and conditions of service that are fair to and reasonable for both the public taxpayer and police officers and staff;
- Enable modern management practices in line with practices elsewhere in the public sector and the wider economy.

Context

In reaching its recommendations, the review must have regard to:

- The tough economic conditions and unprecedented public sector deficit, and the consequent Government's spending review;
- The resolution by the Government that the public sector must share the burden of the deficit;
- The Government's policy on pay and pensions;
- Analysis of the value of current remuneration and conditions of service for police officers and staff, as compared to other workforces;
- A strong desire from the public to see more police officers and operational staff out on the frontline of local policing;
- A recognition that there are also less visible frontline roles which require policing powers and skills in order to protect the public;
- The particular frontline role and nature of the Office of Constable in British policing, including the lack of a right to strike;
- Parallel work by the police service to improve value for money;
- Wider Government objectives for police reform, including the introduction of police and crime commissioners, the reduction of police bureaucracy and collaboration between police forces and with other public services;
- Other relevant developments including the Independent Public Service Pensions Commission led by Lord Hutton, the Hutton Review of Fair Pay in the Public Sector led by Will Hutton, any emerging recommendations from them, and the Government's commitment to protect accrued pension rights;
- The impact of any recommendations on equality and diversity.

Timing

Given the urgency of this matter of serious national importance to the police service, the review is invited to publish its first report on short term improvements to the service in February 2011. A second report on matters of longer-term reform should follow in June 2011.



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