



APA Response to:
**The Independent Review of Police Officers' & Staff
Remuneration & Conditions**

Part 2

(September, 2011)

The Association of Police Authorities (APA) represents Police Authorities in England, Wales and Northern Ireland as well as non-geographic police authorities. The APA is the national platform from which we provide them with the leadership, support and guidance that enables them to add real value to their communities. Since 1995, police authorities have worked hard on behalf of the communities we serve to hold the police Service to account and to ensure that the Forces we govern continue to become more efficient and effective.

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Introduction

1. The APA welcomes the opportunity to respond to Part Two of the review of police pay and conditions of service (the Review). Our comprehensive submission to Part One of the Review outlined many of our 'in principle' positions on police pay and ideas for reform. The document contains much detail to inform the questions contained within the Part Two consultation document and should be viewed as our substantive response to both parts of the Winsor Review.
2. We are very pleased to see the consultation 'homing in' on a number of our earlier proposals and recognise that this second phase of the Review is aimed at teasing out detailed analysis and implications in various areas of potential reform.
3. Whilst our response to Part Two does not answer every question contained in the consultation document, as a trade off, the centrepiece of our submission is a bold, new and innovative model for police pay. We believe the model represents a solution to several complex questions posed in the consultation, including for example progression, performance and valuing the Office of Constable. Where appropriate (and possible) we have responded to specific questions within the consultation documents. However, we concede many of the questions require detailed analysis beyond the capacity of the APA and police authorities at the current time.
4. We stress we are open to the ideas of others and are ready to engage with partners to explore solutions throughout the review process. We remain steadfast, however, in our desire for reform and the direction of travel already clearly established in this and our previous submissions to the Review.
5. We also firmly believe that a 'fair' outcome for the Review will balance the needs of all stakeholders, including police officers, police staff, forces, communities and the tax-paying public.

APA vision for police pay

6. Our submission to Part One of the Pay Review in October 2010 outlined the APA's vision for a more modern and effective police service:

Our overall vision is for an efficient and effective police service that is professional, high performing and delivering value for money.

We recognise that the realisation of that vision is reliant on a workforce that is committed, adaptable and fit for purpose, requiring effective arrangements to be in place to ensure that officers and staff are well selected, well trained, well led and motivated.

7. Our vision is underpinned by the following:
- That the increasing complexity of policing requires a focus on individual performance in terms of problem solving, judgement, communication and professionalism.
 - A belief that pay structures establish the critical foundations for professional, effective police organisations, by recognising the talents of individuals who are educated, skilled, self-directed and adaptive.
 - The need for any new pay regime to be fair; this means balancing the needs of everyone, including the taxpaying public, to achieve the greatest possible value for every pound spent and the preservation of public safety.

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APA policy position at a glance

Basic pay

- As far as practically possible, converge pay regimes for police officers and staff (structures, negotiation processes, role/performance-related reward systems).
- Eliminate (or substantially reduce) allowances and 'add-ons'.
- Provide an element of local flexibility and discretion for Police and Crime Commissioners (PCCs) to determine police officer and staff pay to reflect local conditions concerning recruitment and retention.
- Abolish automatic pay progression (excluding probationer constables).
- Maximise pay transparency for Chief Officer ranks.
- Introduce nationally prescribed X-factor compensation for police officers only (all ranks).

Contribution-related & role-based pay

- Nationally prescribed role-based pay for police officers and staff.
- No performance related pay; rather embed a culture of performance and up-skilling that motivates officers to progress their careers and develop.
- No pay enhancement or progression for mere competence (except probationer constables).
- Reject proposal for 'at risk' pay for police officers (all ranks) and staff.
- Mandatory fitness testing for all police officers and designated police staff roles with minimum fitness standards linked to PDR and/or performance management.
- Abolish Regulation 11 (two year rule for chief officer appointments).
- Forces to actively promote continuous personal learning and development of officers and staff via financial and/or 'in-kind' support.

Transition

- Ensure swift (yet realistic) transition period to 'capture' the momentum of change.
- Transition to lower pay (where required) over minimum of 3 yrs capped at max 10% of existing pay for officers and staff.
- Communication and strong stakeholder buy-in essential to change.

Entry routes

- Direct entry by exception (relevant experience essential).
- Minimum entry standard of five GCSE's or equivalent at 'C' grade or higher, including demonstrable literacy and numeracy skills.
- Maximum flexibility for re-joiners.

Officer career length and pension age

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- Minimum financial detriment to pensions for early career exit; maximum pension portability between forces and across public/private sectors.
- Finite periods of restricted duty (pending legal implications).

Pay negotiating machinery

- Retain across-the-table, negotiation-based model for determining relevant elements of pay and conditions, but reform existing processes and structures, including for gathering and analysing data and funding, for greater efficiency and effectiveness.
- Convergence between negotiating fora for police officers and staff.

A new model for police pay

Introduction to our new model

8. The APA's proposed new model for police pay aspires to be bold and innovative and has been thoughtfully designed with the police service of the future in mind. It presents a significant departure from existing pay structures and was developed with a keen focus on outcomes. In the event, form follows function. Our aim was not to simply re-shape the existing pay regime but design a new – and avoid merely tinkering in the margins. As our proposals developed we were conscious not only to eliminate old problems, but produce a model that would release new potential and greater value from our greatest resource – the workforce.
9. As a large organisation, attempting to provide a singular, universal view on such a complex issue as pay reform is unrealistic. Unsurprisingly, our proposals contain areas of compromise, but on the whole accurately represent the opinions of police authorities. We are confident that the rigorous analysis and reasoning provided in support of our proposals produces the highest possible level of agreement and consensus possible amongst police authorities, despite this challenge.
10. We know our model presents new challenges for the police service; for both those on the receiving end of our proposals, but also those who might have to implement them – particularly Human Resource (HR) managers and practitioners. We therefore acknowledge that effective implementation will rely on the development of new capabilities by managers and within HR departments. And yes, our proposals will be uncomfortable for police officers and staff – as change often is. But to do nothing, or merely dabble in the margins of pay reform will not secure the policing needed for the future.
11. We also stress that our proposals are not intended to be implemented overnight; some will need further development and 'fleshing out' and, if supported, some will require phasing in over several years, underpinned by sustained cultural change. We are sufficiently pragmatic to acknowledge that where detailed analysis of our policy ideas proves technically and/or legally unworkable, or simply fails the cost/benefit test, the relevant proposals will require reconsideration and/or design. In addition, as a significant organisational change programme, implementation of pay reform, whatever the design or model, will require investment. Ministerial commitment to prioritising such inevitable investment should be affirmed at the earliest opportunity – if not prior to final negotiation of any reform package.
12. We believe our model offers the basis of more flexibility, new capabilities and tools to manage a modern and effective workforce. Re-emphasising the thrust of our earlier submission, pay and conditions are a substantial driver of value and productivity within the police service. While we accept change may be disruptive to many individuals, we must not lose sight of this bigger picture and urge a continued sense of urgency for reform. With an eye on the long term, we want to see an enduring change to pay and conditions that, while fair to police officers and staff,

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also enables individuals to perform to the best of their ability and deliver the greatest value to the public.

The existing problem

13. Existing pay structures overtly favour length of service as a basis for determining pay for both police officers and staff. Officers and staff automatically progress up their respective pay spines annually, largely irrespective of performance. The APA has previously argued that this cannot continue; a view apparently shared by Mr Winsor.
14. This current 'one size fits all' approach to pay progression diminishes the integral relationship of individual performance and organisational performance. It further dislocates reward from role, where some roles are harder and more demanding than others which we think is unfair and divisive. We believe an overhaul of the existing pay spines, and most certainly automatic progression is long overdue - for replacement with a regime that is relevant, sophisticated and capable of delivering a step change in organisation performance.
15. Finally, the currently single *channel* route to pay progression, linked primarily to the rank structure, is unnecessarily restrictive, limiting career development opportunities and organisational flexibility.

The model

16. Our first submission to the Review called for the replacement of pay scales with 'pay bands' containing multiple 'pay points' that would replace the existing time served increments. We believe this model provided for a substantial increase in flexibility to reward individuals appropriate to local recruitment conditions. Since then, we have further developed our thinking and present a revised version of the model, outlined below.
17. We propose that the totality of a police officer's pay is comprised of **two** significant components. A third, discretionary, component is also part of our overall construct which we discuss separately below.

Figure 1: New Pay Construct

X-factor

Base Pay

- **Base Pay** - a nationally prescribed level of pay for any particular role.
- **X-factor** – a nationally prescribed supplement for police officers only, in recognition of specific attributes associated with the 'Office of Constable'.

Key features:

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- The model emphasises **role-based pay** and **individual performance** for pay and role progression, while striking an effective balance between **local flexibility** and **national prescription**.
- In a slight departure from our earlier proposals, the new model retains a clear, yet newly flexible **link between pay and rank**.
- We introduce the concept of **job ‘families’** within each rank – groups comprising roles with similar characteristics in terms of **complexity** and **risk**. This approach consolidates a wide range of currently disparate policing roles into a manageable system for pay grading.
- Each rank is anticipated to contain an agreed number of job families, each accorded a **nationally prescribed** level of Base Pay.
- By definition, Base Pay constitutes a **minimum** level of remuneration for each job family (and therefore individual roles).
- All warranted police officers will receive an **additional ‘X-factor’** supplement as standard, at a level yet to be determined.
- Finally, we also introduce a new concept of a **Role Premium**. It may be paid to police officers to **reflect local recruitment and retention** conditions. Importantly, the Role Premium is not an automatic entitlement therefore does not *necessarily* form part of police officer or staff pay.

Our new model and police staff

18. We emphasise that, despite a focus on police officers throughout this discussion, our proposed model is intended for application to police staff too. Indeed, we believe the model is suitable for both groups (minus the X-factor component for police staff) and is a significant step towards harmonised structures generally – an objective clearly articulated by the APA in its proposals to-date. In this regard, we acknowledge that the two groups present distinct challenges and that pay convergence presents significant cultural challenges. We are, however, confident that the model proposed overcomes many of the apparent structural barriers to convergence.

19. The following sections provide further detail about each of the components of our model.

Base Pay

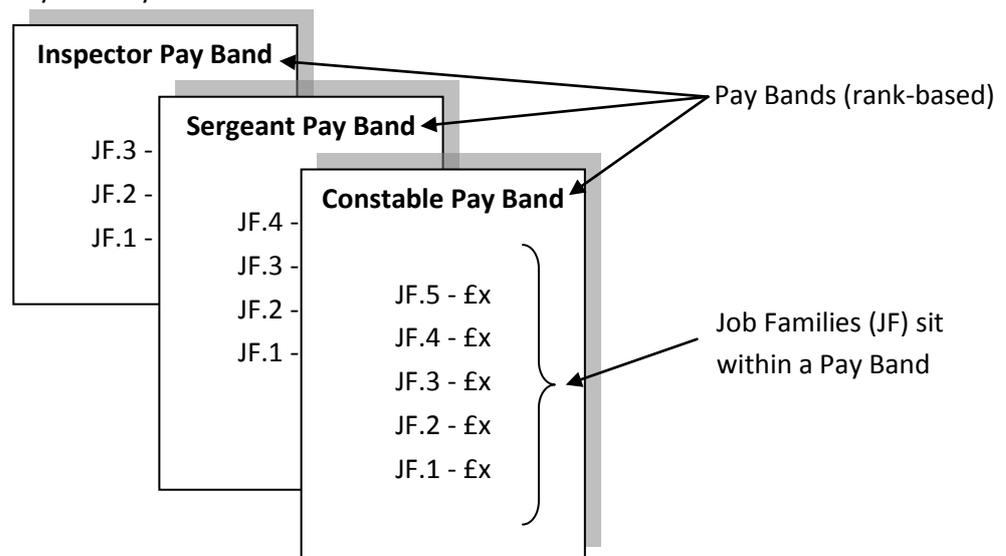
20. Our intention is that all police officers should understand, and have certainty about the level of pay associated with any given role. Associated with this belief is that roles typically differ in terms of complexity and risk, and equally the skills and attributes required of individuals to fill them. Similarly, we expect that some roles may be readily grouped together, or categorised according to similarities in complexity and risk.

21. Role-based pay is an essential underpinning feature of our proposed new model. In this context, however, our definition of ‘role’ presents a greater degree of sophistication than the current regime, largely predicated on rank alone (albeit with some provision for specialisms).

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22. We intend that within each retained rank under a revised pay regime, the multitude of current roles can be aggregated into clusters, or job families. Job families will be defined by roles comprised of similar characteristics in terms of complexity and risk. We believe this approach will increase transparency and consistency in the way people are paid, and that such a model can also be created without undue complexity.
23. Having identified the relevant job families, the foundation of our proposed pay model is that each 'family' is assigned a level of Base Pay – effectively increasing the level of differentiation between roles than is currently the case and ending the traditional 'one size fits all' approach to pay.
24. The totality of job families within each rank constitutes a 'pay band', an idea put forward in our original submission. We reflected at length on the practical application of pay bands according to our previous model and have subsequently modified the concept slightly from its original design. In terms of taxonomy, our newly introduced job families are now effectively the equivalent of our previously labelled pay bands. We also stress that 'bands', in this new context, do NOT imply a pay 'range' for each newly defined role. Rather, they denote a group of job families within each rank, with fixed levels of Base Pay for each Job Family and the roles within them. This approach provides NO discretion to forces about what they pay for any particular role in terms of Base Pay.
25. Our new approach *anchors* pay bands to the police rank structure for defining job families. We had initially intended to disassociate the bands from rank but now believe this to be too big a step in an initial transition of pay regimes. In particular, we believe that retaining a direct link between pay and rank is important, most notably for preserving the rich cultural fabric of policing, including the defining feature of rank-based seniority, as figure 1 illustrates (note that the number of job families is **purely illustrative**).

Figure 2: Job Family and Pay Band Structure



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26. Looking at Figure 2, a constable undertaking a role within JF.5, for example, is likely to be more skilled than a constable undertaking a role within JF.2. However, quite unlike the present model, our system for pay progression is *not* sequential and not to be confused with a 'pay spine'. It would be possible, for example, for a constable to jump from JF.2 to JF.5 (and vice versa) if they have the required *skills and abilities* of any particular role sitting within that job family. There is no expectation that an officer would need to progress step-wise through job families JF.3 and in order to qualify for a role in JF.5.
27. In order to move to role based pay, a robust, policing-specific job evaluation scheme will need to be developed. We understand job evaluation broadly consists of:
- Evaluation: Sizing and grouping of roles; *and*
 - Pricing: Arriving at a 'price' for a group of roles.

Evaluation

28. The following criteria may be relevant when evaluating roles:
- Complexity
 - Supervisory / management
 - Budgetary responsibility
 - Specialist competencies required for the role
 - Risk to the public: physical/property harm
 - 'Size' of the role in terms of responsibility and span of control
 - Experience required.
29. A particular challenge in establishing a role-based regime will be developing appropriate 'job families' – in terms of the number of families and roles within them. The job evaluation process will require defining a sufficiently aggregated group of roles for each Job Family. Too big a family risks insufficient differentiation between roles and, consequently, reward. Similarly, the smaller the size of job families may result in too long a pay band with insufficient pay intervals between each band to drive the desired behaviours and individual performance. On the up side, fewer job families also reduce the overall complexity of the model.
30. We don't underestimate the size of the task to grade and categorise roles, nor the tensions likely to arise between complexity and manageability. However, these design issues are especially important in the context to our proposal for a Role Premium, discussed below. We further stress our intention that role definitions, job families and pay bands must be centrally designed and applied by all forces in a consistent way.
31. Our submission to Winsor Part One contains a suggested possible approach to job evaluation using role risk analyses. (Annex E).

Pricing

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32. The second stage involves calculating the Base Pay for a group of roles in a Job Family. The pricing methodology *could* involve selecting a sample of forces and calculating where the Base Pay for each Job Family would be set *according to that particular force area*. Importantly, all sample forces would need to apply the same framework when evaluating Base Pay.

33. In pricing the Base Pay for a Job Family (within each sample force area), we might expect the criteria listed in paragraph 28 to be considered, in addition to:

- Job / life disruption above and beyond 'X-factor' consideration; and
- Risk to the individual: physical/psychological harm

We suggest these additional criteria as they may be prone (in terms of pricing) to regional variation / influence; we concede there may be others. Accordingly, we acknowledge that it is difficult to disassociate the impact of regional and local employment / market conditions and their *influence* on the Base Pay rate for a particular Job Family at force level. This step would obviously require careful design and consistent application across each of the sample forces.

34. This process should result in a Base Pay rate for each Job Family in each of the sample force areas. Our suggested approach is then to compare each of the Base Pay rates for each Job Family and then select the lowest rate of all the sample forces.

To illustrate, sample forces x, y and z will have calculated the Base Pay for the Constable Pay Band. Referring back to Figure 2, this will have been done for job families JF.1 – JF.5. The same methodology would have been applied in calculating the Base Pay in all three forces, ensuring consistency of approach. If we were setting the Base Pay for JF.2 nationally, we would compare the three Base Pay rates for JF.2 from forces x,y and z and select the lowest of the three. This approach would be repeated for each Job Family and Pay Band.

35. Setting the Base Pay at the lowest Pay rate ensures forces are not paying 'over the odds' for particular roles in a Job Family. Note: Our proposal for Role Premium (discussed later) is where forces have a flexibility to 'top up' the Base Pay and X-factor of a particular Job Family should they feel it is set to low.

Determining Base Pay

36. We make no attempt in this submission to propose levels of Base Pay. Doing so will require a comprehensive job evaluation exercise beyond the capacity of the APA at this time.

37. However, we make the following important observations regarding Base Pay.

- a. Base Pay must represent an objective evaluation of the tasks, complexity and risk associated with specific roles. Accordingly, the Base Pay for any given role (and Job Family) will be consistent across all forces, irrespective of location. This implies the need for Base Pay to be determined and prescribed nationally.

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- b. Base Pay is likely to be lower than current levels of police officer pay. It will certainly *exclude* current regional supplements such as London and South-East force weightings. Any additional pay requirements will be picked up by the proposed new Role Premium.
- c. Base Pay will exclude any allowance (value) associated with the 'Office' holding status of Police Constables. Our proposed X-factor supplement itemises this specific element of remuneration.
- d. Base Pay will likely incorporate Winsor's proposed Expertise and Professional Accreditation Allowance EPAA for the relevant roles. In fact the EPAA represents a move toward role-based pay and so is consistent with our proposed new model. The EPAA may eventually be rolled into Base Pay as a single, comprehensive level of remuneration. It would, however, probably be an itemised component of Base Pay initially.
- e. Over time we envisage that job families within a particular rank may *loosely* equate to seniority. However, this *in no way* diminishes the ability of an officer skip between job families.
- f. Base Pay (and in fact all three proposed new components of pay) *excludes* variable elements of remuneration, including overtime and Winsor's proposed 10 percent supplement for working unsocial hours. Similar to the EPAA, we envisage these schemes will eventually be rolled into Base Pay, though accept the variable nature of the unsocial hours component may present practical difficulties in this regard.
- g. Where an officer is required to change roles in the interests of 'organisational efficiency and/or effectiveness', to a lower grade Job Family, he/she should not suffer any financial detriment as a result of moving to a lower Base Pay. We would hope that effective workforce planning within forces avoids such outcomes – amounting to underutilisation of HR capability. Hence, in the interests of fairness, pay protection should apply in such circumstances. Pay protection should NOT apply where downgrading is performance related.
- h. The setting and review of Base Pay across job families should be subject to negotiation by the PNB or any future equivalent national negotiation body.
- i. A key feature of our model would be the ability for chief officers to create new roles within a Job Family where existing or prescribed roles don't adequately meet their needs. We would expect this to be in exceptional circumstances and subject to the review process as outlined in point h above.

Overtime

38. In our initial submission to the Review, we proposed abolishing overtime in preference for the introduction of role based pay (i.e. overtime to be consolidated within Base Pay). Our concern with existing overtime arrangements is that they are expensive, unreasonably generous and out of step with our aspiration to *professionalise* the Service.

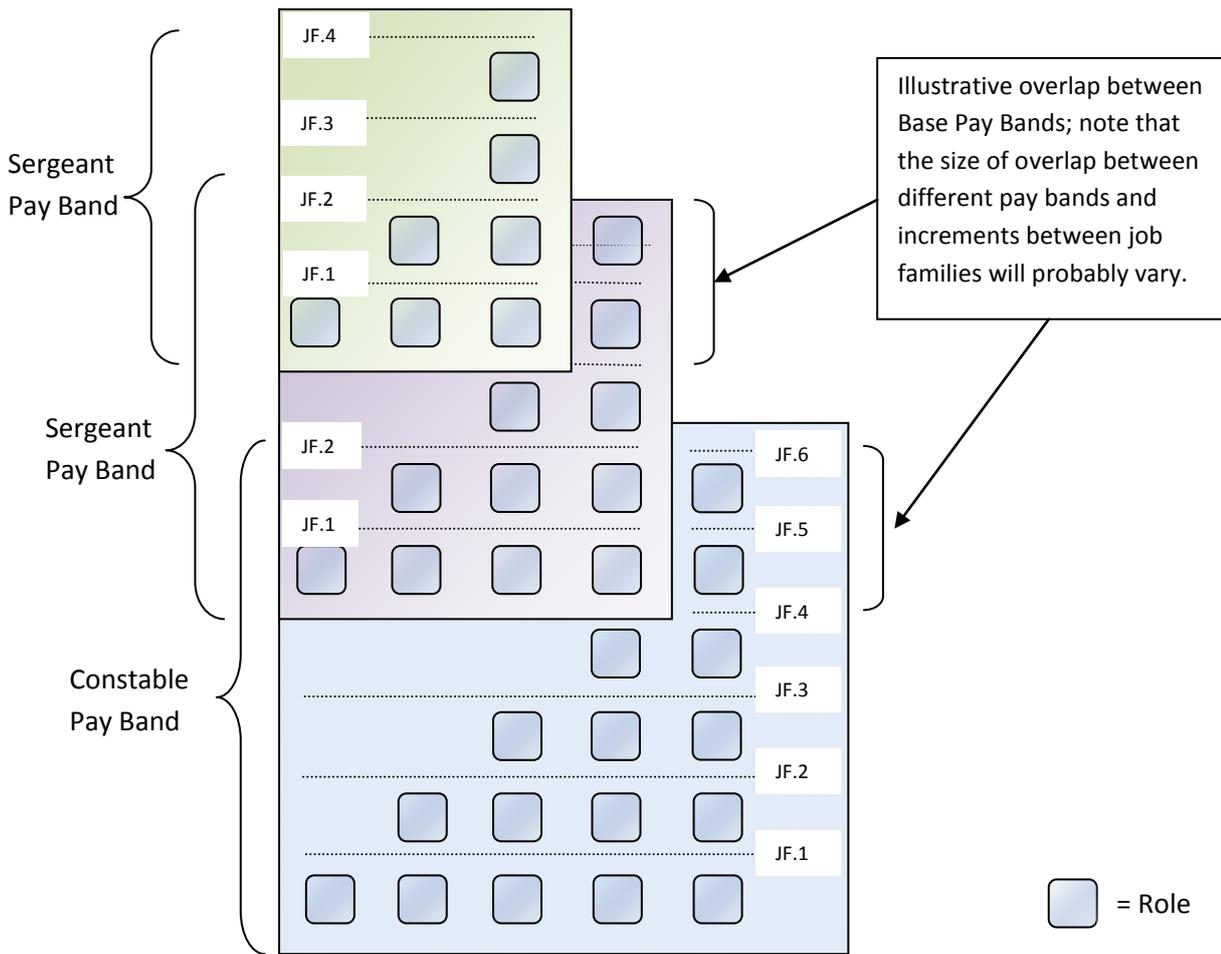
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39. We continue to advocate a reduction in overtime rates and periods of entitlement, and are pleased by recommendations contained in Mr Winsor's Part 1 report.
40. Reflecting further on our position, and Mr Winsor's recommendations, we think a hybrid model of role based pay with reduced overtime entitlements provides a satisfactory arrangement for at least the near term.
41. We recognise that overtime pay is a valuable tool for increasing organisational responsiveness and resilience, but also that abandoning overtime completely over the near term presents a significant cultural challenge within the police service.
42. Notwithstanding our revised position, we do see scope for overtime to be incorporated into Base Pay at some point in the future. This would involve weighting roles that routinely require overtime more heavily. Fundamental to our argument in this regard is a presumption of role transparency and 'eyes wide open' on the part of any aspiring incumbent to roles requiring regular and/or substantial overtime. Or more simply, when someone applies for a role, they might fairly be expected to know about likely overtime commitments and that such a burden is factored into their Base Pay for that particular role. As already suggested, an approach of bundling allowances into Base Pay could apply also to the EPAA, unsocial hours (should they be introduced) and other miscellaneous allowances that might survive the Winsor Review.

Additional flexibilities

43. Looking more closely at the Job Family and pay band concepts underpinning our proposal, there are additional 'features' that could be built into our model for even greater flexibility. Most notably, our model incorporates overlaps between the pay bands, as illustrated in Figure 3 (note that the number of roles in job families is **purely illustrative**).

Figure 3: Base Pay (police officers only)



44. Our first submission proposed disconnecting rank from pay. However, as outlined at paragraph 25, upon further consideration we have shifted away from this earlier position. While our revised approach theoretically reduces flexibility (in comparison to our earlier proposal), we think that any negative impact could be substantially mitigated by overlaps between the pay bands (see Figure 3 above). The overlaps remove an implicit structural barrier to pay progression imposed by the rank structure.

45. We see the overlap as being akin to *technical ladder* in the Pay Band. Roles falling into the overlapping job families may require high levels technical skill, training or be particularly challenging, however not necessarily warrant jump in rank. In theory, our proposals mean that, for example, a Constable could be paid more than a Sergeant, depending on their respective roles. The degree of overlap between pay bands will probably vary from rank to rank. We might also expect a greater overlap between bands for lower ranks compared to higher ranks. An important principle is that an officer's level of seniority accorded by rank is not diminished by permutations in pay created by the overlaps. Essentially, the rank structure remains the cornerstone of seniority among police officers irrespective of one's level of remuneration.

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46. Moreover, the overlaps increase the ability of the Service to reward skills and capabilities, in their broadest sense, in addition to those attributes skills and capabilities typically associated with any particular rank.
47. Whether or not overlaps between pay bands are practically necessary will be clarified by the outcome of a thorough job evaluation exercise. Prima facie it seems a sensible solution to what we expect will be a continuing problem arising from our decision to continue anchoring pay to rank. Should job evaluation prove our expectations unwarranted, overlapping bands may be unnecessary. We remain determined, however, to eliminate as many inflexibilities as possible out from existing pay structures.

X-factor

48. The X-factor comprises the second component of total pay under our proposed model. It aims to compensate police officers for the unusual restrictions, obligations and responsibilities imposed upon them by their Office-holding status, some of which are listed below. The X-factor is therefore an addition to base pay for police officers.
49. By definition, an X-factor supplement is available for police officers only, as an unavoidable consequence of their employment status. It is not available to police staff. This does not, however, prevent a similar *concept* being developed for police staff in respect of particular roles that impose constraints upon individuals similar to those for police officers. Restrictions may include, for example, 'no right to strike' and 'recall to duty' obligations. The key difference to note is that the Base Pay for police staff member would reflect the nature of the role, rather than the specific and universal status of individuals.
50. The recent unrest across the United Kingdom clearly illustrates the nature of these constraints and obligations whereby many Officers were recalled to 'frontline' duty at short notice irrespective of their normal roles, and why all police officer roles should attract the same X-factor payment under our proposed model. We also propose that the X-factor is determined nationally and at the same time for all ranks.
51. The consultation paper pays much attention to the difficult task of 'pricing' the X-factor. To do this requires a careful dissection of the Office of Constable for pricing purposes and consistent application of X-factor criteria and pay. Our first submission explored this concept in detail (Annex C).
52. We list below the main contributing elements of an X-factor supplement for police officers:
 - No right to strike
 - Subject to 'recall to duty'
 - Responsibilities and behavioural standards in private life
 - Subject to lawful order by Chief Officer
 - Restrictions on political activity.

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53. Other aspects of policing, while unusual, are not unique. Consequently, they should *not* be included in any X-factor definition, nor rewarded uniformly. Rather, roles defined by these additional features would require assessment on a case by case basis to determine an appropriate pay premium and compensated through Base Pay (where appropriate). Examples of such elements include:
- Risk of personal injury or death
 - Shift work / 24 hour duty / unsocial hours
 - Physical and/or psychological stress
 - Media and/or public scrutiny.
54. For the purpose of pricing Office-holding obligations and restrictions, and therefore an appropriate X-factor supplement, we may wish to also consider the ‘flip side’ of their particular status and employment. Specifically, while being a police officer appears to carry specific *disadvantages*, we believe it also carries particular *advantages* that may produce logical ‘trade-offs’ for pricing purposes (in effect reducing the level of X-factor compensation required).
55. Examples of favourable aspects of policing include, for example:
- Job security - protection from redundancy
 - Employer - paid training and qualification
 - Generally high community status
 - Currently favourable pension entitlements
 - Comparably good pay and benefits.

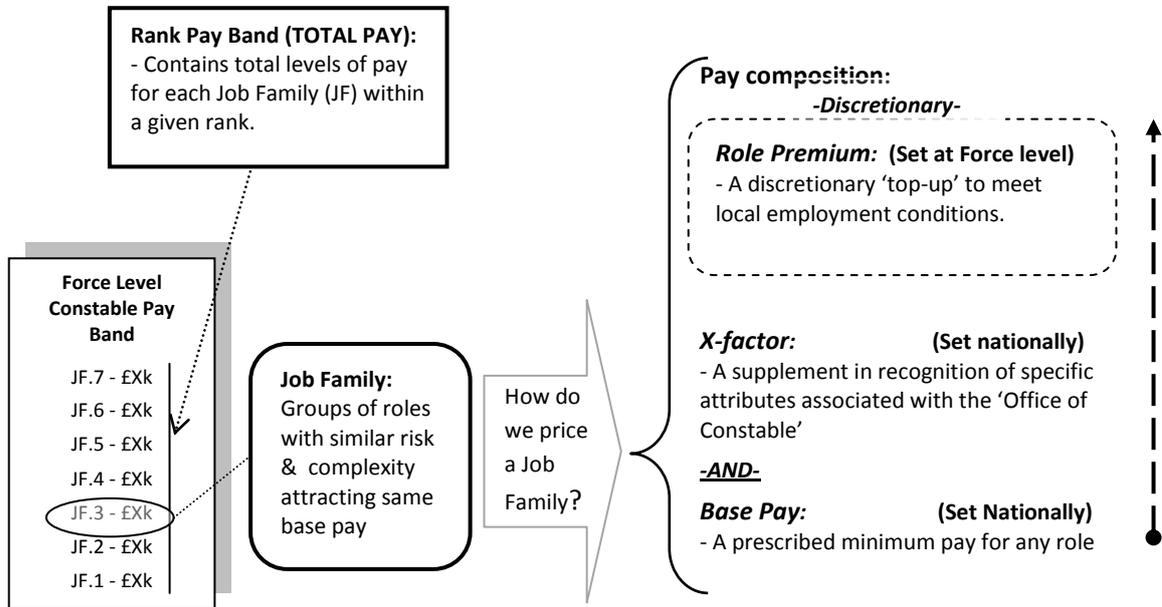
Regional pay

56. Our submission now considers the complex issue of Regional Pay. To address regional variations, i.e. the ability for forces to attract and retain officers, we propose the introduction of a Role Premium.
57. We envisage that the Role Premium would supplement the Base Pay and X-factor components of an officer’s salary to reflect ‘local recruitment and retention circumstances’ and is therefore a discretionary element of the pay construct. The Role Premium is not a ‘blanket’ allowance; rather it is applied to a Job Family.
58. We would expect that when a force feels the need to introduce a Role Premium, it will be impacted by its recruitment and retention needs. This might include, but is not limited to, housing costs, general wage levels and general costs of living and availability / supply of officers. We would not expect to see a Role Premium itemised against such criteria, but importantly, it will fluctuate against them and will be at the discretion of individual forces to find the necessary equilibrium. Whatever the approach taken, the emphasis is affording forces *greater flexibility* to attract the right people in the right roles for the right price.
59. Importantly, the Role Premium is not an ‘automatic entitlement’ for officers, therefore we are hesitant to include it as a formal component of the overall pay construct. Whereas, we see the Role Premium as an additional ‘tool’ for forces to complement existing workforce planning

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strategies and introduce greater local flexibility to address local recruitment and retention difficulties. Figure 4 (below) outlines how the Role Premium fits within the pay construct.

Figure 4: Composition of total officer Pay.



60. Importantly, we envisage that a Role Premium is applied at Job Family level. As touched on earlier in our submission, this heightens the need for the job evaluation framework to be pitched at the right 'level'. This means, job families will need to encompass groups of similar roles, but not be so granular that there is a Job Family for each role, or, on the flipside, not capture too many different roles thereby making it a 'blunt' instrument. We do not underestimate the difficulty of this task.

61. Key features of the Role Premium include:

- *Set at Job Family level* - This enables individual forces to weight particular roles differently, according to local employment conditions, influenced by factors such as the cost of living and skill scarcity.
- *Better targeting of pay* – The Role Premium would enable the service to more effectively target roles sitting in the relevant Job Family. This presents forces with an agile and honed 'tool' to attract and retain officers to meet local employment market conditions.
- *Local responsiveness* – We propose that the Role Premium can be adjusted up or down to suit the nuisances of the local employment market.
- *No upper limit* - There would be no upper limit on the Role Premium. Forces would only be constrained by their total wage bill.

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- *Local discretion* – Unlike the Base Pay and X-factor we propose that the Role Premium is set locally by individual forces. We suggest the Role Premium proposal also reflects the government’s localism agenda, by handing greater local discretion to forces around how they manage their workforce.
- *Not subject to negotiation* – We envisage that the calculation of the Role Premium is based on the pure economics of supply and demand of the local labour market. This means there would be no local negotiation around the setting of the Role Premium. Note: we expect negotiations around ‘role difficulty / complexity’ to occur at the national level when determining the Base Pay.
- *Relationship between Base Pay and Role Premium* – The lower the level of Base Pay the greater the discretion handed to forces in determining total pay – increasing local flexibility.
- *Role Premium as optional* – It is entirely feasible that the national rates of Base Pay are satisfactory to meet recruitment targets in some areas of the country, negating the need for forces to pay any Role Premium.

Role Premium – Relationship to Total Pay

62. Figure 5 illustrates how our Role Premium proposal fits in with Base Pay and X-factor to arrive at total pay. Again, we stress that *all* figures are purely illustrative and are deliberately pitched low.

Figure 5: Role Premium (and its contribution to Total Pay)

Constable Base Pay Band	Force X				Total Pay
	Job Family	Base Pay	X-factor	Reg Prem	
JF.6 - £600	JF.6	£600		£NA	JF.6 – £700
JF.5 - £500	JF.5	£500		£40	JF.5 – £640
JF.4 - £400	JF.4	£400	£100	£50	JF.4 – £550
JF.3 - £300	JF.3	£300		£NA	JF.3 – £400
JF.2 - £200	JF.2	£200		£NA	JF.2 – £300
JF.1 - £100	JF.1	£100		£NA	JF.1 – £200

Role Premium:
Provides additional incentives to recruit or retain officers to roles in the job family where necessary to meet local employment conditions.

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63. Looking at Figure 5 (above), in Job Family JF.4 we see that the Base Pay (set nationally) is £400. The X-factor (also set nationally) is £100. This means that the pay for an officer in a role in JF.4 receives £500 (£400 [Base Pay] + £100 [X-factor]).
64. Force X then decides that a Role Premium needs to be added to pay point JF.4 in order to attract or retain candidates to those roles. In the example above, the Role Premium for JF.4 is set at £100. This means officers in Job Family JF.4 would be paid £550 (£400 [Base Pay] + £100 [X-factor] + £50 [Role Premium]). Conversely, Force X has decided there are no recruitment and retention difficulties in job families JF.1, JF.2, JF.3, JF.6 and JF.7 and therefore no Role Premium is set.

Setting the Role Premium

65. Where introduced, we propose that the Role Premium should be set / reviewed at sufficient intervals to ensure it can be used as an effective and agile tool to affect recruitment and retention within job families. We offer the initial suggestion of yearly intervals. We also propose that the Premium is paid monthly as opposed to any consolidated one-off payment. This means that should an officer move out of a Job Family that attracts the Role Premium, they lose the payment.
66. If the Role Premium is adjusted upwards, all officers in that Job Family should receive the increase. If a Role Premium is adjusted downwards, all existing officers' pay would be protected at the higher Role Premium level. However, any new officers coming into the Job Family would receive the (new) lower Role Premium rate. An existing officer's Role Premium would only be lowered if they were to move to another Job Family and therefore receive the Role Premium (if any) associated with the new Job Family.
67. We believe the Role Premium achieves the same outcome as the current regional allowances in London and the South East, where there is a great deal of officer movement between forces. While the Role Premium will not solve the complex issue of inter-force competition for talent, we believe it provides a far superior solution to the problem. In particular, the current system of regional allowances prohibits targeted expenditure to suit force needs and contributes directly to wage inflation. The Role Premium overcomes these problems by enabling forces to attract or retain individuals to roles they are having difficulty filling, without necessarily having to give an allowance to all officers, as is the current case.
68. We make one particular mention of the London travel allowance. We believe this allowance, if retained, would significantly undermine our Role Premium, by artificially encouraging officers to travel to London. We recommend its abolition.
69. We are cognisant of equal pay issues that could arise from the Role Premium proposal. We propose that the payment of a Role Premium would be based on recruitment and retention issues i.e. 'market forces' therefore potentially providing a justification for paying two officers differently in the same Job Family between two forces. We acknowledge that further work may need to be done to flesh out any other equal pay issues with our model following a full impact assessment.

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70. With the flexibility proposed by the Role Premium comes the need for greater accountability. Therefore to provide reassurance that the Role Premium is being utilised and administered appropriately, and in order to ensure that one demographic of officers is not adversely impacted, an element of independent scrutiny by an appropriate external body would be beneficial.

Increased local discretion

71. A concern raised by some members is whether forces are likely to welcome more local flexibility around the setting of pay. There are strong (and compelling) arguments on either side. However, we would consider that the shifting political climate and in particular the forthcoming changes to policing governance are overwhelming drivers towards more local discretion around the setting of pay. We would suggest, with the introduction of Police and Crime Commissioners (PCCs), it is foreseeable that they will seek more control to set and determine pay levels for officers and staff. We note that the Role Premium concept and its linkages with the localism agenda are pure coincidence rather than a design aim from the outset.

72. As outlined earlier, the Service is set for considerable change on the number of fronts and our proposals (should all or some of them be implemented) will be no exception. Some force HR departments will need to change their ways of working, computer systems for capturing and reporting on pay will need to become more sophisticated and forces will need to play their part in driving through the cultural change. We do not underestimate the difficulty of these tasks.

73. The movement towards greater local discretion will also require Whitehall to play its part. Any significant change must be resourced and well planned. The government will need to show its support and commitment by funding change and supporting implementation. Pay reform is costly and forces will be unable to take on additional burdens without central support. Furthermore, the introduction of a new pay system will likely bridge political terms, accordingly cross party support for changes at the national level would be advantageous at the earliest opportunity.

Moving to a new model

74. The consultation poses a series of questions around how the Service might transition from one pay system to another. We offer the following broad suggestions:

- *Phased introduction* – The wider reform programme requires phased introduction of new structures and processes, where necessary, to avoid unforeseen problems and allow adaption to new systems, including the financial impact to individuals.
- *Communication* – Officers and staff need to understand the changes, why they are being introduced, timings and personal impact.
- *Robust modelling* – We need to be assured that the new model works and will deliver the workplace efficiencies and cultural changes sought. The many interdependencies among various change components increase the risk of systemic failure, requiring rigorous analysis

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ahead of implementation. Modelling should be projected forward over a five year period to identify the full financial impact of the proposed changes and changes to workforce composition.

- *Equality Impact* – A full equality impact assessment is required to ensure that the model would not adversely impact any part of the workforce. The intent and requirements of equality legislation must also be communicated clearly and widely to the police Service as part of any reform measures for police pay to demonstrate transparency and actually increase awareness of equal pay provisions.
- *Leadership and commitment to change* – This would need to be at all levels of the Service – and from the national to the local. Leaders must communicate the imperative for change and an intent for rapid reform of pay structures. Leaders must also take greater ownership of the career development agenda for police officers and staff. This will include greater emphasis on succession planning, career guidance, mentoring, coaching and performance management, accompanied by appropriate new systems and structures as necessary.
- *Funding commitment* – Any change process carries costs. We therefore call upon policy makers and politicians to commit the necessary resources and funding to a change programme, particularly with an eye on long-term reform. A short term increase in wage costs is possible under our proposals, in addition to inevitable design and implementation costs associated with a thorough job evaluation exercise for example. We recommend establishing a dedicated change programme team within the Home Office, with sufficient funding to commission work, undertake analyses, communicate with stakeholders and maintain general momentum for reform.

Job evaluation

75. Job evaluation (JE) provides the cornerstone to our proposed model. It provides the means by which roles can be clearly identified and grouped according to specific criteria. We believe a rigorous exercise of this nature will break new ground for the police service, laying the critical foundations for all future pay analyses and determination.
76. Forces currently use recognised JE schemes for evaluating police staff roles, though there is no nationally used, nor mandated scheme. An important step towards greater harmonisation of police officer and staff pay will be analysis of the future role of these existing JE schemes viz-a-viz any newly developed scheme for police officers.
77. We have previously suggested that full convergence of pay regimes for police officers and staff may be difficult to achieve in the medium and even long term. In particular, police officers and police staff are drawn from distinctly different employment markets, each with their own structural peculiarities. In short, and initial recruitment channels aside, police officers are drawn from a ‘closed’ market; police staff from an ‘open’ market. By definition, each market is shaped by different forces. For instance, we would expect greater fluctuation and rate of change in pay

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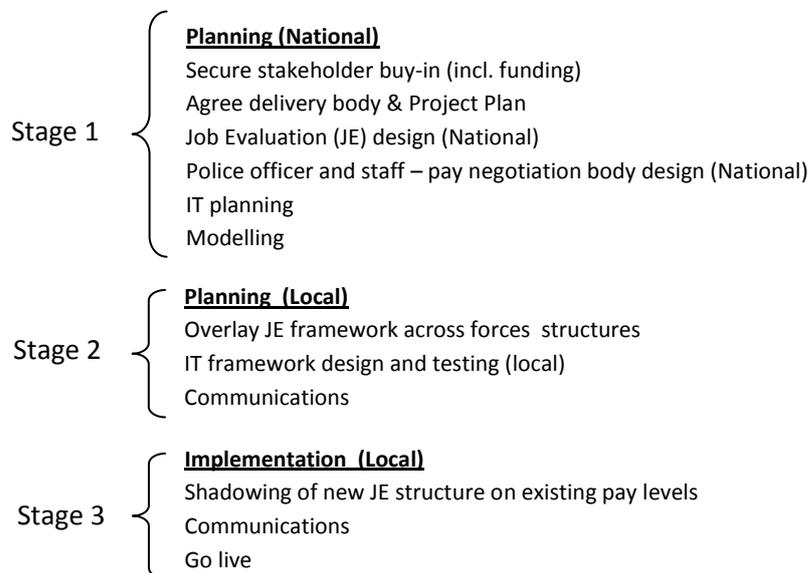
in an open market, possibly creating a dual-speed employment market within police forces. This structural clash is likely to present difficulties for a single job evaluation scheme for both police officers and staff, for example. We think, however, that options may be available to engineer out the problem through effective workforce planning and new flexibilities incorporated within APA pay model, notably the Role Premium and X-factor allowance.

78. We think that in the short to medium term police officers and staff should retain separate JE schemes, developed simultaneously for harmonisation where it makes sense. In the first instance we might expect police staff operational support roles to have the nearest 'read across' to officer roles, and therefore subject to harmonisation in terms of levels of base pay.
79. In any respect, these measures imply that a nationally agreed JE scheme for police staff be developed as part of the reform process.
80. The APA is not in a position to effectively 'cost' the process of conducting a comprehensive job evaluation exercise but anticipate a potentially significant price tag. While seeing these costs as an unavoidable consequence of reform emphasise the importance of sacrificing short term costs for the long term benefits of a more flexible and adaptable workforce and the long term cultural gains to the Service.

Transition

81. We propose that that the move from one pay model to another would comprise three stages, illustrated in Figure 6 below.

Figure 6: Transition stages



Urgency and momentum

82. It is important that clear implementation timeframes are set and adhered to. Also, while 'structural' reform can be achieved in relatively short periods, cultural reform takes longer. Accordingly, the sooner structural reform commences upon reaching a decision to proceed, the

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better. The success of any changes arising from the Review will require strong support and drive from all stakeholders, within tight (yet achievable) deadlines and a comprehensive communications strategy.

83. We provisionally anticipated that Stages one and two *could* take one year each, and Stage three *could* be two years. Factoring in time for the Part Two report to be published and considered, we estimate a new pay system could be in place in four to five years from now. We acknowledge these timeframes are difficult to calculate at this stage, however as noted earlier, long term cultural change will take far longer to embed and we feel it is important that *the momentum of change* is impressed on the service as soon as possible.

84. As outlined earlier, any change process carries costs. If the government is serious about seeking pay reform it will need to resource the change. We anticipate that the initial costs might be significant, but the reward is long term reform. We call on the government not to lose sight of the end prize.

Changes in pay

85. We are also mindful of the potential for a 'double whammy' pay cut for some officers should the Part 1 Winsor reforms being implemented in addition to our Part 2 proposals. With this in mind, we believe it is only fair to afford existing officers a degree of pay protection. Accordingly, where an officer's pay is likely to decrease under any new pay model, the decrease should occur over a maximum of 3 yrs and be capped at a maximum decrease of ten percent from their current level of pay (post Winsor 1 changes – if implemented). If an officer chooses to move between job families, then any pay protection would be lost. New officers entering the Service would be paid according to any revised arrangements.

New joiners to the service

86. Our proposed model is predicated on an expectation of police officers moving between job families, developing their skills and being paid according to role throughout their career. While vertical progression through job families and pay bands seems a more likely route for motivated police officers and staff, lateral, and even downward movement is available with newly introduced flexibilities.

87. For probationers we refer back to the proposals made in our earlier submission:

- Three pay bands constitute the training and development phase.
- During these phases, uplifts in pay coincide with officers attaining 'competent' ratings as they progress on a simple linear route through the initial intervals. Note: Pay uplifts are not performance payments in the sense of 'bonuses', but rather reflect an individual's increasing capability and early career progression.
- Where an officer fails to achieve competence at each interval, they fail to receive uplifts. Sustained underperformance throughout any phase may ultimately subject an officer to dismissal.

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- Upon an officer attaining 'competent' status, their career progression and pay uplifts are no longer pre-determined or linear in nature and our proposed model of job families and role based pay is the means by which they progress through their career.

Other Consultation Areas

88. The following sections address issues posed in the consultation.

Police staff – role based pay

89. The consultation queried the advantages and disadvantages of moving to role based pay for police staff. We believe it is feasible to compare police staff roles with one-another nationally. The advantages would be:

- More flexible deployment of police staff
- More transparency for police staff in roles that are similar to officer roles
- Likely to foster more movement of police staff between forces and roles
- Removes obstacles to collaboration between forces
- Helps to address potential equal pay issues between forces
- Increased motivation and sense of 'one-service' for police staff
- Allows forces flexibility to pay more for 'difficult to attract' roles
- National police staff job evaluation could be aligned appropriately with national police officer job evaluation.

The disadvantages would be:

- Cost – Job evaluation is not cheap
- It will take time to implement
- Potential for police staff in different forces to be paid differently to do the same job
- Could result in resentment from police officers if police staff take more non-warranted roles from officers
- Differences in regional pay could act as a disincentive to move between forces.

Basic pay – chief officers

90. We propose that any new pay and promotion framework is complemented by an agreed national charter of principles governing the actions and behaviours of PCCs / chief officers in their approach to the design and makeup of remuneration packages. We note the Police Reform and Social Responsibility Act allows for the appointment of the Deputy and Assistant Chief Constables by the Chief Constable. The APA's firm position has always been that the PCC should retain responsibility and final decision-making authority for hiring of all chief officers, across all three ranks.

91. Notwithstanding difficulties arising from the new Act, we believe our proposal affords rigour and transparency to the development of chief officer pay and conditions where, to-date, *creative* recruitment tactics by police authorities to attract and retain top talent has driven up the cost of remuneration 'packages'. The net result is diminished transparency and increased cost to police authorities – or more specifically, artificial wage inflation.

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92. With regard to pay levels for chief officers, the regime must attract suitably qualified and able individuals. We note that our proposed model (outlined earlier) can be applied to chief officers, in addition to every other rank (excluding probationers).
93. We understand the temptation for direct comparison of remuneration packages between chief officers and other potentially equivalent roles, most notably senior civil servants or chief executives from the private sector. This is not, however, an easy task. Recent attempts within the PNB to conduct just this type of analysis highlighted difficulties and were inconclusive.
94. Direct comparisons of pay based on levels and scope of responsibility, for example, fail to consider other attributes unique to the policing sector more generally. For example, Chief Officer candidates do not effectively compete in an open market – reducing competition for places. Historically, the internal market has been subject to further distortions in terms of the supply of prospective chief officers.
95. The APA proposes the following broad approach to determining pay levels for chief officers. First, pay differentials between chief officer ranks (DCC, ACC, CC) must be material, as indeed they should be for all roles.
96. However, rather than focusing on the outcome of wage distortion and arbitrary wage ‘multiples’, we believe underlying economic fundamentals provide appropriate controls. Where the supply of talented senior officers is constrained, upward pressure on wages will result. It is therefore important that changes to pay structures are accompanied by reformed recruitment structures and processes that, in addition to identifying and qualifying the best possible cohort of candidates, minimises the risks of cartel-like conditions by producing a constant *oversupply* of chief officer candidates for the number of positions available. Any small, artificially closed market, especially when left to self-regulation, risks capture by vested interests, driving up wages and reducing consumer (sic taxpayer) welfare – as confirmed by research (The Economist, May 12, 2011: Rules for Fools).
97. Continuing this train of thought, the typically smaller number of chief officer candidates and roles possibly diminishes the effectiveness of Pay Bands for appointments at these ranks. We might expect to see pay migrating toward the upper tiers of respective bands as police authorities/PCCs compete for a relatively small band of individuals. Where the talent pool cannot be effectively increased, as proposed above, an alternative to pay bands may be necessary – including the current structures of specified pay points for Deputy Chief Constable and Chief Constable ranks. The current pay regime recognises the differences in force characteristics in these pay points – based on a per force weighting against prescribed criteria.
98. We argue for a regime that balances recruitment economics and wage control to ensure fair, yet affordable and effective levels of pay for chief officers. This means ensuring sufficient local flexibility to attract talent, whilst stopping short of a free hand that may encourage ‘wage wars’.
99. Differential rates of pay should be a product of recruitment economics (based on demand for roles), and similar to previous assertions, the complexity and risk profile of the job. These issues are discussed at length earlier in our submission.

Contribution-related pay and role based pay

100. As outlined earlier, we firmly believe that pay progression should be linked to an individual's performance and contribution. With the right pay structures in place we believe that officers will be motivated to develop their skills and progress without the need for performance related and other add-ons to pay bill. Paying by role under our proposed system creates competition among existing police officers and staff for jobs, which we view as positive.
101. To support this, we propose that the existing PDR scheme is re-oriented. We appreciate the scheme has been re-designed, with a view to reducing complexity and increasing utility, but in our view, the focus should be on achieving a balance between prescription and the initiative and competence of supervisors. This will require cultural change and will take time to be achieved.
102. Although we recommend completely disassociating any financial gain from the PDR scheme, we believe it still has use to ensure officers and police staff continue to maintain a minimum required level of performance and to help determine development needs. In this respect, the PDR scheme would no longer reward for achieving competency, but rather provide a mechanism for identifying high potential candidates for proactive career development, in addition to those with inadequate performance to enable unsatisfactory performance proceedings and/or remedial action.

'At risk' pay

103. We are not supportive of proposals for 'at risk' pay. Our view is that such an approach represents a punitive form of employee management which is at odds with the modern and performance driven culture. Poor performance should be managed by managers, good leadership using the agreed unsatisfactory performance procedures.
104. The core role of the PCC is to hold the Chief Constable to account and we acknowledge that the PCC will need processes to enable them to exert pressure on a chief officer if performance needs improvement. However, as per our earlier comments we see no reason for 'at risk' pay to be extended to chief officers. As an alternative we have long supported the development of Unsatisfactory Performance Procedures for chief officer in order to manage issues around poor performance.

Regulation 11

105. The APA has long opposed Regulation 11. In a modern and progressive workforce, officers should be motivated to move about and develop their skills between forces without being artificially forced to move. By actively identifying and steering talent earlier on in their careers, a culture of mobility will start to permeate the service. This will reinforce the idea that in order to develop and progress, leaders must have a breadth of skills and experience, which can only be achieved by moving between forces and gaining experience.

Fitness testing

106. We think it is unsatisfactory that an officer in a role of a physical nature, including response patrolling, might not be required to demonstrate a minimum standard of physical fitness. We would suggest there is a public expectation that all police officers (and Police Community Support Officers [PCSOs]) should be fit enough to undertake the role for which they were employed subject to all of the proper Equality Act caveats. This is no better evidenced than in the recent unrest across the country where a number of officers were recalled to frontline duty from 'back-office' jobs in order to provide the necessary coverage to deal with the situation.
107. We acknowledge that this approach is potentially costly and throws up difficulties, especially where an individual repeatedly fails their test. However, in principle we see no reason why consideration could be given to managing these issues through the existing Unsatisfactory Performance Procedures (UPP). We see no reason to suggest that there should be a requirement for mandatory fitness testing for police staff, apart from where a specific role requires a certain level of fitness (for example PCSOs).
108. As an alternative, were universal fitness testing not the preferred route, we would see tradeoffs with the X-factor supplement as a logical corollary. It stands to reason that where an officer is incapable of meeting a national fitness standard necessary for him or her to undertake frontline duty, that X-factor component relating to 'recall to duty' should not be compensated. Not only is such an approach fair to officers submitting to regular fitness testing, but it is necessary to maintain the integrity of the proposed new pay model.

Skills / learning and development

109. Our desire is to implement pay structures that incentivise personal commitment and willingness to develop. Accordingly, we would not expect to see pay structures that formally recognise the acquisition of skills through additional remuneration, beyond those which are required for a specific role. The exception is officers in the early stages of their career, as outlined in our first submission to the review.
110. Three pay bands constitute the training and development phase. Uplifts in pay coincide with officers attaining 'competent' ratings as they progress on a simple linear route through the intervals. These are not performance payments in the sense of bonuses, but rather reflect an individual's increasing capability and personal development. Where an officer fails to achieve competence at each interval, they fail to receive uplifts. Sustained, under-performance throughout the phase may ultimately subject an officer to dismissal proceedings.
111. Ultimately, our vision is for officers and staff to seek professional development and for this to be sufficient motivation to apply and move about roles. We are also wary of proposals for 'payment for skills' as this could lead to culture of 'box ticking' for qualifications and uplifts in pay. Furthermore, as most training is paid for by the service, it would be unfair to make a direct link between acquiring skills and uplifts in place, particularly where training places are finite.

Entry routes for officers

112. Recruitment will always be an important enabler for improving workforce capability and organisational effectiveness. It is therefore important that recruitment structures are sufficiently flexible to attract desirable candidates. In this regard, we recognise the appeal of prior learning for new joiners to the service, and our approach to pay and progression facilitates greater flexibility for forces to recognise and attract higher skilled candidates. The APA does not, however, support any national prescription for prior learning aside from attaining acceptable GCSE or equivalent in five subjects (Grades A-C), two of which must be Mathematics and English.
113. We believe that nationally prescribed minimum academic qualifications could exclude some of the best people from joining the Service. Similarly, the currently low entry 'bar' may present the Service to some as insufficiently challenging or capable of fulfilling their longer-term career aspirations.
114. We acknowledge that educational standards are not always the best indication of whether someone would make an effective police officer. As a matter of principle, the APA's vision for the police service is that it reflects the people and communities it serves. We must be cautious to find an appropriate balance between minimum entry educational standards while not inadvertently creating barriers to diversity and against those with non-academic credentials.
115. We are not necessarily convinced that there needs to be fast-track entry scheme. Should the service move to the new type of pay and reward structure outline in our submissions, then individuals will progress through the service through their own volition and motivation.

Direct or multi-point entry

116. The APA's position on direct / multi-point entry has not changed significantly since our first submission; however the recent spotlight on this issue has drawn out differing views from Members.
117. Single-point entry provides a minimum and consistent level of capability that ensures an acceptable level of service resilience and the grounding of policing skills required for omnicompetent police officers. Most concern relates to those entering the service with *no* prior policing experience.
118. The issue is whether the 'risks' of direct entry; impact on force morale and a sense of 'watering down' the Office of Constable, outweigh the 'benefits'; injection of fresh thinking and experience from other sectors and industries. Accordingly, our position is that direct entry should be by exception only. There is broad consensus that where direct entry is permitted that basic frontline exposure is essential.
119. We note that our position does not preclude direct entry to higher ranks by those with relevant experience, whether transferring from other forces (including international or possibly the Armed forces) or re-entering the service after a period of absence. The criteria and decisions

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about such entry should be left to local discretion and be competence based ; however we fundamentally view such 'external experience' by former officers as highly beneficial.

120. All entry-level police officers should continue to take the oath of attestation as an initial rite of passage, on the assumption that they will be deployed to operational policing roles for a period of not less than 12-18 months following completion of the Initial Police Learning and Development Programme (IPLDP).
121. As already indicated, it does not seem essential for single point of entry for all police workers, including PCSOs and non-operational police staff. These individuals should continue to be separately recruited, though we see merit in better coordination of training regimes and courses for officers and PCSOs, for example, shared courses where applicable, shortening qualifying periods and recognising prior learning and experience.
122. Forces will be aware that narrowly prescribing recruitment qualifications also has negative implications for diversity and recruitment from minority groups in particular. Again, we strongly advocate the need for flexible recruitment processes and structures.

Officer career length and pension age

123. We welcome any changes that enable officers to retire before their 30 year service. While some officers will have long and very successful careers in the police, we also recognise that the current arrangements may encourage some officers to remain in role simply in order to see in their pension. Accordingly, we believe that officers should have flexibility to leave the service when they wish, with the view to *possibly* returning after a period absence, tying in with our earlier position on direct entry. We believe that this would afford the service greater flexibility to manage its workforce and start to undo the idea that the police service is necessarily a job for life.
124. We understand that the Review is looking at the 'army model' of commission whereby officers could effectively be under fixed term contracts. Whilst not wanting to stifle imaginative thinking, we are not sure whether such a radical reform would yield the significant workforce reforms we seek. However, one significant positive impact would be that the introduction of manning control points would allow the service to better manage its workforce through reductions of numbers of officers and ensure a steady inflow of new recruits. We maintain our view that the inability of the police service to make officers redundant is a significant barrier to productivity and value for money.
125. Therefore, we question whether the army model is, in fact, a 'backdoor' means of introducing police officer redundancy? Our view is, in the interests of affording the service greater flexibility, the Review should take a fresh look at the potential for police officers to be made redundant where the employer is satisfied that such action is in the interests of the efficiency and effectiveness of the service. We do not understand why redundancy

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arrangements that work perfectly well in other sectors (and indeed for police staff) could and should not be translated into suitable arrangements to apply to the uniformed police service.

126. In terms of our overall view on an 'Army model', in this response we have set out a clear ambition to move to a system of role based pay, linked also to rank, within the context of a national pay and grading structure, with local flexibilities, preferably as part of a single employment framework for the police service. Accordingly, we do not see how an 'Army model' would add substantial value to our ambition; aside from provide additional flexibility to reduce police officer numbers.

Restricted duties

127. Restricted duties are normally used for police officers recuperating from injury or illness until they are fit to return to normal (operational) duties. The provisions are aimed at supporting officers to achieve full recovery where possible, complying with the Equality Act responsibilities to make reasonable adjustments if applicable and reducing the incidence of inappropriate early retirement of experienced officers on medical grounds.

128. An unduly large number of officers on restricted duties in a force could clearly have an impact on the provision of front-line services, particularly with the current drive to maintain or increase such services. Most forces have a robust and comprehensive procedure for the management of these officers, drawing on their specific capabilities and expertise in a way that maximises operational value. Being on restricted duties does not automatically mean that an officer has to take up a back office role and it may be that one option is to differentiate those restricted duties officers who can perform an operational role and those who cannot.

129. However, there can be problems with regard to placing restricted duties officers in police staff posts, as it may give rise to claims regarding equal pay. One option would be to empower forces to place such officers on police staff pay, terms and conditions in substitution for their current police pay and conditions as required, including as an alternative to ill health retirement. This could potentially be achieved through the provision of new flexibilities for a chief officer to 'authorise' particular powers, functions or duties to any member of the police service, in this case a police officer to a police staff role. This would effectively mean disempowering sworn officers and suitably adjusting their pay grade to the level that is commensurate with their new police staff role.

130. From our perspective, the key focus must be to ensure that the use of restricted duties is targeted at retaining officers legitimately on the basis of a risk assessed restrictive duty. This must, notwithstanding the restriction, enable the officer to add proper value to the organisation commensurate with the salary and other employment costs involved. From that perspective, it is clearly important that these provisions are used legitimately and that they are not subject to manipulation by officers. We do accept that it is entirely right for a police force to carry an appropriate 'overhead' in terms of a proportion of officers on restricted duties, but we are bound to caution that this proportion must be subject to careful management and control. The difficulty rests in ensuring that the incidence of officers on restricted duties does not increase to

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the point where it imposes an unacceptable cost on authorities, while at the same time reducing overall productivity (and workforce flexibility).

131. We propose changes to the restricted duties regime to combat the potential for abuse of entitlements and better balance the needs of employers with police officers and staff. We understand the sensitivities concerning restricted duty entitlements and seek to ensure fairness to all parties in any revised scheme.
132. The starting point for our changes is to differentiate between injury/ illness incurred on and off-duty or as a consequence of being a police officer. Our position is predicated on a strong belief that the police service owes a significantly greater obligation to personnel who are injured or become ill while in the execution of their lawful duty. And on this basis, we distinguish between the two categories via their respective entitlements to a 'period of grace' for recuperation.
133. Ultimately, for both groups of injured and/or ill officers and staff, there must come a point at which continuance on restricted duties ceases to be reasonable to the employer, colleagues, the public and the tax payer. At this point an individual's entitlement to continued employment within the service will depend on their willingness to perform a role matched to their capabilities. In some instances, this may result in a reduction in pay.
134. Our proposals must be viewed in the context of existing sick leave provisions and, in the case of police officers, the ill-health retirement scheme.
135. Specifically, we propose the following limits to restricted duty entitlements for police officers, and staff where contractually feasible:
- i. Injury/illness *on* duty: 12 months
 - ii. Injury/illness *off* duty: 3 months
136. We do recognise that there may be injury/illness suffered off duty as a result of being a police officer e.g. mental health issues. Such cases which can be attributed to work and can be proven should be considered *on* duty on the discretion of the Chief Constable.
137. Sick leave entitlements contained within Police Determinations permit up to six months on full pay in any one year, reducing to half pay for a subsequent maximum period of six months. Chief officers are entitled, however, to override these restrictions as he or she sees fit. So in fact, the period of either full or half pay may be extended indefinitely at the Chief Constable's discretion.
138. The Determinations are silent in respect of two potential sick leave scenarios. First, employment and pay arrangements are unclear in the event an officer not returning to full duty after a 12 month period of continuous sick leave. In such an event, the Determinations appear to impose no restriction on an officer rolling over an initial six month period of sick leave on half pay into a third six-month block of sick leave on full pay; essentially 'resetting the clock' – as it would amount to a *new* one year period. Also, were such an outcome not permissible, the

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Determinations are unclear whether an officer remains in employment as a constable at all if incapable of returning to duty after a continuous period of 12 months sick leave

139. When combined with current sick leave provisions, our proposed limitations on restricted duty entitlements still appear reasonable, based on the revised figures listed in figure 7 below:

Figure 7: Combined sick leave and restricted duty entitlements

	Sick leave entitlement on full pay	Proposed limits on restricted duties	Total recuperative period
<u>On</u> duty injury/illness	6 months	12 months	18 months
<u>Off</u> duty injury/illness	6 months	3 months	9 months

140. We propose retaining chief officer discretion concerning payment of sick pay, and existing provisions concerning medical certification for ill-health. We would not support an entitlement for individuals to return to a period of paid sick leave following the exhaustion of a period on restricted duties.

141. Where a police officer or member of police staff approaches the end of a period of restricted duty and appears unable to return to full duty in their previous role, their force has a duty of care to assist such individuals to identify a new role within that force or another force suited to their reduced capability or capacity. Our proposals for a nationwide, online police career tool would be particularly valuable in this search process.

142. We also propose that the same policies concerning ill health should apply across all forces; an officer who unfit for duty in Cumbria should be subject to the same policy as applicable in Kent. It is essential that the service has standardisation across all forces in this area; ensuring transparency and fairness for all.

143. We are also mindful that any changes to restricted duties are likely to impact on the number of ill health retirements being assessed by Selected Medical Practitioners (SMPs). SMPs plays a significant role in helping to determine if an officer is to be retired on ill-health grounds and, if applicable, what banding will apply in respect of injury on duty awards. While SMPs are doctors, the role requires the consideration of evidence and skills more commonly associated with a legal professional. It is therefore critical that when appointing an SMP to assess an ill health retirement adequate training and support is provided. However, in practice, varying local structures and arrangements have resulted in considerable inconsistency across police forces and authorities in the handling these matters.

144. The management of ill health retirements is a complex process which requires professional legal, medical and regulatory knowledge. As such there is concern that these inconsistencies are resulting in inadequate management of these cases. It is also acknowledged that appeals of ill health retirement determinations are expensive, with costs being borne by the police

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authority. However this cost much be balanced against the potential financial impact of judicial reviews, future costs associated with perverse case law and excessive pension awards where forces fail to manage this process appropriately. We understand that a greater emphasis on training and national coordination and communication between SMPs and forces would reduce the number of cases being appealed, saving time, money and stress for all parties concerned. Whilst possibly falling out of scope for this review, we would urge the Review Team to ensure the police service manages ill health retirements and injury awards collectively and SMPs are consulted closely on any proposals concerning restricted duties and ill health retirements.

Pay negotiating machinery

145. We concede that the existing pay negotiation machinery has both advantages and disadvantages which are outlined below:

Advantages:

- The role of the employer and employee are clearly defined.
- Strategic objectives can be implemented nationally (provided agreement is reached).
- On a morale level, officers are more likely to accept changes to their terms and conditions if it agreed between their representative body and the employer (as opposed being imposed through a Pay Review Body).
- Negotiating pay centrally benefits from economies of scale. There is not the manpower or skill for forces to individually negotiate police pay and conditions.
- Standardised pay nationally supports movement between forces in the course of a career can be of benefit both to forces and to individuals.
- National negotiations free up managements time to deal with running the force.

Disadvantages:

- Current system is slow / costly.
- Questionable how well coordinated the activities of the Official Side are compared to the Staff Side.
- Lack of statistics / detailed financial information makes it extremely difficult to make informed decisions.
- A Home Secretary Determination can have massive effects on force morale.
- Loss of institutional knowledge and experience through member turnover.

146. The APA believes that one of the core strengths of the PNB is having a defined role for the 'employer and employee' in arriving at agreements around pay and conditions. This provides the workforce with confidence that decisions concerning their employment and wellbeing are being directly decided / negotiated between their representatives / employers.

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147. Should the PNB (in some guise) be retained following the Review, it is foreseeable that PCCs will step into the seats currently occupied by police authorities. We believe that PCCs will want to have a strong role in determining police officer and police staff pay and conditions. We are concerned, however, about early challenges while PCCs ‘learn the ropes’ about pay generally and develop their negotiating skills.
148. However, we believe there are changes that could be made to the PNB that would further bolster its effectiveness. For example, the size of the PNB in terms of the sheer number of representatives may well weaken its effectiveness, suggesting there may be benefit in exploring slimmer arrangements and structures.
149. With the government’s intention to move away from ‘micromanaging’ policing in mind, there could be scope for the composition of the Official Side to be reconstituted to omit representatives of Government Ministers or only retain them only as non-voting members. This would essentially see the Official Side being constituted of elected representatives (with oversight of force budgets) in addition to those with responsibility for direction and control of officers.
150. While the Government will always seek to closely monitor the police pay bill, this move could distance the government from any perception that they have ‘two bites of the cherry’ in influencing negotiations. Accordingly, the unique status of police officer’s having their terms and condition enshrined in Police Regulations means the Home Secretary would continue to retain her overall power to make a determination following any negotiation round if required.
151. The second area for reform relates to access to statistics and data. While the Officials and Employer sides already commission joint data through and annual survey, we believe that there is more scope for more finite management data to be collected and believe that information systems could be better coordinated in order to make more robust assessment of claims made by both sides. The issue appears to be particularly relevant when considering police staff terms and conditions. We concede that this issue may fall out of the scope of the pay review, how we believe it is one factor that impacts on the effectiveness of the PNB.
152. We have no additional comments to make concerning the PABEW aside from noting that it provides a useful ‘sounding board’ mechanism on issues affecting the service. Similarly, it could benefit from a refocus and possible re-size in light of any changes made to PNB.

Pay negotiating machinery – Police Staff

153. Consistent with our position set out earlier for police officers, we support the continuance of appropriate collective bargaining machinery. However, we also see benefit in exploring the opportunity to achieve greater harmonization in terms of police and police staff pay and conditions, particularly if our police pay model is implemented.

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154. There has been some discussion around police staff and police officers moving to a similar pay and grading structure. Should this be taken up, it would make sense police officer and staff pay to be determined by a similar pay body in order to ensure consistency in approach. In the interests of achieving a single employment framework for police officers and police staff, we would not rule out the prospect of utilizing a single pay and conditions negotiating body (perhaps with separate committees to examine specific police staff and police officer issues) possibly as part of a reform of the PNB.
155. The consultation document queried whether police staff should have their right to strike removed for certain roles. We can see merit in this approach, however query, in the interests of bringing police officers and staff closer together we might support the principle of right to strike to be removed for all police staff. This, of course, would need to be bought out at a price and supported by a careful cost analysis.
156. The government's role determining police staff pay varies significantly to that of police officers, by virtue of not having any overriding power of determination following arbitration. Accordingly, if the current Police Staff Council (PSC) arrangements are retained (and we don't move to a single employment framework), we do not see any reason to alter the role of the government in determining police staff pay. We acknowledge, however, should police staff be incorporated into the same negotiation framework as police officers, the same arrangements will need to apply to both groups.
157. The APA understands that non-PSC forces generally look to the PSC when determining their pay and conditions locally. Accordingly, there is an argument for those forces to be incorporated into any new national framework that might be established. The one exception this is the MET, which has the capability and resources to negotiate directly with Staff Associations.
158. In terms of pay negotiation machinery for police staff, we support consistency of approach for police officers and police staff. If we are to move to a national pay and grading structure, whether for police staff specifically, or as part of a single employment framework, we advocate an approach whereby primary pay and conditions are subject to national negotiation, albeit that there may be scope for a certain degree of local flexibility.

APA Secretariat