

**INDEPENDENT REVIEW OF
POLICE OFFICERS' & STAFF
REMUNERATION & CONDITIONS**

PART 2

CALL FOR EVIDENCE

16 June 2011

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1. Introduction

- 1.1. This document invites representations and evidence for the purposes of Part 2 of the review of the pay and conditions of service of police officers and police staff, which the Home Secretary has appointed me to carry out.
- 1.2. Policing today faces significant challenges. There are likely to be changes to its accountability and structural changes to cope with matters of national and international importance. There is the possibility of the creation of a national professional body for policing, and there are appreciable reductions in the amounts of available central government money, with corresponding heightened pressure to become more efficient. Changes to public sector pensions and this review into pay and conditions are significant parts of this matrix of change.
- 1.3. During the consultation phase of Part 1 of the review, I was privileged to be able to spend a great deal of time talking to hundreds of police officers and police staff, not only about the arrangements for their pay and conditions but, equally importantly, the jobs they do. I was struck by a number of common characteristics. First, there is rich variety in the police service in terms of roles, expectations, skills, demands and approaches. People perform duties that are sometimes mundane and sometimes exciting, demanding and dangerous, straightforward and challenging, and visible and unseen. The police service's workforce – and of course that includes police staff – has skills, attributes and experiences that are broad and deep, including a degree of dedication to public service and public protection, which are of immense value and importance. Policing today is a public service of an exceptionally high standard, of which the country can be very proud. Secondly, there is a strong and widespread desire for change in the arrangements by which the police service workforce is managed through pay and conditions. That desire is not limited to the Government, which commissioned this review, but is held by many rank and file officers and staff who spoke or wrote to me. Of course, I recognise that there are many for whom the current arrangements are acceptable, but I found very few people who believe that they are as they should be for the challenges that lie ahead. The appetite for change which will make the system fairer is very strong. Thirdly, notwithstanding that many jobs in the police service are analogous to those in other professions, there is arguably a unique dimension to policing (and, again, I include police staff in this) that deserves to be recognised and nurtured, for it forms the bedrock of the high standard of service that the public expects and receives.
- 1.4. The first part of my report to the Home Secretary on the remuneration and terms and conditions of service for police officers and staff was published on 8 March 2011. It contains recommendations for improvements to the current system which, if accepted, could be introduced relatively quickly through the appropriate negotiating structures, particularly the Police Negotiating Board, the Police Advisory Board, and the Police Staff Council. Following an announcement by the Home Secretary on 31 March 2011, she directed the appropriate bodies to consider my proposals within their respective remits for police officers and staff in England and Wales as a matter of urgency. Furthermore the Home Secretary announced on 18 May 2011 that the police officer pension age – the age at which officers can retire and draw a pension – should be considered separately from most of the rest of the public sector. She has therefore asked me to consider Lord Hutton of Furness' recommendations for a revised normal pension age in the round with pay and conditions in the Part 2 report before consultation on any changes through the Police Negotiating Board.

2. The context

2.1 The police service has a distinguished history, and the arrangements under which police officers and staff are engaged and paid have evolved over time, with the direction set by a series of reviews and commissions every few decades. These reviews were often in response to a particular set of prevailing circumstances and pressure to reform. The second part of my review is different in that it is required to make recommendations for the preparation for future challenges. In that respect, it is important to establish, as far as possible, what those challenges are likely to be. However, before looking at those, it is worth repeating the principles by which I have and will continue to conduct this review:

- **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 is 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.
- **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, and people need to have confidence that the system will treat them fairly.

2.2 Although foresight must always be uncertain, it is important to make some assumptions in order to plan. Some pay reviews have focused purely on the then prevailing circumstances and how these compared with the remuneration and conditions offered, without appreciably considering that policing was likely to change materially in the years to come and making an assessment of what those changes might be. However, if reforms made as a result of Part 2 of this review are to be relevant and lasting then they should be devised with the future in mind. Whilst there are few certainties, there is broad agreement that the future of policing will potentially be very different to how it has been the past, and given that the current arrangements for remuneration and conditions were forged in the 1970s, the gap between what was suitable then and what will be required today and tomorrow is widening all the time. In short, if we were starting afresh, even the staunchest of advocates of the current arrangements would be unlikely to create the arrangements we have in place today.

3. Challenges and emerging themes

- 3.1 In discussing the challenges facing policing, my objective is not to produce a lengthy discourse on the future. Others have done that well, and there is substantial available material from their work. Rather, I believe the correct approach is to draw out themes about what the future challenges may be for the police service, and their implications, and to ask a series of questions designed to engage people in the consultation process. All would accept, I think, that the challenges facing policing are multitudinous, interweaving and complex, and the themes that emerge for this review are likely to have similar characteristics.
- 3.2 Subject to the final decision of Parliament, the establishment of Police and Crime Commissioners will appreciably alter the local accountability of the police to the communities they serve. It is also acknowledged by policy-makers that it is necessary to protect citizens from what Sir Hugh Orde has described as 21st century threats; matters that cannot be dealt with at the local level alone.¹ Dealing with this span of responsibility and balancing the resources and conflicting pressures will require personal and organisational attributes of the highest order.
- 3.3 Accountability can be defined as being answerable for one’s actions, and in policing a new age of intense public scrutiny coupled with the speed of the media (in all its forms, from formal outlets to social media sites) mean that individual officers, police

¹ *Developing and Co-ordinating a National Police Strategy for the 21st Century*, Sir Hugh Orde’s speech to the Royal United Service Institute (RUSI), 16 March 2011

forces and the entire police service can expect to be required to justify their actions, often publicly and swiftly, and be responsive to a rapidly changing environment. Whilst technology will help with some of the challenges, as ever the quality of the people performing policing roles is and will remain the most important factor in maintaining the trust and support of the public. The landscape is changing fast and the pace of that change is unlikely to decelerate. Given that, we should expect policing in general and the police service in particular to be required to become more responsive and agile. By association, the current single career approach, whereby people are employed for thirty or more years, needs to be scrutinised, and views about shorter commissions will be welcome.

- 3.4 There are arguments, too, for and against multi-point or direct entry, and strong opinions have been offered by both senior and junior ranks on each side of the debate. There appears to be no obvious precedent elsewhere in which direct or multi-point entry is prohibited, and Sir Ronnie Flanagan's view that a "leap of faith" could be required may be apposite.² It may also be observed that Sir Robert Peel had no direct precedent when he established the Metropolitan Police Force in 1829.
- 3.3 The opportunities and requirements for greater collaboration between forces and agencies across borders, be they institutional, functional, local, county or international in nature, seem apparent. It will of course be said with force that the demand for more local accountability ought to be balanced against national and international priorities. This suggests the need to look carefully at whether greater levels of mobility of individuals between forces or nationally is necessary and, if so, on what basis. Optimising the capability and capacity of the entirety of the policing workforce suggests bringing police officers and police staff closer together; there is much to be said for at least considering a presumptive position whereby the terms on which police officers and staff are engaged should be the same except where there is a sound business or operational reason for them to be different, rather than the other way around. Given that, and noting that the right to strike is not one enjoyed by police officers (and there is no widespread desire for that to change) then it is legitimate to ask whether the right to strike should be withdrawn from police staff, who now make up 40% of the workforce, to recognise their strategic and operational importance, the need for their close integration in police forces, and the increased flexibility offered to the entirety of the workforce.
- 3.4 Meanwhile, it should be recognised that whilst there is a desire to remove unnecessary levels of bureaucracy from policing, much of this was introduced for a reason that was valid. Fewer rules often require greater discretion on the parts of individuals, and that adds weight to the argument that policing is a complex, sophisticated business and will continue to be so. It follows that those involved in policing need to possess and demonstrate intelligence, discretion and judgment alongside many other qualities and attributes. It is a vocation that also needs to be attractive to everyone from society who wishes to contribute whilst also offering a career (and not just a 30- or 35-year career) to the best candidates. Balancing that, and noting the need to bring about change rapidly, views are sought on whether the police service is making the most of the relatively high number of candidates it attracts, whether there should be a minimum educational qualification, and whether more should be done to approach and encourage applications from people who would not otherwise consider a police career.

² *Modernising the Police Service: a thematic inspection of workforce modernisation – the role, management and deployment of police staff in the police service of England and Wales*, Her Majesty's Inspector of Constabulary Sir Ronnie Flanagan, July 2004, page 175

3.5 In order to meet the challenges ahead, the police service will need to continue to deliver high performance at all levels. There are clearly issues around what high performance means for individuals, teams, and forces, as well as wider agencies. However, with regard to how individuals perform, views are especially sought as to how to get the very best out of individuals, and how to ensure potential is both recognised and nurtured. A high performance culture requires proficiency in leadership, management, systems, and processes to deal with poor performance. Understanding how to reward the acquisition of relevant skills and using those to best effect will be important. Moreover, the question of the maintenance of physical fitness arises; it seems contradictory that a level of fitness has to be demonstrated to become a police officer but not to be retained as one. Meanwhile, whatever the merits of the current system of dealing with officers on restricted duties, during my many visits during the consultation phase for Part 1 I was struck by the levels of dissatisfaction with the present system both for individuals and the forces concerned.

3.6 The narrative above serves as an introduction to a series of questions designed to elicit the highest quality of responses. The brevity of this consultation is deliberate, for I have listened to those respondents to Part 1 of my report who have asked for sufficient time to respond. As stated, I do not set out to outline every single challenge facing the police and make no claim to have alighted upon every nuance. I am confident that most respondents to this document will have the experience and wisdom to know what the broad challenges are. Rather, I am setting a scene as a foundation for questions that need to be asked in order to elicit the highest quality responses and evidence from interested parties. To that end, I seek responses that are, simultaneously: open-minded to a different way of doing business; imaginative; well-informed by experience, reason and logic; and constructive. In particular, it is even more important for Part 2 of the review that those who make submissions explain their reasoning and provide evidence where it exists. This allows me to give opinions due consideration, and to weigh up arguments against those of others and my own observations. I also recognise that some consultees will have dealt with some of these issues in their previous responses. We will refer back to these, but this is an opportunity to reflect on previous views and evidence, particularly in the light of Part 1, and to provide fuller representations.

3.7 For ease, the questions have been grouped under five broad headings.

- (1) Basic pay;
- (2) Contribution-related and role-based pay;
- (3) Officer entry routes;
- (4) Officer career length and pension age; and
- (5) Pay negotiating machinery.

4. Questions – call for evidence

(1) Basic pay

Overall

- 1.1 What are the future challenges facing policing and to what extent should the pay and conditions of officers and staff be reformed to meet these?

Basic pay for constables

- 1.2 What is the right calibre of candidate, particularly given the structure of the police service whereby most police officers will remain as constables throughout their career?
- 1.3 Do the current pay rates facilitate or have little effect on recruitment and retention rates, both now and in the future?
- 1.4 What, if any, are the best comparator roles for a constable in the wider public or private sector?
- 1.5 What is the present purpose of pay scales in the police service - to reward length of service or denote increasing experience and eventual competence, or another reason? Do the current pay scales meet that aim? Could these aims be better met another way?
- 1.6 What should the 'basic' annual salary of a constable be if a system were introduced whereby both the 'x-factor' relating to the unique nature of policing and regional variations in the employment market were accounted for separately? Should there be a pay scale and, if so, what should be the minimum upon promotion and the maximum? How many points on a pay scale, if any, should there be?
- 1.7 If required, what would be the fairest way of moving from an inclusive basic salary (*i.e.* the present position) to one where there is a basic level of pay and then additions to reflect the particular position of the individual officer (*e.g.* an officer who has acquired and uses specialist skills)?
- 1.8 In many jobs salary levels closely reflect the economic cycle and the ability of that job to attract recruits. If the police service were to look for a similar model, which would you favour and why?

Basic pay for sergeants, inspectors and chief inspectors

- 1.9 What are the arguments for a gap, 'butt-ending' or otherwise between the top and bottom salary levels of the respective federated ranks?
- 1.10 What evidence is there in the police service, or externally, of pay scales influencing an individual's decision to apply for promotion?
- 1.11 What should be the 'basic' annual salary of sergeants, inspectors and chief inspectors if a system were introduced whereby both the 'x-factor' relating to the unique nature of policing and regional variations were accounted for separately? Should there be any pay scale and, if so, what should be the minimum upon promotion and the maximum? How many points on a pay scale, if any, should there be?

- 1.12 What, if any, are the comparator posts for sergeant, inspector, and chief inspector in the wider public or private sector?
- 1.13 What other considerations unique to the police service are pertinent to these ranks for pay purposes?
- 1.14 What evidence is there to justify London inspectors and chief inspectors receiving higher salaries than their non-London colleagues? Why, at these ranks, should there continue to be London salaries, in addition to London weighting and London allowance?

Basic pay for superintendents, chief superintendents and Assistant Chief Constables

- 1.15 How should spot payments reflecting the weight of the job done by an individual be introduced at these ranks (see page 114 of Part 1)?
- 1.16 What factors should be reflected in any methodology developed to assess the weight of an individual's job at these levels?
- 1.17 Could the methodology be the same as that being used for Chief and Deputy Chief Constables?
- 1.18 Should the spot salaries be placed within minimum and maximum basic salaries for each rank? If so, what should these minimums and maximums be? How could these be determined and what relationship should the pay of these different ranks have to each other? Should the spot salaries be related to the pay of the Chief Constable and Deputy Chief Constable in each force?
- 1.19 How regularly should the pay of a post be reassessed?
- 1.20 What, if any, are the comparator posts for superintendent, chief superintendent and Assistant Chief Constable in the wider public or private sectors?
- 1.21 What other considerations unique to the police service are pertinent to these ranks for pay purposes?

Basic pay for Chief Constables and Deputy Chief Constables

- 1.22 Are the current rates of pay for Chief Constable and Deputy Chief Constable posts appropriate?
- 1.23 What are the methodology and matrix which stand behind these rates and are they appropriate?
- 1.24 What should be the pay relationship between Chief Constable and Deputy Chief Constable in terms of pay? Should the basic pay of a Deputy continue to be approximately 80% of the Chief Constable's? What justification and evidence is there for that particular percentage, or any other?
- 1.25 Is there evidence that would support, or otherwise, Police and Crime Commissioners being able to compete in terms of salary for the Chief Constables whom they appoint? If yes, should there be any restrictions on this process? If so, what should these restrictions be?

Basic pay for police staff

- 1.26 Is the current system of locally determining police staff pay scales correct and why? If not, what system should replace it?
- 1.27 Should there be a national pay scale with all police staff roles on the same pay scale regardless of the police force in which they work? What would the benefits and disadvantages be?
- 1.28 If a national pay scale system were to be introduced, how should it be phased in given that the effects would vary from force to force?

Basic pay equality

- 1.29 In reforming the basic pay of police officers and staff, what are the implications for the protected characteristics specified in the Equality Act 2010 and what could be done to mitigate these? How do the implications and mitigations vary by rank or for police officers and staff?

An 'x-factor'

- 1.30 How should a police officer's 'x-factor' be quantified? The x-factor is the level of compensation which police officers receive in their basic pay for the particular constraints on the freedoms of police officers in some aspects of their and their families' private lives. For example, this could include the risk of death and personal injury to the individual, but also the benefits to management in terms of flexibility and lack of right to strike.
- 1.31 What are the negative aspects which should make up a police officer 'x-factor', for instance the restrictions on an officer's private life?
- 1.32 What are the positive aspects to being a police officer which can be attributed to its unique status?
- 1.33 If an officer is unable to meet the full demands placed on police officers, should that officer have the x-factor withdrawn or reduced until such time as he or she can fulfil all the requirements of a police officer again? How should this be achieved fairly?
- 1.34 Should the x-factor be included in the basic pay of all ranks?
- 1.35 Should some staff roles carry an 'x-factor' or something similar? If so, which roles and to what extent is this already factored in when calculating the salary band for some or all police staff roles? Should the allocation of an 'x-factor' to staff be left to local forces?

Regional pay

- 1.36 Should there be additional pay, or reductions in pay, relative to the national average for police officers, based on the region in which an officer works?
- 1.37 If there should be such differences in pay, which factors, for example differences in the cost of living, in local pay rates of comparable occupations, local recruitment and

retention issues, or indeed any other factors, would you consider to be the most important in determining these differences?

- 1.38 If you believe there should be no change to regional pay, why is the current system fair to police officers, some of whom receive significantly less in real terms than their colleagues, and taxpayers who will be paying above market rate in some areas?
- 1.39 If you believe that there should be change, which method do you prefer and why would it be better?
- 1.40 Should the location where police officers work and/or live be taken into account in remuneration?
- 1.41 Should regional remuneration be paid through allowances, basic pay or another method?
- 1.42 If regional pay were introduced, how would the amounts be determined? Should this be done locally or nationally?
- 1.43 Is it feasible to quantify the cost to a force in terms of loss of investment in skills and training when an officer transfers to another force? If so, what evidence is there that there is a cost imbalance between forces, in particular between the South East forces and the Metropolitan Police Service? How should this be reformed for the future?
- 1.44 Are there other relevant examples of regional pay in either the public or private sectors of which the review should be aware?
- 1.45 Should the arrangements for paying staff regional supplements be changed? If so, how?

(2) Contribution-related pay and role-based pay

- 2.1 Should progression up any future pay scales be decided by an individual's performance/contribution and, if so, how should that happen?
- 2.2 What is 'performance' in a policing context, how should it be measured, and what are the pitfalls to be avoided?
- 2.3 Is there a case for performance to be measured as a blend of output-based factors (*e.g.* personal, team, and force-wide objectively determined achievements), and qualitative assessments of the subject's inputs (commitment, application, energy *etc.*), and what should that blend be?
- 2.4 Are there any experiences, positive or negative, of performance-related pay in the public or private sector which the review should take into account when considering its recommendations?
- 2.5 The Part 1 report set out some factors which could potentially be assessed to come to a view of an individual's performance: contribution; continuous professional development; fitness; and/or team, peer, or force performance. What are the advantages and disadvantages of these? Are there other factors which should be

considered, bearing in mind the need for simplicity and phased introduction of any reformed regime?

- 2.6 Should different ranks be assessed differently on any performance measure which is directed more widely than individual performance? If so, what level would be most appropriate for each rank or rank group?
- 2.7 What is your opinion of a model of performance-related pay, which starts with an assumption of competence and application and, rather than rewarding outstanding performance, focuses on penalising poor performance by making 'at risk' a percentage of the remuneration a given rank expects?
- 2.8 The Part 1 report stated that the review would examine the case for at-risk pay. If such a model were introduced, what percentage of pay should be 'at risk' in a case of poor performance? Should this percentage be the same for all ranks?
- 2.9 If required, should any reduction in pay be assessed on an individual's total package, including benefits where applicable, or on basic pay alone? Should an individual's pension receive a corresponding reduction?
- 2.10 How could 'at risk' pay be implemented given a judgment on performance in any given year would be made retrospectively?
- 2.11 What would need to be in place before any model for performance-related pay could be implemented?
- 2.12 What safeguards should be put in place to ensure that reports, which would have a bearing on pay, are fair to both officers and staff, bearing in mind the need to balance scrutiny with minimising bureaucracy?
- 2.13 In any performance-related pay system, what are the implications for the protected characteristics specified in the Equality Act 2010 and what could be done to mitigate these?
- 2.14 What training and support would be needed for managers to implement such a system?
- 2.15 How should the introduction of any performance-based pay system be phased?
- 2.16 Should there be local discretion in the factors on which police staff are assessed?
- 2.17 Should police officers and staff be moved onto the same approach to performance-related pay? What changes, if any, would need to be made to take into account the differences between police officers and staff?

Relationships between Chief Constables and Police and Crime Commissioners

- 2.18 Should a Police and Crime Commissioner have the ability to reduce a Chief Constable's pay on the grounds of unsatisfactory performance?
- 2.19 Should poor-performance of a Chief Constable be determined by measures different to those which apply in the cases of other police officers? What should those measures be?

- 2.20 The Part 1 report stated that the review would examine the case for at-risk pay. If such a model were introduced, what percentage of pay should be 'at risk' in the case of poor-performance? Should the proportion of pay 'at risk' for Chief Constables differ from other ranks?
- 2.21 What safeguards – procedural and substantive – should be put in place in the case of a proposed reduction of a Chief Constable's pay?
- 2.22 Should a Chief Constable's pay be assessed on his or her total package, including benefits, or on basic pay alone? Should there be a corresponding pension reduction?
- 2.23 Regulation 11 of the Police Regulations 2003 requires all Chief Constables to have held a post at ACC or DCC in a different force. Is this requirement still justified? If not, should Police and Crime Commissioners have the ability to promote an officer to Chief Constable, regardless of experience in other forces?

Fitness testing

- 2.24 Why is there no routine fitness test for police officers after the initial probation recruitment? Is a regular general fitness test for officers:
- (a) desirable?
 - (b) practical?
 - (c) possible, particularly given equality legislation?
- 2.25 What has been the experience in those forces which have chosen to introduce their own fitness test for serving officers?
- 2.26 Would the current recruitment fitness test be an appropriate model for a test for most officers? Are there any other tests or levels of fitness which should be considered, and how should the tests be set at levels which are proportionate to the different sexes?
- 2.27 How frequently should officers be required to undergo fitness tests?
- 2.28 What would be the resource implications of introducing regular fitness testing? Would the resource implications be justified by any consequent improvement in police officer fitness?
- 2.29 What should be the consequences of failing the test (a) once, and (b) more than once?
- 2.30 Should some or all police staff roles carry a requirement that the holder is required to undergo regular fitness tests? If so, which roles should these be?
- 2.31 What are the implications for the protected characteristics specified in the Equality Act 2010 of regular fitness testing and what could be done to mitigate these?

Skills

- 2.32 How should accredited qualifications and professional development be rewarded or reflected in pay?
- 2.33 What changes would need to be made to ensure all officers and staff have an appropriate skills 'ladder' up which to climb?

- 2.34 How could a fair, transparent and affordable system be created, which would allow police officers and staff the opportunity to fulfil their development potential?
- 2.35 If Mr Neyroud³'s proposed reforms are not implemented, how else should professional development be taken into account in pay?
- 2.36 Would the implementation of payment for skills provide value for money?

Role-based pay

- 2.37 Is it feasible to compare police officer roles, one with another, through job evaluation or a similar process?
- 2.38 What factors should be considered if determining the different weights of posts in the same rank?
- 2.39 Who should decide the different weighting of roles, by what process should this be done, and what might the costs be?
- 2.40 Should differing levels of pay be attached to the weights of posts? If so, how should this be done?
- 2.41 Should there be a different approach for different ranks?
- 2.42 Should the methodology for determining the spot pay of superintendent, chief superintendent, and Assistant Chief Constable posts be the same as that for Chief Constables and Deputy Chief Constables? If no, in what ways should they differ?
- 2.43 How should the differences between superintendent, chief superintendent, and Assistant Chief Constable posts be accommodated, for instance the complexity of posts which might be found in urban areas, compared with the breadth of portfolio likely to be found in smaller forces?
- 2.44 Is it feasible to compare police staff roles, one with another, nationally? What would be the advantages and disadvantages of this?
- 2.45 How should a move onto any such new system of this kind be phased?
- 2.46 Do forces have the capability and capacity to introduce spot rates for particular posts, or should it be done nationally? If not, how would this be achieved?
- 2.47 Should there be a route of appeal for the initial rate given to a role? If so, what might this be?

³ *Review of police leadership and training*, Peter Neyroud QPM, 25 March 2011. <http://www.homeoffice.gov.uk/publications/consultations/rev-police-leadership-training/report?view=Binary>

Overtime and unsocial hours

- 2.48 Is it feasible to remove paid overtime from the police service? To what extent is it ingrained in the culture of management and/or the workforce?
- 2.49 Can paid overtime be bought out, paid for via a fixed allowance or simply be part of the expectations for certain posts? What alternatives should be considered and why?
- 2.50 Should the overtime regulations for officers and staff be brought into line? To what extent would a police officer 'x-factor' payment require a difference in approach for officers and staff?
- 2.51 Why do certain ranks and pay points for staff attract paid overtime, whereas others do not? Should this remain, or change, and why?
- 2.52 What evidence is there that the inability to claim paid overtime above the rank of sergeant, or above a certain pay point for police staff (above pay point 25 for forces that use the Police Staff Council's handbook), reduces the attractiveness of promotion?
- 2.53 How should any changes be phased in to ensure fairness to police officers and staff?
- 2.54 Should the proposed payment of an additional 10% of basic pay for federated officers working unsocial hours be reviewed for the long-term? What factors should be considered in determining the long-term amount?
- 2.55 Should police officers and staff be compensated for working unsocial hours in the same manner? Please explain any differences needed.
- 2.56 Does the present system of mutual aid and the length of secondments allow for the most efficient use of shared expertise across forces or with the national policing bodies? If not, how should these be reformed for the future?
- 2.57 In examining the idea of role based pay for police officers and staff, what are the implications for the protected characteristics specified in the Equality Act 2010 and what could be done to mitigate these?

(3) Entry routes for officers

- 3.1 Should there be a minimum level of academic qualifications as a requirement for application to the police service? If so, at what level should this be? What would be the advantages and disadvantages of such a regime, particularly in connection with the encouragement of diversity in recruitment?
- 3.2 How should the police service attract the brightest and best candidates? To what extent does the police service, nationally or locally, market itself to school leavers and graduates? Does the lack of an external facing graduate / high-potential scheme hinder or support attracting the brightest and best candidates?
- 3.3 If required, how should any fast-track scheme be operated, and should it be administered nationally or by each force?

- 3.4 To what extent does the High-Potential Development Scheme attract and identify the potential leadership of the police service? What data are there to evidence this?
- 3.5 Should officers be expected or required to serve at each rank, or should a more formal system of skipping a rank, or ranks, be introduced? If so, how?

Direct or multi-point entry

- 3.6 What is the problem with the existing system that would justify the introduction of a system of direct or multi-point entry?
- 3.7 What would direct entry officers bring to the police service that police staff cannot?
- 3.8 How could direct or multi-point entry be implemented, especially in the non-metropolitan forces?
- 3.9 Is it possible to learn discretion and judgment in policing matters through training rather than experience, or a short, specified period on the frontline?
- 3.10 What kind of training would be required to mitigate risks, on command issues in particular? Should direct entrant candidates be required, during their training, to demonstrate abilities which are at least as strong as officers who are promoted from lower ranks? If so, how might this be done?
- 3.11 What would be the costs of establishing such a system and who should be responsible for funding?
- 3.12 If a direct entry scheme were to be introduced, which rank or ranks would be the most appropriate for entry? Should there be any constraints on the ranks at which officers could be brought in?
- 3.13 In examining entry routes for police officers, what are the implications for the protected characteristics specified in the Equality Act 2010 and what could be done to mitigate these?

(4) Officer career length and pension age

- 4.1 During consultation for the Part 1 report, we learned that some police officers would welcome a formal opportunity to end their service before the end of their engagement providing there was no financial impediment. Should there be a facility to do this?
- 4.2 Should a system of shorter commissions be introduced? How could this work?
- 4.3 If shorter commissions were to be introduced, what should be the length of the initial commission and subsequent commissions? Should promotion effect this in any way and should the length of commissions be the same for each rank?
- 4.4 What changes would be necessary in terms of management capability, workforce planning, support for officers, and pension arrangements for a system of shorter commissions to be successful?
- 4.5 How should any new system of shorter commissions be introduced and phased in?

- 4.6 What should be the normal retirement age for officers in the future? What evidence is there to justify police officers having a lower normal retirement age than the rest of the public sector? What evidence is there to justify police officers having a normal retirement age similar to the armed services and the fire service?
- 4.7 What are the benefits and disadvantages with the present system of restricted duties? How might it be reformed?
- 4.8 What duty of care does a force have when an officer is (a) injured in the course of duty, or (b) subject to long-term illness or injury unrelated to work? Should they be treated differently, and how?
- 4.9 What difference is there between those officers on restricted duties unable to fulfil the duties of a constable and a member of police staff? Should they retain the office of constable and/or any police officer related 'x-factor' payment in such circumstances where they cannot carry out the full range of duties?
- 4.10 Given the wide range of possible restrictions, at what point does a restricted officer reduce the resilience of a police force, for instance 50 or 75% of the duties of a constable?
- 4.11 As discussed in Part 1, should there be a mechanism for transferring restricted duties officers to police staff terms and conditions? How would this be phased given the likelihood of higher officer salary and how should the pension be treated?
- 4.12 Does ill-health retirement need reform? If so, how?
- 4.13 Should the length of service be the sole focus of ill-health retirement under the Police Pension Scheme 1987 or should other factors such as the severity of an officer's disability be considered? If so, how?
- 4.14 How should any new system of restricted duties and ill-health management be introduced and phased in?
- 4.15 In examining the career length and pension system for police officers, what are the implications for the protected characteristics specified in the Equality Act 2010 and what could be done to mitigate these?

(5) Pay negotiating machinery

Police officers

- 5.1 How should police officer pay be determined to ensure it is fair to officers, management, and the public?
- 5.2 What are the advantages and disadvantages of the current system?
- 5.3 Should the present Police Negotiating Board remain, be reformed, or be replaced?
- 5.4 Should the present Police Arbitration Tribunal remain, be reformed, or be replaced?
- 5.5 Should the present Police Advisory Board of England and Wales remain, be reformed, or be replaced?

- 5.6 How should the corresponding systems in Scotland and Northern Ireland relate to the negotiation of police officer pay and conditions in England and Wales?
- 5.7 Should police officer pay be negotiated at a national, regional, or local level?
- 5.8 What role should Police and Crime Commissioners have in determining or negotiating police officer pay and conditions?
- 5.9 What role should the Government have in determining or negotiating police officer pay and conditions?
- 5.10 Should the pay and conditions of senior officers be determined separately from the lower ranks? If so, how?
- 5.11 How should any new system be introduced and phased in?

Police staff

- 5.12 How should police staff pay be determined to ensure it is fair to police staff, management, and the public?
- 5.13 ACPO, in their submission to Part 1, stated that there should be “consideration for the removal of the right to strike for certain police roles”.⁴ Should this be the case?
- 5.14 Should the present Police Staff Council remain, be reformed, or be replaced? Similarly, should the existing arrangements in those forces who negotiate outside the PSC framework remain, be reformed, or be replaced?
- 5.15 Should the current system whereby individual forces can locally negotiate police staff pay and conditions remain, be reformed or be replaced?
- 5.16 Should police staff pay be negotiated at a national, regional, or local level?
- 5.17 How should the corresponding systems in Scotland and Northern Ireland relate to the negotiation of police staff pay and conditions in England and Wales?
- 5.18 What role should Police and Crime Commissioners have in determining or negotiating police staff pay and conditions?
- 5.19 What role should the Government have in determining or negotiating police staff pay and conditions?
- 5.20 How should any new system for police staff be introduced and phased in?
- 5.21 Should a single negotiating body be established to determine or negotiate both police officer and police staff pay? If so, please explain how it should work and how it should be phased in.

⁴ ACPO submission: *Independent review of police officer and staff remuneration and conditions*, Association of Chief Police Officers, 29 October 2010. <http://www.review.police.uk/documents/police-remun-and-conditions/call-for-evidence-responses/acpo-response2835.pdf?view=Binary>

5. How to respond to the consultation

- 5.1 The longer timescales of Part 2 allow a full 12-week consultation period. A wide range of organisations and individuals have been specifically invited to participate in this call for evidence, and to comment on the issues raised and respond to the questions set out in this document. However, the review is open to representations from everyone.
- 5.2 As stated in the introduction, it is important that submissions made in this review are fully reasoned. Submissions without reasons may carry little if any weight, since the absence of coherent reasons may well imply that reasons of that quality do not exist. Similarly, if there is evidence which supports or otherwise has a bearing on what is being said, it should be provided or adequately referred to.
- 5.3 Consultees should send submissions to contact@policereview.gsi.gov.uk and also the postal address:

The Independent Police Pay Review Secretariat
5th Floor, Globe House
89 Ecclestone Square
Victoria
London SW1V 1PN

- 5.4 All responses should be received by **12 September 2011**. Earlier submissions will of course be welcome. As in Part 1, all written submissions to the review will be published on the review's website, and may be quoted from or summarised in the report. It is important that the deadline for submissions is adhered to, so that the review may consider fully the submissions which have been made and there is time for oral evidence sessions and other dialogue with consultees, to discuss their submissions and the submissions which have been received from others. Consultees are encouraged proactively to make further submissions as soon as possible after they have seen what has been said by others.
- 5.5 During the consultation period, the review will usually be available to meet with consultees as they develop their submissions. The review wishes to encourage an open and iterative process in the development of submissions, and will proactively engage with some of the principal representative bodies and others.

Equality considerations

- 5.6 Please ensure that when answering the questions, you provide your assessment of **the implications for the protected characteristics specified in the Equality Act 2010 and what could be done to mitigate these**. These views will inform an Equality Impact Assessment which will be published alongside the review's final report in January 2012. The protected characteristics are:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race – includes ethnic or national origins, colour or nationality
- Religion or belief – includes lack of belief
- Sex
- Sexual orientation