

**Wednesday, 10 November 2010**

Review of remuneration and conditions of service for  
police

officers and staff: seminar on exit routes and pensions

Globe House, 89 Eccleston Square, London SW1V 1PN

Independent Reviewer: Tom Winsor

Chair: Ted Crew

Attendees:

Umar Hussain, *Director of Finance, South Wales Police*

Ann Williams, *Nottinghamshire Police*

Joanna Carter, *Chief Finance Officer, North Yorkshire  
Police*

Deputy Chief Constable John Feavyour, *Cambridgeshire  
Police*

Colin Matthews, *HR Merseyside*

Chief Superintendent Jo Shiner, *HR, Norfolk Police*

Terri Teasdale, *Director of Resources, Thames Valley  
Police*

Graham Smith, *Director of HR, Dorset Police*

Steve Corkerton, *HMIC*

Graham Cassidy, *National Deputy Secretary,  
Superintendents Association*

Ian Rennie, *General Secretary, Police Federation*

Raj Jethwa, *Police Federation*

Mick Williams, *KPMG*

Anthony Gibbons, *APA*

Shabir Hussain, *CPOSA*

Sarah Hughes, *Workforce Change Manager, NPIA*

Stephen Finer, *Police Pensions and Retirement Policy, Home Office*

Sara Alderman, *Police Pensions and Retirement Policy, Home Office*

Phil Spracklan, *HM Treasury*

Tony Thomas, *HM Treasury*

Clea Holmes, *HR Business Partner, Hertfordshire Police*

Alan Johnson, *APA*

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**(1.00 pm)**

### **Introduction**

**MR CREW:** I am Ted Crew for those of you who don't know me. Some of you saw me yesterday and some know me from other occasions but for those who don't that is me. I am going to chair the event this afternoon and, as you know, Tom Winsor is the lead reviewer on this and will be the author of the report and Tom is just going to say a few opening words before we kick off into the detail.

**MR WINSOR:** Thank you, Ted. Those of you who were with us yesterday have heard this but for those who weren't thank you very much indeed for coming. The Home Secretary has asked us to carry out a root and branch nothing ruled out review of the terms and conditions of police officers and police staff. If the objective of that review were merely to cut the pay bill, then that was something that the Home Office and the Treasury could have done by themselves.

What we are about is coming up with a system of pay and reward for police officers and police staff which is going to endure for far longer than the present financial trouble that the country is in.

That is no easy task. The system of police pay in particular -- police staff pay of course has a very different genesis and evolution -- is a mess and we are about producing something that is coherent, rational and rewards people properly for the work that they do and, therefore, we are invited to make recommendations which if necessary will dissolve anything and everything about police pay and police staff pay.

Now, my objective is to come up, as I said, with

something that is coherent and is above all fair and enduring, but we are also have to cut our coat according to our cloth. And the fact is the country is in a financial mess and, therefore, we have to come up with something that is affordable within that overall context. But it is not a cuts agenda. It is something that is going to last.

We will publish the transcript on our website. We are committed to a demonstrably transparent and open process in this and frankly, it is undoubtedly not in anyone's interests to hold back because this could be a once in a generation opportunity for the system of police pay and police staff pay and conditions to be reformed for the better. That is what we are about.

**MR CREW:** Thank you, Tom.

Today we want to focus specifically on exit routes from the service. Are the exit routes currently available sufficient? Do managers have enough freedoms? Do those subjects going through those exit routes have enough freedoms, enough opportunities, enough reward, enough recognition? Are there opportunities to deal with ill-health, restricted duties properly or are there constraints

around that that need to be attended to? Are there issues around contracts that might be worth looking at? Are there issues around redundancy that might conflict with the officer/constable issue if we were going to get into those?

Are there difficulties, and we are currently seeing some chief officers go down this route, with A19 being used for officers with over 30 years' service? And are there issues about officers who resign or retire and then come back and continue with full-time roles as member of support staff?

So there is a whole package of issues here and I have not tried to separate them out and they are not in any particular order there, just really lump them together so that we start to give some thought to it.

One of the issues that has come up very strongly, and I only say this to get the discussion going, and it may be you want to take the discussion in a totally different way, but one of the issues that has come up very strongly to us, particularly from front line officers, is a feeling amongst some, how reflective this is of the majority we clearly don't know, a feeling that in restricted duties or the

restricted duties arrangements can be used and indeed are used by people that want to malingering. So perhaps that is a good starting point: whether that perception that we are getting from people is one that is felt around this table, one that isn't and if it is what we might do about it.

### **Restricted Duties**

**MR CREW:** Who wants to fire? Terri, you laughed.

**MS TEASDALE:** I did, yes. It is down to management I think to use restricted duties properly. I think there is a role for them but I do think, and you can see it in evidence and individuals, there are people that get 20 years into their service and are perhaps feeling tired, a bit demotivated, a bit burnt out and looking to move away from shifts and look for reasons to go to occupational health and try and get on some sort of restricted duties which is more convenient for people at that age group and not wanting to do certain jobs and so on.

So I think it is difficult to police it properly and stop the malingers. Probably "malingers" is too strong a word actually because I think most people getting to that sort of age group will probably

find that actually some of the demands of being a police constable on 24/7 is too much. I think there are issues around that.

There are lots of other things about restricted duties, about how much a force can sustain, and also about the fact that it is very very good for people that are injured on duty that have their career cut short and really want to continue to contribute. So there are lots of good things about it but there are difficulties with it as well.

One of the difficulties I think is how much a force can sustain in terms of the numbers or percentage of officers because you have restricted duties. You also have recuperative duties. The former being permanent by nature usually and recuperative being short term. But in my force at the moment the two together are about 9 per cent of the workforce. It doesn't fall naturally across all units and issues evenly. In one BCU<sup>1</sup> we have about 8 per cent of the operational workforce, either recuperative or restricted, and that creates difficulties of course.

I think there is a role for it but I think it needs to

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<sup>1</sup> Basic Command Unit

be policed very very strongly.

**MR CORKERTON:** I agree wholeheartedly with everything Terri said. One point I would just like to emphasise is I think there is a distinction in the police service of the nature of the work we do between people who are injured on duty in the execution of duty, and I use the "in the execution" phrase very carefully, to other people who suffer ill-health or other illnesses which clearly affect their ability to discharge the full job, but at the moment the two tend to be bound in together and I personally think there is a difference in duty between those to situations.

**MR CREW:** I am not sure if there is a definition of execution of duty. You say you make a distinction. Would you like to give us a definition.

**MR CORKERTON:** There was one that I applied when I was in force. Execution of duty is actually carrying out policing duties. On duty is actually a much broader term which is the moment an officer steps over the threshold of their front door on their way into work. So if they slip on their own path going out to the street they are on duty and they have an injury on duty. Clearly not in the execution of

duty where somebody is stabbed or shot or attacked.

**MR FEAVYOUR:** I would like to comment on what Steve has just said and something that Terri has said.

I agree entirely with the need for a distinction between, if you like, an officer who is assaulted whilst trying to make an arrest and sustains some kind of injury, as a result of which he or she is precluded from doing the job which they signed up to do.

I believe extraordinarily passionately that officers have to put themselves in harm's way to do the job that they swore an oath to do when they joined up in the first place, and there is no escaping that. And I think we fail those officers if we don't provide some kind of provision to support them if as a consequence of that they find themselves in difficult circumstances.

But I share Steve's view that that is entirely different to somebody who happens to get injured by, and it may not be their own fault, there may be a whole raft of other rationale, but actually in any other occupation anywhere else in the country people have slips and trips and falls and things happen as part of any other employment arrangement.

And it seems to me, if you were able to distinguish between the two. At the ends of the spectrum that is easy and it gets a bit more difficult at the joining, I accept that, but if you are able to distinguish between the two I think that would be helpful.

I would like to comment on something Terri said around the use of restricted duties and I take a slightly different view insofar as what might motivate some colleagues to seek to stay within an environment where they are on restricted or recuperative duties as opposed to go somewhere else. This goes to the broader package, I think, of remuneration. Where we have a situation where, certainly from a police officer perspective and certainly from my own perspective when I joined up I didn't need to give any thought to my pension arrangements, to my pay arrangements or anything. It was all: sign here and 11 per cent will go out and that is fine and you don't need to worry about that any more.

So as a consequence I find myself when I get up to 20 years service, and a number of colleagues have said the same to me, where you feel as though you don't have another exit route. You started off,

Ted, by talking about, what are the exit routes?  
And there aren't any other than through formal  
medical ill-health retirement or, if that isn't an  
option for you, you may find yourself almost  
levered in to having to say to the organisation:  
I have to stay because I have no other way out.

And I would certainly welcome, and my numbers aren't  
dissimilar to yours in terms of percentage staff we  
have on restricted duties, I would certainly  
welcome having some other options to be able to say  
to people: you are well trained. You are highly  
valued. It just happens that you can no longer do  
what we asked you to do in the past but we would  
like to keep you. We would like to keep that  
skill, that knowledge within the organisation but  
to do that we need a different route.

**MR CREW:** Thanks for that. I think that is an area we  
will want to explore during the course of the  
afternoon. Can we just keep focusing at the moment  
on restricted duties because you have made  
a distinction, Steve, and yourself, John, between  
the execution of duty and other sicknesses, other  
illnesses that cause restricted duty. Do you have  
thoughts about how you would make that distinction

in practice? What would be the impact? What would be the difference? Somebody who sadly had an illness such as arthritis or something which was getting progressively worse. There was no evidence it was caused by execution of duty. How would you deal with that? I just quote that as an example obviously.

**MR FEAVYOUR:** In the example that you have just quoted that for me falls very clearly into one of those unfortunate, and I don't mean to be nasty in this comment, but that is life and that happens, and I am very sorry about that but I don't think you can rely on the kind of support that I would like to see in terms of the support which I would expect to be applied in the case of an officer who frankly was assaulted or knifed or shot or God forbid anything of that sort of nature.

**MR CREW:** Would you like to come back to that?

**MR CORKERTON:** Yes. To expand on that certainly I would see that we can accommodate those people inside the policing family. We are a big enough employer with enough variety of activities to be able to find usually a suitable role that meets their skills and restrictions.

**MR CREW:** Within the police staff room.

**MR CORKERTON:** Yes, within the police family which may be a job occupied typically by a police staff member. The issue then comes: do we continue to pay them for the rest of their career in their substantive rank or is there a transition process to morph them across in a reasonable way? Because that becomes the issue. You can find a job for them but actually you may be paying twice the salary and the cost for 20 years.

**MR CREW:** That is the question. Answer the question.

**MR CORKERTON:** I would come up with a transitional arrangement. If you are asking, what might that look like? Perhaps two years on a graduated reduction of salary. So it is not an overnight fall, but it is a period of time where you find a role that they can do and you reduce their salary to hip. Another route, you red circle them and protect their salary but potentially you are carrying a large cost before pay inflation catches it up.

**MR CREW:** Any other observations on that?

**MR CASSIDY:** I would like to draw us back a little bit because I am a little bit worried that your

anecdotal evidence that sort of come to the fore initially about this being a big problem might be skewing your view.

**MR CREW:** That is why I want to explore it because people have raised it with us.

**MR CASSIDY:** I would say a few things about it. We have procedures in the service for dealing with restricted duties at the moment. We have procedures for dealing with ill-health retirements, injuries on duty. None of those have come about by accident. They have been negotiated and agreed, and our view is that overall they work well. The number of malingering officers, there are some out there, but they are very very few and far between. Thankfully in terms of our own members they are rarely subject to ill-health retirements and so that is a good thing to note. But in terms of those that increasingly are across the board it is mainly Federated officers and it is worth remembering that they play a more dangerous job than some of other members.

**MR CREW:** Sure.

**MR CASSIDY:** So I would not want to rush to a conclusion here that what is currently in

existence is wrong.

**MR CREW:** I hear that. And I don't think we are going to rush to do anything. Any other observations?

**MR SMITH:** It is important in terms of restricted duties just to see the link through to ill-health retirement procedures as well. One of the reasons why we have the numbers of officers that we do on restricted duties is because of the fundamental design around the ill-health retirement procedures which is to retain officers in employment to avoid overall cost to the public purse.

So that is why we have some of the numbers that we have, but the difficulty that a lot of forces are facing at the moment is with reducing staff numbers. What you ultimately wind up with is an issue of how far can you go in terms of resilience, in terms of keeping individuals who can't perform the full role? I think it is that intrinsic link that needs to be looked at. You could deal with restricted officer numbers quite easily if the emphasis around ill-health retirement was to immediately push people out through the doors if they weren't capable of performing the full duties of an officer.

**MR CREW:** Jo, you were nodding.

**MS SHINER:** I think the operational tolerance is very very important indeed because depending on the size of the force of course that can actually provide real challenges. I think also there needs to be some work done with the medical profession around this because actually we have seen many examples where officers can persuade their GP and in some cases the SMP to put on a piece of paper whatever they would like depending on the job which they would like and it is incredibly difficult with medical confidentiality to influence that. And so I think also that's a real hurdle when it comes to any changes that are made, actually influencing those things.

I think it is also important to make a real difference between short, medium and long-term restricted officers and exactly what they are and making sure that there are systems and processes in place to deal with those three delineations very differently and with people who are expert in dealing and managing with those people to make sure that the malingers do actually get addressed under performance procedures, which we can do, as well as

getting them back to work.

**MR CREW:** And a very specific question: should restricted duties be time limited? Because, as I understand it, they are not at the moment.

**MS SHINER:** Ours are. We have time limits on whether you are short, medium or long-term. Depending on whether you are short, medium or long-term you get dealt with differently but still appropriately.

**MR CREW:** And they are specific periods are they?

**MS SHINER:** Yes.

**MR CREW:** Is that general or ..?

**MS TEASDALE:** No, we do it slightly differently and we think restricted duties should be reviewed regularly to make sure the restriction still applies and also to make sure that the person is doing a useful job for the organisation.

I agree with Steve: there is an issue about payment and all the rest of it, and we can talk about that later, but if they are doing a useful job and they have the skills and experience to do it -- I can think of a classic one of a surveillance officer who lost a leg on duty doing surveillance. He has a job in the economic crime unit. He is restricted because he can't go out on the streets and do

certain things, he cannot do his old role, but he is performing a very useful role that would otherwise still be done in the organisation. So that is worth keeping. He is well respected in the organisation for his ability and for him he would be kept for his 30 years which is probably another ten from where we are now and that will be money well worth spent.

There will be others where it is quite difficult to find a role for them and what we are finding when we are reviewing it from a force level there are people that jobs have been made up for and that becomes difficult to sustain for any length of time. So there is a difference I think.

**MR CREW:** Are the majority of these people on restricted duties freeing up fully fit officers?

**MS TEASDALE:** In some cases, yes.

**MR CREW:** Umar is shaking his head and you are saying in some cases.

**MS TEASDALE:** In some cases, but what we have done over the years, and most forces have I think, is to make sure we have most fully fitter officers out on the front line anyway. So to some extent they are either filling a supernumerary post in an internal

unit or they are filling a post that perhaps a police staff member would otherwise do, which is a bit of an issue, or whatever, but generally speaking they are not freeing up for fully fit officers.

**MR U HUSSAIN:** I think it is helpful to look at extreme sometimes to understand the picture. If you look at the economic case for an officer who has been injured on duty, is permanently restricted at five years of service the economic case is very powerful to make some alteration to that officer's role and responsibilities because it is very expensive at 25 years to maintain at that level.

The other extreme is on performance. If you have such a draconian process officers, being a contact sport, become risk averse and do not put themselves in harm's way. What does that do to performance? What does that do to intervention? What does it do to their engagement with the full role of policing? So whatever the alternative solution is it has to marry both of those cases up.

The more the forces can do themselves in terms of proper risk assessment, and we have actually tackled this ourselves now, where some officers

were restricted and couldn't do certain areas of police activities. Whereas when you actually define their role more acutely you then find that the level of skills they need to deploy to a particular incident is well manageable within their restrictions. So there is potential to deploy more people in a more restricted way, if you like, getting more out of the investment that has been put into them. So there is a halfway house in that process.

**MR WILLIAMS:** I have a number of themes I would just like to pick up on.

First of all, in terms of the medical aspects of this, I believe there is an absence of objective and justifiable tests of what an individual is expected to do. Clearly there are certain guidelines but I am unaware of the series of tests of what makes somebody available for full duties or not. And if they do exist there may be a patchwork of them throughout the police service. It seems to me that is something that would need to be addressed to determine precisely what an officer is expected to do and not expected to do, and for that matter a member of police staff, depending on what those

duties are.

Turning to some of the organisational aspects of this and there are a couple of things that I think there is an impact here. First of all, I think the interesting thing from an organisational point of view is that there seems to have become a self-levelling place where there is a percentage of officers on restricted duties, and we talk about 9 per cent, 8 per cent in different years. That actually is unrestricted, if you will pardon the play on words, because it is determined by the number of officers that step forward and the number of things that happen to them.

Intuitively, there must be a point at which the critical mass of the force will be affected by those numbers. So each case is based on its merits, but an accumulation of those cases leaves the force at a point where it could be impaired operationally.

Let us cite, for example, in a different way flexible working. There is an organisation of so many people. Two or three people apply to do flexible working, that is fine. Four or five apply to do it, that is fine too. If the next 20 do there is

a point at which the organisation can't stand that and yet the case of the 20th applicant may be just as strong as the case of the first five. What there seems to be is an absence of workforce planning and understanding of what the workforce can stand in terms of restricted duties, and it is a theme I will probably return to later when we talk about exit routes.

The other comment I would like to make, of course, is that it follows that the more officers there are on restricted duties that are kept within staff there has to be an impact on the number of officers recruited at the beginning of the process. If a force is to be refreshed, and because at the moment the current rules are that you only recruit from the bottom, there is no lateral recruiting, then whatever critical mass there is in terms of staying determines how many people come through. So the more officers that are retained on restricted duties it follows that there is a link to the number of people that you can bring in at the bottom of the organisation.

If one puts that in the context of workforce planning of determining where the force wants to be and how

it wants to shape and what composition it wishes to have down the line, at the moment forces I think have limited number of levers to pull and one of the levers that is outside of their control is the number of officers that are granted restricted duties.

I am sorry if that is rather convoluted but I think the point I am making is that we have individual circumstances that impact the organisation almost out of control and 8 per cent happens to be the figure it seems to have settled on. If that goes to 20, then what? If that goes to 30, at what point does operational impact become adversely influenced?

**MR SMITH:** Just to pick up on a couple of points. When the Disability Discrimination Act was extended to cover police officers one of the issues talked about in terms of the resilience of forces was how many officers could you retain on your books with a disability. To a certain extent restricted duties cover the same sort of variants and why it is really difficult to start dealing with numbers is because of the different nature of the restrictions. At one extreme you can have the

restriction of the individual who isn't able to work full rotating shifts but can perform all of the duties of a police officer.

Therefore, from an organisational perspective because of the Disability Discrimination Act implications you have to take a look at: can we accommodate somebody who can do all of the role of a police officer, full confrontation etc; however, they are just not able to work full rotating shifts because of their medical condition? It is something the service has grappled with for some time since before DDA came in to apply to the service.

The other point just briefly to make, there is a definition, there is a process that the selective medical practitioners have to go through in terms of defining what an officer is able to do. So that is standard across the service and to a certain extent that is out of our hands. That is with the selective medical practitioners, but they go through a series of questions to determine whether an officer is totally unrestricted or is restricted in certain areas.

**MS TEASDALE:** That is seven points, isn't it?

**MR SMITH:** Yes, that is right. One of the big

difficulties for us, from an operational point of view, is when you are looking at restrictions, the way the regulations are set up at the moment is you have to look for an entire career path for the officer. You cannot pick a role which we may do with a member of police staff and say, "You are restricted and because of those restrictions we apply DDA<sup>2</sup> and we come up with an alternative role for you and if relevant we grade that job differently." With a police officer we have to look at an entire career for that individual and not identifying a single job, and that creates a burden within the system.

**MR WILLIAMS:** If I may build on that though. I think that speaks to John's point earlier on about because the only option is a full career, then individual behaviours tend to reflect that. If there were break points, for example, option points at certain stages in a career, then behaviourally people may adapt themselves and say: well, okay, I'm in this position, I am on restricted duties but there is an exit point -- for want of a better phrase -- coming up. And then the force could deal

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<sup>2</sup> Disability Discrimination Act

with that individual around that point as opposed to looking at that person perhaps in the context of a full career. I understand exactly why it is done that way but it is almost done that way, I would suggest, partly because that is the only option to look at that in a career sense. So these things are very interrelated and there is a great deal of overlapping. But I am sure people's behaviours are largely driven by that desire, the need to get to 30 years almost come what may.

**MR FEAVYOUR:** The point I would just make on the end of that is not that I think it is done that way because it was designed to be done that way.

**MR WILLIAMS:** Indeed.

**MR FEAVYOUR:** I think it is done that way because by default that is where we have got to and there hasn't been the kind of review that you are engaged in now for such a long time.

So we have inherited a scheme where the office of constable was the only part of the police family and we now have a much more diverse workforce mix and this is where we find ourselves as a result of having got there by default rather than by design.

**MR CREW:** Any other issues about restricted duties?

**MR RENNIE:** Again, very interesting issues that have been raised, a large number of which are management issues of the process or a number of processes.

I think what we need to do in the first instance is separate the two, restricted and recuperative, because if somebody is on recuperative duties, they become injured or ill through work or whatever reason, and as a good employer I would expect some structured return to work programme to build them back in to performing their normal role. For me that is an issue that is a management issue and needs to be managed and I would expect that of any good employer.

We then go to the restricted. And if there is a restriction in respect of an officer not being able to perform, one would expect that at some stage that they would be referred to the force medical examiner to identify the restrictions and if they are unable to perform the full duties of a police constable up to the age of 55, there is an adequate way to deal with them and that is a police pension because that is their entitlement.

The fact is that since 2002 Home Office targets have been placed in respect of the number of people that

can have an ill-health pension. Forces have sought to achieve those targets and have met them and have then created a pool of people who cannot perform a full range of duties who would be entitled and are currently entitled to a police ill-health pension. But they can't afford to do it because of the current economic situation. We accept that.

However, I want to move over now to injury on duty, if I may, because illness on duty also comes into that because people can become ill because it is related to the duties and the role that they are performing and it is important not to lose sight of that. It is not just the people who are putting themselves in harm's way. So I accept that it needs to be taken on board that it can be an illness as well as an injury.

Graham rightly says there are processes in place to deal with performance attendance and through those processes. Again, it is a management issue with those processes. But there is an overarching piece of legislation that applies to everybody in this country and that is the Disability Discrimination Act. And I do find it quite incredible when people in this room start to talk about police officers

being treated less favourably than other people in employment that are protected by this legislation. It is extremely disappointing.

There is a duty on the organisation to make a reasonable adjustment. I appreciate that there are real difficulties but that is probably because on many occasions there is a lack of understanding of that legislation and what can be achieved through that and other police rules and regulations and processes to deal with.

There is legislation in respect of how long people will stay, and the courts have determined that somebody at 27 years should remain because they only have three years to do and for somebody who is very young in the service there might be an alternative, but the courts have made those decisions through employment tribunals because it is only the employment tribunal that can determine whether somebody has been discriminated against.

We are under the public sector duty to promote equality and I would expect consideration in respect of all that legislation before any decision is made in respect of a police officer.

But I go back to my original point. We have stored up

an issue in the police service by trying to achieve targets and there are people in the forces out there who should be medically retired. There is no doubt about that at all. But we can't afford it. But that is not a reason to look at alternative cheap ways to remove police officers who probably have given good loyal service to the public and the forces in this country. I think there is a balance to be found through managing this without bringing in or bringing in easier options to get rid of people, because I would expect police officers to be treated appropriately in the circumstances and certainly not less favourably than anybody else in employment in this country.

**MR CREW:** Thank you. Steve.

**MR CORKERTON:** We do need to be a responsible and caring employer, but just to pick up behind's Ian's point of extending injury on duty to illness on duty, I think that is a fair but I think there is a subset of that for me which is a distinction between a work related illness and a work caused illness which again for me is trying to get to things in the execution of duty and things that may be have been unfortunate for individuals and may

not be actually helped by being at work that weren't caused in the discharge of policing activities.

**MR WINSOR:** Can you give us some examples of the work related and work caused illnesses, please?

**MR CORKERTON:** Yes. The biggest one is stress where somebody is clearly ill and the confrontational aspects of the job may not be conducive to their illness but actually do we provide the same support and compensation for somebody who has come by that through the wider aspects of their life, and often it is very hard to distinguish between, is the stress originating from domestic pressures or work pressures, to someone who has clearly been highly traumatised by carrying out the duties and been exposed to a particular set of events, maybe one, maybe several, but over a career lifetime and we can identify what they are.

It is very hard stuff this, but actually it may not apply to many individuals in number but it is huge costs and the issue is: do we look after everyone in exactly the same way and guarantee that we will take on the financial burden for the rest of their career, or do we distinguish between people who

have, as John said earlier, put themselves in harm's way, who I think we owe a significant debt to, and other people who are just unfortunate -- and we could all be there -- who we still owe something to but maybe not quite the same thing?

**MR FEAVYOUR:** I want to make a couple of comments about what Ian has said. The point that Ian was making about Home Office targets have created a pool may exist elsewhere but I don't recognise it in my own force and in my eight years as a chief officer that has never been something which I have taken into account in terms of that, so there may be some difference around the country. That is the only point I make there.

The second point is in relation to the reasonable adjustment issue and I wholeheartedly endorse Ian's point that that is what we should be doing. I wish I was confident that I understood exactly how to apply that in a police officer circumstance because I don't know how I can make those reasonable adjustments for an operational cop. I do understand how I might ask that individual to do another work role within the policing family but that might not necessarily be as a police officer.

At the moment I don't know of anywhere where we have made that journey successfully and part of it, I think, is because we don't understand how to.

**MS HOLMES:** I just wanted to pick up on Ian's point about creating a pool of restricted officers and ill-health retirement and within Herts that absolutely isn't the case. We go through the whole process of considering reasonable adjustments in the first instance and only when adjustments become unreasonable and unsustainable do we then forward a case to the SMP for consideration of ill-health retirement, and I know that we regularly exceed our targets and I am sure that is going to create a big problem at some point and maybe a review of the levy that is charged to forces at the moment.

**MR CREW:** Thank you.

**MR GIBBONS:** Just some of this conversation reminds me of some of the conversation we had on the ill-health retirement complexities, dealing with that and we start getting into problems of apportionment of percentages and causation of injuries and what have you. It seems to me that it is an area that is rife for litigation and complexity and confusion as to that causation

issue.

Just thinking back to whether you are injured in the course of duty or execution of duty or being injured when you are running down a corridor on your way to the next urgent job, for example, inside a police station, is that injured in the execution of your duty or is that something lesser rather than being assaulted for example?

So the alternative is really just to look at the outcome of whatever the cause was on duty, possibly, which is: you are injured, you are unfit for duty and that should be your starting point irrespective of what the sickness test up to that, taking into account some of the comments, including Steve's, in terms of trying to make that distinction between injured in the execution of duty or things that are seemingly unique to policing, particularly being assaulted or that type of thing.

So I guess my point is that you could actually start the assessment process in terms of you are injured or you are unfit for duty and there is causation. It is actually so complicated that you almost have to ignore it, but just to put it out there as a

suggestion.

**MS TEASDALE:** I was just going to pick up on what Steve said about injuries on duty through the execution of duty or stress caused by the nature of policing ie post-traumatic stress disorder and whatever and just linking that to some of the complexities around the sorts of people we have long-term sick that might end up on medical retirement and the sort of people we have on restricted duties.

It is interesting to note in my force at the moment, for example, of the restricted duties 60 per cent are with muscular skeletal injuries so a limb or whatever, and only 23 per cent with psychological problems. Looking at the long-term sick list it is the reverse. It is about 45 per cent with psychological disturbances and only about 20 per cent muscular skeletal.

So the two are interlinked and really it is about how you deal with some of those very difficult stress cases where actually it is all about motivation of the individual. Motivation of the individual if they want to come back to work and we can accommodate them with reasonable adjustments and all the rest of it, but if they don't, they don't

want to for whatever reason, and I can think of one this week that went off with a medical pension, only six years service. Clearly looking at his career before he ever joined the police service he clearly wasn't suited for the job, didn't enjoy it, found himself stressed out. He has got a medical pension because it is the right thing to do financially and everything else and right for him. But actually if you sit as a member of the public thinking about it, why did he not resign and find himself another job? And it is nothing to do with the job itself of why he was stressed out. It is just that he didn't enjoy it, wasn't suited to him and so on.

I know that is anecdotal but I think there are lots of cases in the stress area that are really quite difficult. Lots of them people are ill. There is no question about that but how it has occurred and why it has occurred and whether the route out is resignation as opposed to medical retirement is another issue.

**MR CREW:** Thank you.

**MS HUGHES:** From some of the research that we have done and the work that we have done nationally in

the area of restricted duties and in our work in holding the Home Office's policy around how it manages absence, a lot of what we are talking about here today is actually coming down to management. A sort of top down approach to managing this tends to provide us with policy and a process, but the issues are that forces have tens, dozens, hundreds maybe of individual cases to manage completely individually. The things that are outside of their control are that police regulation is set in stone. The DDA is out of the control of the police service. We have to work with it. The fact that we have fair pay legislation and we have, as has been raised before, broadened out the policing family, all of those things are out of our control and the only thing that is actually in our control is how we manage it. And I think there is a case on the softer side and the simpler side listening to the language and the way we approach this work in terms of what the strategy is for the police service. It is very much based in restriction and what people can't do and in terms of looking at this as a management problem and how forces actually overcome their understanding of reasonable

adjustments, disability discrimination, what they can do and what they can't do in terms of underperformance and regulation might be to really start thinking and talking about what people can do.

I know that is a very obvious thing to say given what we know about approaches to health, well-being and public policy as regards the fit note culture and everything else but I think it might tie into what has been said about understanding how you make a reasonable adjustment to the role of constable given that an officer is not actually in a job, they are in a role and they can be posted into various different places, and trying to understand what that is and apply legislation is quite difficult. And it might be a starting place to start thinking about what people can do, making adjustments to operational roles rather than pulling the police officers away and putting them in something that is non-shift pattern, is desk based et cetera.

I think the story about malingers actually comes from the fact that if you are restricted, and particularly long-term restricted, you tend to be

earning all your shift allowances and everything else but you are probably doing a 9 to 5 job in an office, and after a long period of time I think people come to rely on that in their home life balance and it becomes then very very difficult to accept the fact that they might have to go and dust down the uniform and return to 24/7 shift work again.

**MS CARTER:** Terri gave the example of the officer, and I know that the discussion has been around officers. To give the contrasting position for police staff in a similar situation: a PCSO who is stressed, not to do with work, who is unable to attend, can no longer deal with members of the public and is not DDA, he is not permanently incapacitated, therefore entitled to a pension, would be, certainly in our force, dismissed. We may look to see if there are alternative redeployment options but especially in the environment we are in at the moment they would not be functioning in the role that they were employed to do and the way out for them would be dismissal. I just put that in as a contrast. Not to necessarily say that should be the solution.

**MR RENNIE:** Can I just comment on something that was just said which is actually the answer to the problem. When people have these issues, restrictions we shouldn't be looking at what they can't do. We should be looking at what they can do, and I think the example was given about shifts. We have an officer who can perform a full range of shifts but cannot work the rotating shift pattern. What can they do? We don't put them on a rotating shift. We put them on a shift pattern where they can still perform operational policing as and when we need them. It is just looking at it from a different perspective. Not what people can't do. What can they do? And then let us get them doing it so they can continue to make a contribution. And we get the most out of people. Therefore, we keep them motivated and they are delivering for the service. I just think that is the answer that we need to ...

**MR CREW:** Can I just about the distinction we had about the PCSO whether that would be true in other forces as well, whether police staff would be dealt differently from police officers.

**MR RENNIE:** I think you are absolutely right there,

Ted. I think there is a difference that they are employees and police officers are not employees.

**MR CREW:** I understand that.

**MS TEASDALE:** I just wanted to come back on what Ian said. Actually you are absolutely right, but that is what does happen. It is the FMO that goes through the Home Office checklist about: can they do A,B,C D,E and F? And he confirms what they can do and what they can't. So he tells us what they can't do and then it comes to the line manager to look at: now with that restriction that he has identified, the FMO, what job can we find this person to do? It does happen in that way I am sure in all forces, certainly in mine. I can see a few nods around the table as well.

**MR S HUSSAIN:** I wanted just to add to what Ian said because, and I will speak not as a CPOSA rep because I was a chief officer once. If they were restricted and they couldn't do shift work they were posted on a permanent late turn. That is when I had a shortage of people. In the case of objections, I would seek medical advice. What I discovered from that is there is a managerial leadership assumption that no shift work means 9 to

5. That is never the case.

So with permanent late turn it kept people's focus going and also they could stay with their own team and that is when we have the greatest demand.

One interesting story, someone had a medical report saying they were allergic to sunlight, so I proposed permanent night duty with a variable night duty as the winter approached they would have to work longer hours to compensate for the shorter hours of summer. They soon had a miraculous recovery. So I think there are imaginative ways to respond to that.

**MS SHINER:** I think you are absolutely right that it is about managing the medics and really pinning down: when you say they can't do that, what exactly does that mean?

I think the other thing is we need to be careful about the terms that we are using because actually to me this is about overall effective strength. What is the effective strength that you need in a force? Because you can, and we do absolutely deal with what they can do and what they can't do and actually if we have 10 per cent of our force who are actually restricted, they still count towards

our operational effective strength because they are in jobs which otherwise there would be an operational front line police officer but we have made the DDA adjustments or whatever is appropriate to the case.

But there still comes a point at which if you have enough people that can't work shifts, you can't put the people out on the front line. So it still comes down to those tolerance levels whatever adjustments you make.

**MR CREW:** I just want to wind this up, John, but if you would like to ...

**MR FEAVYOUR:** Yes, thank you very much. I want to make a linkage between a point that Sarah made and a point that Ian made because what I heard Sarah say was, and I am going to use my words and paraphrase: we're stuck with some of the provisions that are out there and we have to try and work with them. I didn't interpret that as an unwillingness to want to work within legislation. I interpreted it as sometimes they don't mesh actually and that is the challenge that we get. And whilst Ian says yes, we can and we do identify what colleagues can do, as a chief officer the whole reason for the way in

which police regulation was set up is to give the chief constable the ability to move people around at a moment's notice to deal with the risk and harm and threat that we need to deal with right now.

And every time we constrict that that restricts the organisation's ability to be flexible.

And so for me if we get some new terms and conditions that create flexibility and not into a binary solution, that is just not going to work. We need some flexibility across the piece, it seems to me, in order to be able to deploy people according to their skills and abilities and experience, and we don't have it in the current regulations.

### **Ill-health Retirements**

**MR CREW:** Let us move on then from there into I think it conveniently moves on to ill-health retirement, and again, I don't want to dwell a great deal on it but I may be holding myself a hostage to fortune because it may be for other people a major issue.

Where do we sit now with ill-health retirement?

Clearly there has been some impact by these targets on some people if not on all. But there are issues around ill-health retirements tied up with this

issue that we have just been talking about.

**MS ALDERMAN:** I am part of the team that works on the police pensions policy. I thought it might be useful just to try and explain because Clea mentioned something about the charge that forces have to pay when they ill-health retire someone. This is something that came about as a result of some changes to the financing of police pensions in 2006. When police authorities choose to ill-health retire someone they pay a charge of twice the officer's annual salary into the pension account. Because of these charges, the standard contribution rate that police authorities pay is reduced [from what it would be if there were no such one off charges and the cost of ill-health retirements were paid for out of the overall employer contributions].

So I suppose that's one of the things that some people might describe as the driver [for reducing ill health retirements]. There were targets that I think were possibly -- I am sure Steve will correct me, if I am not quite right -- were in some HMIC documents before but they ended in 2005/6.

**MR CREW:** So there are no targets now. Sorry, could

you just go through that first bit again because I confess I didn't understand it. But that is probably me not you. So try me again, please.

**MS ALDERMAN:** Okay. Police authorities have to pay employer contributions for [the pension of] every police officer. Now, these employer contributions are set at a rate determined by the actuaries and the actuaries have set that rate currently at 25.5 per cent [of each police officer's salary].

**MS ALDERMAN:** The actuaries set a rate which is the full cost but police authorities pay a reduced rate because when they ill-health retire someone they instead pay a charge, so that they manage their ill-health retirements.

**MR U HUSSAIN:** Can I help. We make a capital contribution for the early retirement of the officer over and above the 24.6 per cent I think we pay as an ongoing employer's contribution into the pension fund.

But I was aware of checking the fact that we don't increase the number of ill-health retirements and put the burden on the Home Office because the Home Office now effectively picks up the ongoing pension costs of officers' retirements.

**MR CREW:** That was your point earlier on.

**MR RENNIE:** Yes. They have to pay twice the officer's salary as a lump sum to the Home Office if they ill-health retire. So we are achieving a target because there is a pool being created because the finances are such that they cannot afford to make that contribution.

**MR CORKERTON:** I think what this conversation shows to me is what I have been part of for some years in the police service, is we don't actually know what the full cost is. Whilst that is somewhat unsavoury because we are looking at people who are ill or incapacitated, I think because people don't understand what the full cost is whilst the numbers are not huge the costs are absolutely massive when you look at the cost of making some of these decisions even at an individual level. It is hundreds of thousands or even more in terms of the length of the payment into the future.

For me, I come back to, I think there is a difference between people who are injured carrying out policing duties who we should give every possible support to and full compensation and people who become sick from other sets of circumstances who

have a certain level of support but not the same. I think the public would have a different view in those two cases.

**MS TEASDALE:** Just picking up about these targets and the history of all that because I think it needs to be put in perspective.

Certainly I have been in the police service 28 years so I have seen things through for a long time and I have had the HR portfolio for 13 years, and certainly when those targets came in by the Home Office I can understand why they came in because at that time we certainly had a culture of very high numbers of medical pensions for whatever reason. And it was well known that if you had 26 and a half years service that was the optimum time to apply for your medical pension and before then you might have exactly the same incapacity but you stayed in the service because it suited you as an individual to stay in the service.

And the other thing was if you got your medical pension -- and I don't know if it is still the same now but it certainly was when those targets came in -- of course it was inflation proofed straight away rather than waiting until the age of 55. So

you actually did better going on a medical pension than if you had stayed for 30 years and took a normal pension. So I can understand why the Home Office took the position they did.

But I think what has happened now, and I hope it has happened across the service, it has certainly happened in my force, the culture has changed, the numbers have come down and the targets are no longer relevant ie I sign off medical pensions on behalf of the chief and if there is anything I am not likely to sign up I go and talk to the deputy to make sure that it is double checked and so on.

But I couldn't tell you as of today how many have been signed off this year because I am not counting them because they are all dependent on the medical view and what the officer can do and whether it makes sense to allow them to go and what they want to do as well.

So I think we have got past that and we have got past targets, but I couldn't let it go by with the idea that this is just about driving money down because it is not actually. It is about managing the system properly.

**MR CREW:** So a bit of honesty. Is there any force,

I know we are not representing all the forces here, but is there anywhere where the cost of this is an issue in determining ill-health retirements? No. Shakes of heads.

**MR SMITH:** I think the only issue that you sometimes get presented with as a force, and cost isn't allowed within the process to be the sole driver of the thing, but somebody who is within the two year timeframe of reaching normal retirement and you have got to pay two years worth of their salary upfront as a penalty payment. You could keep that officer working for two years and delivering absolutely nothing and it was still financially beneficial for the organisation to keep that officer on restricted duties even if those restrictions are extremely limited.

Is it a fundamental driver? I would look at some of the latest PNB guidance. The driver is there within the guidance. The objective is to retain an officer in the force wherever practical. And that driver dictates what happens with restricted duties. The debates that we had earlier around the range of restrictions and what that means just because somebody's restricted doesn't necessarily

mean that they can't perform an operational role and, therefore, setting a target on restrictions is incredibly difficult and when you add on top of that the issue of omnicompetence, if it exists or doesn't exist, you are sitting on top of issues that makes it incredibly difficult.

**MR S HUSSAIN:** Ian Blair took a conscious decision when we were amalgamating our control rooms, 32 control rooms into just three call centres. He wasn't going to have it as 100 per cent police staff because they still have industrial rights. So he kept a percentage of police constables. They would be retrained to go and staff the control room, and that gave him the resilience. We have had threat of strikes and one day walkouts, albeit very rare, but that gave him the reassurance he still had an operational emergency control room.

**MR CREW:** Anything else on ill-health retirements?  
Fine.

### **Police Officers Leaving The Service**

**MR CREW:** Let us now start looking, if we might, at officers leaving the service before going on full pension or going on pension. The reality is if

anybody wants to resign they can resign at any time they want to and just up and go. But there is nothing at the moment that permits the individual to take any form of financial recompense at the time of his or her departure when they go before 25 years, if that is still there, and the organisation has no opportunity other than unsatisfactory performance, ill-health or discipline to require somebody to leave the organisation in advance of the pension period. Is that correct?

**MR S HUSSAIN:** Apart from chief officers.

**MR CREW:** Absolutely, sorry, yes. FTAs<sup>3</sup> and so forth.

We won't be debating that today but I understand it is an issue.

Just looking at those matters, is that an issue? Is that an issue we should be concerned about? And if so why should we and how should we be?

**MS TEASDALE:** I think we should be concerned about it because it is so unattractive for somebody to resign and try and find another job when they are giving up a good pension that is building up and for people in the old scheme where it is accruing

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<sup>3</sup> Fixed Term Appointments

up double the rate in the last few years of service. It keeps people locked in. They have families to support no doubt and children at university and all the rest of it, so the income and the pension that is at the end of that I think is really attractive to them staying in.

The figures speak for themselves. Out of our turnover this year we have only had 1.5 per cent of police officers resign. It is such a low figure and that is typical. You know, 6.7 per cent go eventually but most of those are on pension. Those that actually leave in the course of a year for resignation to go for another job, the only time it was high was prior to Edmund Davies where clearly pay was completely out of sync with the rest of the economy and was too low and people went mid service, they went after 15 years, they would leave and take another job because they could find one they enjoyed and paid better. But that doesn't happen now. It is not the double pay that keeps people in. I think it is the pension.

I should say in relation to that, so that keeps people in that have a vocation and want to stay for 30 years, but it also keeps people in who probably

are getting burnt out or demotivated and that could be quite a significant segment of the organisation which then, particularly if they are in supervisory ranks, could be detrimental to the confidence and the enthusiasm of youngsters coming through the service. It is not a big issue but it is a significant issue for the service.

**MS HOLMES:** I think, coming back to flexibility again, it restricts the service's opportunities to plan its workforce in terms of the cost, the shape and size of the workforce so that it can meet demand when it's financially very well off and when it's financially very poor and it doesn't give the service the flexibility to think about and adapt its skill set according to the demand. So as the demand for the policing service actually changes over time and the demand for different types of operational and business skill change over time actually it becomes very very difficult for the service to adapt. Typically people talk about the lag being at least five years and that might be right operationally but in other areas the whole of the police service, I would say, is much longer and that's the ramification not just on pay and reward

for police officers. I think it affects the police service.

**MR U HUSSAIN:** On that, Terri, I think I have slightly less in terms of service because I have 15 years service in. This is the first time that we are facing the need to restructure quickly. Up until now we have actually benefited from that continuation of service, the investment put into those officers and the benefit society has got from that investment.

I think normal attrition rates still give you a certain amount of flexibility anyway. In our force a typical turnover of 100 posts does give you flexibility and that happens. So if you have a healthy intake per annum --

**MR CREW:** Out of a size of ..?

**MR U HUSSAIN:** Because of the size of the force.

**MR CREW:** What size is the force?

**MR U HUSSAIN:** 3,000 officers. So the bigger the force the more flexibility you have, the more attrition you have, the more flexibility you have got. So I appreciate that a smaller force will have less flexibility.

So again, are we restructuring the force for a future

to an event that we are facing at the present? If we are doing that, then what are we going to give up as a result of the historic benefits we have had from the commitment of officers serving the entire service? And there are many officers who have done 30 years of service but the example are services. Some of the issues we are dealing with are management issues and is it that the management structures need to be strengthened more than trying to change some of the regulations that we have to comply with?

**MR WILLIAMS:** I think if I may, I would like to almost look at this in another way. At the moment an officer joins the service and my understanding is pretty much on the successful completion of probation unless there is a disciplinary incident throughout that period of time an officer can expect to serve probably for another 28 years without at some point during that service a critical review being taken by the officer and the force as to whether that is a sensible thing for the officer and the force.

I am pretty much struggling to think of any employer today that would offer a 30 year contract to the

year 2040 given that almost everything we can think of is changing.

So that suggests to me that there is inflexibility in that system that I don't think we'd invent today. That is just as an observation.

Typically in organisations where there are very long employment arrangements and the ultimate sanction of dismissal for whatever reason is very difficult to achieve, there is a question around what to do with poor performing individuals? I make these comments not necessarily in the context of policing but in organisations where those characteristics apply. Typically what happens is people get moved and hidden and not dealt with in a management sense. And that is not surprising because quite often there is a great deal of process and management time involved in the performance management of individuals that is often nugatory and there is an unspoken, unwritten system, but everybody knows that ultimately organisations find it very difficult to deal with individuals when the only sanction left is the sanction of dismissal, and that is very difficult to achieve on performance grounds.

So, what do you do with somebody on a team who for whatever reason doesn't perform? Poor performance management leads to an extremely unconstructive employment relationship where an individual, for whatever reason, sometimes not of their own doing, needs performance managing, needs coaching, bringing on but the time taken to devote to that is in short supply. The skills necessary in the management strata aren't always there to do it because they have not been needed.

So it seems to me that the current arrangements are almost a breeding ground for that type of circumstance.

I think we could look at a service with parallels and look at the armed forces and look at the way they perhaps do their business, and I declare my hand that that is my background. I spent many years in the Royal Air Force where the initial contract is for a fixed period of time, and progress beyond that to a point where an immediate pension is payable depends on performance and organisational need.

Progress through army, navy and air force careers is dependent upon satisfactory service, is dependent

upon a number of things including, incidentally, medical factors - and there are permanent and temporary medical categories included. What one finds is that the performance management of individuals tends to be a little more proactive because there is a natural point of exit.

One also finds that clearly there are people who want a long career and they aim themselves towards that. There are others who do six, nine, 12 years and say, "Actually that's enough thank you very much, and I am going to go", and because the pension is portable and goes somewhere else they feel able to take their chances outside.

That seems to me a model that could at least be considered. In a more broader sense if one has a look at the levers available to a chief constable and the management team to shape the workforce, and I think, Terri, you were talking about this a moment ago, they pretty much rely on attrition and recruitment and I think we are stuck there in terms of the proactive measures that can be taken. Actually, of those two measures only one is proactive and that is recruiting. Attrition is in the hands largely of individual decisions taken by members of

that force. What I remember now, certainly from my air force career, where I was involved in management of the workforce for a long while is that actually the single biggest determinant on whether people leave or stay is out of the hands of the employing organisation at all. It is in the hands of the economy. When the economy is strong people take their chances and go and when the economic is weak they hold on to what they have got.

And without regular break points and regular option points, whatever one wants to call them, those behaviours then become institutionalised. I think that was what you were referring to earlier on, John.

So I think there are performance management issues of individuals and I don't necessarily mean in adverse performance. I also mean in terms of proactively managing people through to the best of their ability, into their potential. I think there are issues of flexibility of the force and its ability to change. Umar, you made that point. And anybody who can confidently expect and predict what policing is going to have to be doing in the next

three to five years is a better man than I. And I think there are issues of shaping and directing the force in the future in terms of growing sustainability, allowing recruitment through, bringing freshness to a force. Those tools simply are not there at the moment in the senior management team.

Certainly if we were inventing today terms and conditions of the service for a police service, I doubt that we would settle on one where we effectively say: here is 30 years straight without a review.

**MR CASSIDY:** Just to reassure my colleague on the right there is of course something every year called the PDR that is effective because it is to review every police officers' performance and support staff as well.

**MR CREW:** Are you happy that is an effective system?

**MR CASSIDY:** The system is there.

**MR CREW:** Are you happy it is an effective mechanism?

**MR CASSIDY:** Yes, I am. Poor performance can and should be challenged by managers who have available to them the annual PDR<sup>4</sup>, the three monthly review

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<sup>4</sup> Performance & Development Review

that leads to the annual PDR, there are conduct performance regulations in place to deal with officers whose performance falls short of required standard. There are procedures to do with unsatisfactory performance that are available now and so that the idea that there is no effective challenge for 28 years is just not true in my view.

I think this is an area where there are some opportunities for the service to do it differently and better and so I am alive to that and would be interested to hear what those more detailed proposals could be.

**MR CREW:** Share your views on that with us.

**MR CASSIDY:** There are some people who I could identify within my service who have probably got to a stage in the service when it might be better for them to move on and at the moment, for the reasons articulated well round the table, there is a disincentive to go there. So I think we can and should usefully look at that.

I just put another counterpoint as well to that discussion: what price do we want to put on service? Because again, in my experience officers between 20 and 30 years' service, many of them,

have got tremendous experience which they then impart to officers younger in service coming through which I think is the real wealth that the police service has.

And so whilst I think it would be beneficial to explore this further, I would not want to get to a situation where service was almost sort of devalued.

**MR CREW:** I understand that.

**MR S HUSSAIN:** I did a long stint as head of training and in our training centre we had about 3,000 recruits going through; the size of some forces.

The point I wanted to make was that there were different regulations for recruiting officers. So there was no hesitation in letting go people whose career lay elsewhere in policing. Eventually they were dismissed.

What I found was that people who had done a stint as a trainer, they took those skills with them. So they had a performance regime when they were doing their appraisals. So I think it is a case where you have sufficient volume and experience on how to deal with something you carry those skills with you. So I have had no problems with unsatisfactory

performance procedure or unsatisfactory attendance.

I had the first case in the Met.

I think it reinforces what has been said earlier. It is about up-skilling the people who make those decisions because the system isn't broken. I think people just don't know how to use it or are unwilling to use it.

**MR CORKERTON:** I think there is a lot of merit in the analogy for the military. I don't know that that is a perfect answer but I think allowing or developing a process to allow people to exit with dignity at different points is necessary and will aid workforce planning and could be a significant step forward.

I have a completely different view on the appraisal process. It is bureaucratic across the service. That is not only a personal opinion. It is observations of HMIC. And whilst there are some exceptional managers, there is a lot of sentimentality and everyone is a swan until proven otherwise. So I don't think it is done effectively and we can count the number of individuals who have been through the inefficiency regulations and poor performance procedures on one hand across the

service. So again, I don't think we are actually able to say that we are doing that well.

**MR CREW:** But is that simply what Shabir said: that managers don't know how to use them? Is that the problem? There is nothing wrong with the regulations. It is just that they don't use them.

**MR CORKERTON:** Yes, in part. Partly because there is no other route out for people who coast, who for the reasons Terri described, have provided good service over many years but have come to a point where for either personal or professional reasons they have plateaued, got tired. They are not totally incapable. They are just not doing the job in the way that they used to do it and they are kind of caught, as we have discussed.

**MR CREW:** Okay, thank you.

**MS SHINER:** I agree entirely with what Mick said about parallels in the military. I think there are some really good points for the police service to learn from that. I also agree entirely that the PDR system, for whatever reason whether it is managers not managing people, have no confidence in it.

We invested in Norfolk two years ago into a performance improvement unit because we recognised that we had

some internal mischief makers, trouble makers, whatever you want to call them, and we invested some real expertise so when managers had problems with people they were able to come to this unit and this unit would hold their hand through the process. As a result we have had several resignations. Our long-term absence has gone from 54 people to currently about 18. What we did for the majority of them was to put a significant amount of support for them where actually the managers weren't doing the job and managing them. It has been one of the most successful things we have introduced for a long time. So I think it is about actually, rather than just saying: we are not managing properly. It is about saying: why aren't we? Have we not invested that amount of giving the expertise and handholding to those level of managers that need them? Through all of the ranks that goes.

**MR FEAVYOUR:** Two points, if I may. First of all to agree with what Jo has just said about the work that has been undertaken in Norfolk. I sit here initially as the Deputy in Cambridgeshire but also with the ACPO portfolio link of complaints and

misconduct and my professional standards leads around the country have invited me to try and take up a higher profile for ACPO in terms of unsatisfactory performance procedure and use the existing machinery to greater effect, and I am looking forward to have a look at what Norfolk are doing to try and help build that into the service because it seems to me that is a very effective way of building managing performance. That is my first point.

**MR CREW:** John, can I ask you then -- it is a bit outside our ambit but it is important nonetheless -- what training is given to senior officers, especially to ACPO officers in the use of these?

**MR FEAVYOUR:** Very little and that is part of what I am trying to build.

My second point was to violently agree with both Mick and Graham but suggest they are talking about different things. Mick invited us or you to consider the military model and finding some exit places for officers which I wholeheartedly agree with. I think that is exactly the kind of flexibility that we need, but to link in with

Graham's comment, this is not about unsatisfactory performance. This is about people who just get stuck and have no other alternative other than to stay with a job which they are suffering, for want of a better word, because there isn't another alternative.

**MR CREW:** There is a substantial difference of course in that military have a non-contributory pension scheme. I know it is taken account of. Whereas the police service have a fast accruals scheme which kicks in at 20 years service. That must have some influence on people leaving at an earlier stage.

Mick, do you want to come back on that?

**MR WILLIAMS:** Yes, there are two ways of looking at this. One is the sort of top level board down and that may be a factor in terms of accrual. Actually we are talking about behaviours of individuals here and the fact my dimming memory suggests that the armed forces pay review mechanism is such that there is a job evaluation and then there is about I think an 11 per cent account taken. Although there is no contribution on a pay statement that says your pension is, nevertheless somewhere in the

great mechanism of working it out there has been a contribution of sorts, but these things get lost. To the individual it matters not. To the individual they know that they are in a career that has stages attached to it. They know that if they follow that career through at some point there will be an immediate pension payable but the achievement of that is dependent on their performance to some extent within the organisation and also the organisation's need of them in the future, and they also know that they have exit points on the way. To some extent in some circumstances they control that. If they apply for further service they can apply for only three or six years or whatever the deal is at the time. That deal is sometimes decided by management, for want of a better word, to say: we are looking for people in this particular skill set to stay for six or eight years. Who is interested? And people step forward. Some do; some don't.

But that is part of proactive workforce management which leads to a series of individual behaviours and reactions to the deal that is on offer.

**MR CREW:** I guess I am asking -- and with respect you

are probably not equipped to answer it. Terri might be in a better position, given her previous roles -- is, how do you fund such an arrangement when a chunk of the contribution is coming from, and I accept in the military it is an even chunk but in the police service it is different amounts: paying smaller amounts early on and then larger amounts later on. So to make sure if it was worthwhile for the individual to go it has to be a worthwhile settlement of sort.

**MS TEASDALE:** Yes.

**MR CREW:** That may be unfair to Terri.

**MS TEASDALE:** What I was going to say originally was I totally support this view that we should be looking for immediate pensions payable at different stages within the 30 years and that is a part of the deal right from when you join up that you sign up for X number of years and whatever, and that picks up on Graham's point because I agree that we should value the service that we have and the experience we have in the service and we need to value that. We are not encouraging everybody to go. What we are doing is finding a decent way for people to exit in a way that they don't suffer too

much financially, they can take a pension with them and then get another job and the two together won't be bad sort of thing, and they go with dignity. They don't go under a cloud. That is the point really. So I support it.

In terms of how the figures stack up, I don't think I could answer that at this stage but of course no doubt the pension that they would go will reflect the years of service they have done in the contract. It would reflect the employer's contribution as well as the employee's, so it would be much less than if they had stayed longer but presumably it would still be reasonable in terms of what they paid in for the period they are taking out in effect.

So I think it is the way forward. I think it is really important and I think it does value the individual and it gives the individual options and we will probably end up with a lot of happier people rather than people staying on. Really the thing that is most difficult is this double accrual at the end of the existing pension scheme. That is the most difficult thing.

**MR CREW:** Would the option be for the individual or

would it be for the organisation?

**MS TEASDALE:** It would definitely be for the individual. I think whether it is for the organisation -- I mean, I think there is an issue about the appraisal system and the honest conversations between line manager and the individual, but I think it is for the individual, the same as at the moment it is for the individual when they retire. I think if there is any reason why the employer wants them to go then that needs to be explicit and needs to be managed through the normal processes.

But the issue about redundancy and all the rest of it is a completely different issue.

**MR CREW:** Yes, we will deal with that later.

**MS TEASDALE:** But I think, as it is for the services, this is a matter for the individual but that there is open and honest conversations between the line manager and the individual presumably.

**MR WILLIAMS:** Yes. It might be worth building on one thing. Certainly it is unusual, and let us not pretend there are huge parallels because there are some significant differences. First of all, the armed forces are a national employer as opposed to

a series of regional and county based employers. And secondly, of course there are direct entry officers which at the moment doesn't exist in the police service.

Moving that to one side though, I think it is certainly rare for a noncommissioned entrant to the armed forces to be offered an engagement that is immediately pensionable. So all noncommissioned people, and I may need to check this, if you have conversations with the Ministry of Defence and need to clarify, but all come in on a non-pensionable, immediate pensionable engagement and they serve for a fixed period of time.

During that time they are assessed in a series of open conversations. Clearly there is an equality in that relationship and their further service is determined to some degree by their own performance, by the needs of the service at the time with a forward look as to whether they are going to be needed over that time. There are a series of engagements which would follow from that.

Once they become immediately pensionable, that is to a point and I think for the army, for example, it is 22 years, there is service beyond that depending on

certain circumstances and each service has a different set of arrangements. But no non-commissioned person comes in on an engagement that is immediately pensionable, and that gives the service, whichever one it is, the opportunity to look at that individual and for both sides to determine whether that relationship is a good one. For many, many soldiers they do their time. They do time in Afghanistan and they say, "That's not for me, thank you very much", and they have an opportunity to go with dignity having served their time, served their option.

To just give a little more flavour round that, it is very interesting behaviourally that some people who, and I know this to be the case from the air force, some people who were on a 22 year engagement, so they had served some time, been offered further service, usually accompanied by promotion, who then decide to leave, when they go they go at a certain point and they choose to leave.

Because the accrual of the pension is even actually it doesn't benefit them at any point to go at a particular point. If they go after 11, they get

11/20ths or whatever it is.

Behaviourally, and what is very interesting, is that most of them choose to go at an option point they used to have because in their minds they are 12 year man or a 15 year man. It doesn't swing it to go at 11 or 14. But they often pick a point and say, "Actually I have done my 12" or "I have done my 15." And they feel that they have completed their engagement, that side of the bargain that they signed up to do and they shake hands and leave with dignity at the end of it.

So it speaks to the point we are all speaking to, I think, that there needs to be an opportunity to leave with dignity where service has been done and valued but doesn't harm the individual and doesn't harm the organisation.

**MR CREW:** Thank you for that.

**MR JOHNSON:** I am here representing the APA. In fact you are picking up the point I was going to make. We have looked at the army model in terms of some of the work we have been doing around an officer class, most point entry is part of an enquiry we were carrying out. One of the things very noticeable in terms of the army is how there

was a much more corporate management of the army officer structure which clearly isn't at present in most police forces even the large ones. It is much more of a business group based management rather than, as I think you were alluding to, a sort of a big picture in terms certainly of the army or the RAF of the national picture.

Certainly I actually worked for the Met Police authority and one of the things was about having some form of short service pension and we have suggested how that would come about.

The only point I would make is we did try to get some figures around what that would mean in terms of, for example, the Metropolitan Police Service. Certainly one of the issues that all police forces are facing at the moment is that police officers aren't leaving because of the financial situation. In fact 1,200 officers expected to leave the Metropolitan Police in the last two years have not done so because even though they have got their 30 years in they can quite clearly see it is much more difficult in the outside world at the moment. So we are in a way looking at it at the wrong time.

Hopefully things will, in terms of the future, look

much better.

In terms of who makes that decision. I think again, our view was that it should be a two-way process. Certainly if the individual wants to go then there is absolutely nothing to stop him, 30 or 35 year contract or not. But equally, I think we felt there should be management involved here in terms of if the officer has lost the confidence of the service, for whatever reason, then there should be a much more flexible and simpler route of encouraging that officer to leave which doesn't involve two years going through the performance procedure which it does at the moment.

**MR JETHWA:** First of all, can I say, building on yesterday's seminar I think this is quite useful because clearly we are exploring a number of issues and being invited to make comments outside the box. I will make these comments paraphrasing it, I will ask a couple of questions based on what I have heard which doesn't necessarily represent an organisational point of view from a Police Federation.

It is about this issue of people being allowed to leave the service with dignity before 30 or 35 years

pensionable service and how we ensure that is actually a transparent system.

One of the things around unsatisfactory performance procedures, and I could be wrong on this which is why I make these comments with some degree of hesitation, but my understanding was they built on previous inquiries including the Morrison Inquiry about the fact that there was a disproportionate impact upon officers from BME backgrounds, because there is a culture whereby with officers who you are comfortable with because you are from the same cultural background you can address issues informally to begin with before it actually progresses to formal stages. But, for managers who weren't comfortable supervising officers from BME backgrounds in particular, it seemed to progress straight away to the formal sanction. So you have UPP now, which is only two years old in its current guise, to deal with that.

My only concern is if you are going to move to a system whereby people can be allowed to leave the service earlier than their full pension with dignity, how do you ensure that is transparent and actually doesn't apply with disproportionate impact

to certain groups? BME officers who find their face doesn't fit might be invited to leave earlier on because the culture of service hasn't changed but it is easier if they leave. These are genuine comments: people in the same sex partnerships for whom the service hasn't yet caught up in terms of its cultural change.

So I think you have to be very careful about moving away from the systems we have in place which have been developed to deal with particular issues and challenges and actually systems which could find themselves being left open to deal with officers in certain ways where there is actually no performance issue identified but somehow it is deemed within the service that it would be better for the service if they actually moved on.

So I make this point back. As I say, this is not a representative view but I would be interested in other people's opinions about how this might work.

**MR CREW:** I hear what you say. I do see a difficulty that what you are actually saying is that because of that potential unless you could make it really transparent what you are effectively saying is that what we have is all we could have.

**MR JETHWA:** I think what I am trying to say is it is quite clear if there is poor performance or issues around somebody's capability in their job procedures do exist to deal with them. But what seems to be said is actually it takes a lot of management time and investment to deal with it. There is no difference in the private sector to be honest. I have some background in this. But what often happens is that people are paid off.

If you go through a full procedure for any good organisation, public or private sector, it is laborious for the manager and then you go through the employment tribunal process and it takes a lot of time. Most companies will pay people off regardless of whether poor performance has been proven or not.

What we have is a transparent system within policing to deal with it which has the confidence of managers and the officers involved.

**MR CREW:** Would you like to address the other point which is about allowing officers to go with dignity who choose to go and taking their pension some time.

**MR JETHWA:** I think the point I am making, and that is

why I am posing it as a question because I can see where people are coming from, the question is: how do you ensure it is actually the choice of the officer to leave with dignity as opposed to pressure being put upon them or them feeling actually it might be better for the service if they were to leave with dignity? That is a comment.

**MR CREW:** I understand that. It is valuable, thank you.

**MR WILLIAMS:** I think I'd take this slightly differently. I don't think it should be the choice of the individual to stay or go. Organisations need to understand the shape, size and composition of the workforce they need today and the one they are moving to in the future.

It strikes me that a police force looking forward for the next three to five years would wish to have a degree of flexibility in terms of how it responds to whatever situation comes along, and it seems to me we are heading towards a more unpredictable environment where you would want a force perhaps which is more affordable. That is one of the things that this review is considering, to have a force that is adaptable, flexible and affordable.

That suggests to me that you have a skill set and a composition and shape of the force.

At a point where an individual comes up to their option to leave I think the individual ought to be given an opportunity to say whether they want to stay or not and I think the force ought to have an opportunity of saying: does this person with this skill set and this performance fit in with what I am looking for and is there a place for them? That is no different to what happens in the private sector. None at all.

So I don't think the choice to stay or go should be with an individual. I think there is a mutually respectful conversation that takes place on the back of a performance management regime.

I think there is certainly a question about the quality and richness of the performance data available to inform those decisions because those decision ought to be objective and fully justified and that I think would be one way of addressing your concerns on the BME.

Turning to that briefly, and I won't hog the microphone because I realise I have spoken quite a lot, of course managers who act in a way that is poor will

also be part of the performance regime. There is an opportunity to refresh that. I held the Equality and Diversity portfolio for the Royal Air Force for a couple of years and had a number of constructive meetings with the then Commissioner for Racial Equality and the Equal Opportunities Commission.

One of the issues we faced was what I chose to call the sort of frozen perma frost of middle management who had been with the air force for quite a decent number of years, had built up a certain attitude and behaviours. Some of them were five or six times more likely to be the subject of a formal complaint than other ranks and moving those on was difficult. Many of them had had pensionable service.

But, nevertheless, we were able to address that and because there was a refreshment of the employment contract and because there were opportunities for them to leave they knew that if their performance wasn't up to scratch in any sense, including as managers, then they were less likely to get an opportunity to stay.

So it is not just that the individual that gets

a chance to refresh, if you like. There is the management strata that gets a chance to be refreshed throughout.

**MR RENNIE:** This is another interesting debate I have to say, being compared with the army, the private sector, other police employees. And we all go back to the question: what do you actually want police officers to do and the police service to deliver? Do you want a regulated body of people who will commit to a period of time? Because it is expensive to recruit people and get them to a level and takes a certain period of time to get a police officer in the door, trained and delivering to a level. It is expensive and time consuming. Or do you try to retain people for a longer period?

I understand we are being compared with everybody but let us not forget we are subject to the public sector duty to promote diversity and it covers and will encompass all the characteristics next year but certainly race, gender and disability are in there at the moment. I am sure that is where Raj was coming from because the challenge will be when we come to it.

We seem to think there are a lot of people stuck in the

police service in the 20 to 30 years who want to leave or don't have the opportunity to leave but we might want to get rid of some of them. Well, the issue is: if they are here and they are happy and they are experienced and they are passing on those skills and they are delivering and they don't want to leave, why are we trying to get them out of the door? I can't understand the reason for that because it is so extremely expensive to get somebody up to that level and we have got somebody to pass them on.

I have some real difficulties with that. If they are not performing we have the performance procedures that were refreshed two years ago, do comply with ACAS guidelines and I am encouraged that forces are now starting to deal with that. If somebody is not performing, then there is a process to deal with that to get them up, and let us not forget what the process is for: it is about bringing people up to a satisfactory level of performance. That is what it is about. And if they don't get up to a satisfactory level of performance, then we say bye bye to them. And that is the process.

I think it is important that the service starts to

manage that because over a period of years we have developed a culture where we don't like to tell people that they are not very good. We don't like to tell people that they are not good enough to be promoted. We have got to that stage in the transition from the 80s through the 90s and into the noughties we have developed this risk aversion of management intervention and dealing with people properly and fairly and appropriately through the processes and we have now found ourselves with what we think is a perceived problem of not being able to deal with things.

I agree that there is an issue with the pension scheme because there is no transferability, and that is recognised. But that was also recognised when we moved from the old existing pension scheme that is now closed that many of us are in, including myself, to the new pension scheme or the current pension scheme that is available to people who join that has been available since 2006 which is a 35 year scheme, single accruing and cannot be drawn until people are 55 years of age.

That was recognised, and particularly by the Home Office when we were going through the negotiations

at the police negotiating board, that there is a balance to be found. That single accruing may encourage people and give people the opportunity to go, albeit there is no transferability again, but it is only single accruing, it might take away the double accruing issue if people want to leave. It also would still encourage the retention of people for that length of time, to retain the experience and the skills within the organisation for that period of time and to pass that along.

That is what was put in place and that isn't broke. We need seriously to consider where we are. It saddens me greatly as somebody who has just got 30 years on 6 October that many of my colleagues, and I include myself, for the last five, ten years in the latter stages of career, the emphasis changes from counting how long you have got left to actually enjoying what you are doing and engaging and getting to the point of 30 years when you think, "I quite enjoy what I'm doing and I don't want to leave", because it is a different ethos. It is an ethos that people join because they want to help and make things better for people and help society and deliver. If people are not doing that

then let us deal with them through the processes and get rid of them because let me assure you if people aren't delivering out there, then they need to be dealt with and you will get no arguments from the representative organisation as long as they are treated appropriately and proportionately.

**MR SMITH:** Just a couple of bits to throw on to the table in terms of potential words of caution around some of this. It is not that long ago that we had a very expensive recruitment drive run by the service nationally because there was perceptions that there were not enough recruits coming in through the doors to be able to fill all of the spaces, so actually encouraging people to leave and making that open to them could come back to bite us at a later stage when the economy is in a different position.

The second thing, and I don't know the answer to it and I am not going to pretend to be an expert with it, but I am not sure how the fixed term workers directive would have an impact in terms of short service commissions. I don't know how it works within the armed forces but if you were looking across other sectors of the economy I think it

would fall into fixed term workers and, therefore, if somebody is there for four years it is automatically assumed that it is permanent and I think that may give some problems. It would just be worthwhile looking at it if we were going to try and pursue that sort of option.

**MR CREW:** Thank you, Graham. John?

**MR FEAVYOUR:** Thank you very much. Just to comment again on something that Ian said. Lest he thinks I am always going to take a different view, I need to reassure him that is not the case. As a former Federation member I am a huge supporter of what the Federation do.

**MR CREW:** Get on to the but bit.

**MR FEAVYOUR:** I agree wholeheartedly that we haven't been good at providing formative feedback to colleagues over a long period of time, and we need to get better and let us not be equivocal about that at all.

Ian, you also said: why are we so keen to manage people out? And everything I have said today is not about managing people out at all. It is about providing more flexibility, both in terms of colleagues and in terms of management to provide more options for

the future because, and Mick alluded to this earlier on, there will be more and more change. I wish I could foresee what the service needs in five years or ten years time because I could set about that straight away. But I can't and despite the absence of a crystal ball will continue to do my best. But it will change and we will need more flexibility on both sides.

So this ought not in my view to be seen as a threat but as an opportunity on both sides.

**MR CREW:** Thank you, John. What I will do at the very end of this is to give an opportunity to pick up on anything in the areas that we have been talking about that I might not raise as a feature because clearly there are things you might think are important that I have not even mentioned, so I think it is valid that we do that as a process at the end.

### **Redundancy**

**MR CREW:** What I would like to do, because in a sense it moves on as a corollary to what we have just been talking about before the break was this issue of redundancy. We have never talked about

redundancy for warranted officers before. It has been around for police staff because they are subject to employment law and to contracts of employment and they are not officers of the Crown as warranted police officers are.

But we have never been in the situation that we are in currently before either when the service has been required to make some substantial cuts. That may just be a one-off. We never know if this is going to recur or whether it is something we have to take account of in the future.

I am interested, and I know Tom is interested, in people's thoughts around this issue: whether it is appropriate, whether it is unnecessary. If it is necessary and appropriate how effectively would it be achieved? How would it be delivered? What sort of rules might be applied to it or would need to be applied to it? Could it be similarly done in the same way as police staff? How do you avoid discrimination against people so that old scores are being settled and things like that which would be very easily done under a redundancy arrangement, and no doubt are currently done under redundancy arrangements in other organisations.

So it is trying to pick up some of those issues really that I want to get a handle on. Does anybody have views on this at all that they want to share?

**MR S HUSSAIN:** The first part is we do actually have a scheme. It is only for those who are on FTAs, fixed term appointments, deputy chief constables and chief constables. It is not very generous. It is up to 18 months. So it could be one week or it could be nothing.

In a small minority of cases, and I will stress a small minority of cases, politics has featured because the employer for the chief officer is the local police authority, and in some cases where there are political differences officers have felt they have been forced out under sections 11, 12 and 42 of the Police Act using that proposal and without any real compensation.

You may be appointed on a five year fixed term appointment and after year one a change of political composition in the police authority and you are persona non grata. It happens to a greater extent with local authority chief executives, which I understand is how they justify their higher wage and their higher payoff package and they just move

to another local authority, and there are a lot more local authorities, there's 600 I think compared to 43 police forces. No chief officer has been let go by one force to be employed by another force; unlike chief executives in councils. As chief executive you will move on and keep your pay off and have your new income.

So we're unhappy with that. That is part of our submission later on.

The other thought I had on that aspect was unlike -- I could be wrong here -- the civil service we don't get any added years. So it is a purely financial payment and you could be way off drawing even a deferred pension. You have to wait until that outcome.

**MR CREW:** Does that colour your view about the use of redundancy more widely in the service?

**MR S HUSSAIN:** I think it does because it is not generous. It doesn't allow people to actively plan for another career. For some people the more senior you are you have a very narrow avenue. You haven't got chartered status and a lot of employers don't recognise what skills you can bring and have a coloured view on what the police service is.

**MS TEASDALE:** The only thing I would say, and it is a comment without sort of being too provocative, is that we all know that 84 per cent of our budget is expenses and of that 60 per cent of our employees are police officers and the only way that you can control those numbers is actually by waiting for somebody to retire or resign and then not recruiting to backfill.

Now that is quite frightening when you are trying to manage a budget when we were looking at 25 per cent cuts and the Government has been talking and is doing front loading. It is almost impossible to imagine how you would actually achieve that. We have done a five year plan where we looked at a 25 per cent budget reduction over four years and even if we stopped recruiting and even if we took all the savings that we intended on police staff and nonpay budgets we still couldn't balance the budget at the end of that year four. We could balance years 1 and 2 at that level of cut. We could go some way towards year 3, but we would have to completely stop recruiting all the way through that year 4 period to get anywhere near balancing at year 4.

That is the current situation that was facing us before the comprehensive spending review. So I say it in that context because you don't know what is around the corner, we don't know what is going to happen two years into this comprehensive spending round if there is a double dip recession or whatever. So it could get worse than what it is now. I am not sort of scaremongering or anything. All I am saying is it is quite difficult for an organisation to shed that level of saving without being able to control the numbers of its major employee. I accept they are not employees but you know the point.

**MR CORKERTON:** Mick raised it earlier, Terri has just illustrated it, we don't have a good consistent workforce plan around the service or consistent across forces and I think that goes to the heart of this for me.

To answer the specifics, I wouldn't wish to see the service have a compulsory redundancy scheme because I think we do need to preserve some of the elements of the package that reflect the commitment that people make when they join the police service. I think if we are continuing in broadly the same conditions as we currently offer, I think there

would be room for a voluntary severance package, some option for people to exit but I think if we were to go further and perhaps look at the MOD model that we have talked about then you wouldn't need voluntary redundancy either frankly because you would have break points and if you got a good workforce plan alongside that you should be able to manage it over some time. Even with the challenges that we have got at the moment we have got time to do it. The problem is we have got very few levers to pull at the moment.

**MR CREW:** The service has had a workforce plan imposed by the Government which is: how many cops can you get? Because it is all about measuring how many police officers you have. So, in a sense, the service has got to the position it is in and all of a sudden that has now been cut away. So the plan has changed to not having one.

**MR CORKERTON:** Yes. I suppose it is a very basic plan that we have at the moment.

**MR CREW:** Yes.

**MR CORKERTON:** It is just on total numbers without looking at skill sets or the wider workforce mix and I think, given the sophistication of policing

in the current world and the different elements of workforce mix that we could choose to build into policing delivery, a more sophisticated workforce plan is absolutely essential. It is not a nice to have any more. It is essential to running an efficient organisation.

**MR U HUSSAIN:** Two things. One is if you look at the parallels within the police staff area, there are three exit routes. One is early voluntary retirement. The other is flexible retirement where if you are of a certain age you can draw a certain amount of pension and also reduce your hours to earn less money, and the third one is redundancy.

Redundancy typically, depending how many years of service you have but if you take the average service in the police service typically half your salary is paid out in redundancy at a point in time. It is not last in first out. You have to identify particular posts that are redundant and not the person that is redundant. Then you go through the redeployment process.

In the police service the police constable is a generic role. So typically when you start to make redundancies it is not the cheaper end you can

dictate. It may well be the more expensive end which becomes the redundancy candidate in which case then you have to find the money in the first instance to realise the savings in the longer term. Whereas A19, if you like, comes at a no cost option. It is already a pensionable service that you relinquish or sever.

I just bring it round to the equation: there are costs to redundancy which are of concern.

**MR CREW:** Okay, thank you. John.

**MR FEAVYOUR:** Very simply and very briefly, you summarised it when you said that the Government has imposed a change to the plan. To ask us to deliver that plan without giving us some tools in order to do it is simply untenable. Terri has absolutely hit the nail on the head. I cannot make the reductions unless I have a way of reducing the number of police officers in my organisation. Do I want to do that? Absolutely not. There is not a single member of the public in Cambridgeshire or I guess anywhere else that would want that to happen. But if we don't have that flexibility we are absolutely tying our hands behind our back. I need a workforce mix, in the same way as Steve

has articulated, in order to deliver the service. Therefore, I go back to my earlier contribution around, I need a flexible way of managing the workforce.

**MR CREW:** Just picking up the point Umar made there, this is about selecting posts that you would no longer have rather than people. So it is decisions around which posts would you no longer have as police officers.

**MR FEAVYOUR:** I don't underestimate the difficulty in that and we are back where we were two hours ago, aren't we, where we say --

**MR CREW:** Thanks for that.

**MR FEAVYOUR:** -- which members of staff are contributing what to the organisation? Actually if we can move to a way of, and this is your challenge I suppose, if we can articulate what kind of proportions we need to do what skills, then we can begin to move in that direction.

A quick illustration, if I may. I have, and we all do, colleagues who are specialists in a whole range of different disciplines and they don't all need the same powers and the same terms and conditions to do what they do. Now, I recognise that this is a potential massive shift away from the

omnicompetent police officer that was recruited certainly when I joined 28 years ago but, nevertheless, we have to have that change because society is changing and is demanding it of us.

**MR CREW:** Ian, I would like a view from you.

**MR RENNIE:** I agree with Sir Hugh Orde, the President of ACPO, that there is a conflict between redundancy and the office of constable and redundancy has no place within the police service. We are not employees. We are officers of the Crown with responsibilities answerable to the courts, to the public and we are in a position, a unique position. Whereas I am probably one of a number of people in the Greater Manchester Police who can walk into my chief constable's office and say, "Sir, you are under arrest for, on suspicion of" and that arrest is lawful. I have to justify it through evidence and I shouldn't be in a position where I am compromised where something can come back at a later time should something happen and the courts have tested and it is found in favour of not guilty and the chief constable is reinstated and you can just imagine the repercussions. I take it to the chief constable to take it to the

extreme.

There are other officers within there of rank whatever that you are dealing with, so it is a unique position and that needs to be protected.

I do recognise the difficulties that the service faces that has been imposed by the Government. That is fine. They were elected to govern. They have given a mandate. The previous Government set us to 140,000. Now this Government are saying they haven't got the funding for that, and by the way you will have to lose some people.

What we have to remember as well is that if we have redundancy, it is not like making -- please I don't want to be disparaging -- police staff redundant because if you make a head of HR redundant and two years later you think, "Really I think we need one actually", you can go out and get one and advertise and in they come. If you make large numbers of police officers redundant and in two years the financial situation changes, we realise we need more police officers, we go "oops", because it takes a considerable amount of time and expense to recruit, then to go through the training wherever we are throughout the probation period and then to

get that individual up to a level of experience and expertise to deliver, maybe not at the level of what you have got rid of because they will be very experienced but to deliver at a good level, a high level of performance for what the public deserve and the service that we provide.

So there is a big difference between getting rid of employees and being able to replace a plumber, HR or whatever and then having to replace police officers from scratch.

**MR FEAVYOUR:** Chairman, would you permit me to come back because I do want to come back at Ian because I think his point about the office of constable answerable only to the law is incredibly precious to the police service in this country. You have said yourself I know on many occasions, and I simply play it back for everybody: the police are the public and the public are the police. We mustn't lose that.

However, there is a clear distinction in my mind between the payroll of an officer and the office itself and I am very clear that you can separate the two and that is where my view is fundamentally at odds with Ian's and we shall just have to agree

to differ.

**MR CREW:** Okay, fine. Graham.

**MR CASSIDY:** Our view is very similar to Ian's, well articulated in our submission, so I won't go through it in great detail. But for us it is all about the pact that police officers make with the Government when they come into the job, the restrictions that they accept in their private lives, the lack of industrial rights and part of the whole deal is that they have stable employment expectations over 30 to 35 years. I know one of the things that Thomas said upfront about this review, whatever the outcomes are is that he doesn't want to seek to undermine the relationship between the service and the state, and this for me is a very very dangerous area in that respect.

**MR CREW:** Thank you for that.

**MR S HUSSAIN:** Speaking as an individual, if I may, I would be more comfortable looking at the economics if I could be assured there was no more savings to be had. So I don't disagree with what Terri was saying, but that is a symptom of 43 police forces.

A small example I will give is the pension

administrator. I visited the Met one. It was a room about three times the size of this and I congratulated them on administering the whole nation from a small office and they said, "We only do three forces." I can't see why we can't have one national pensions administrator. If we look at the armed services they have a similar kind of scale: one pay department, one HR department, one finance department. If we went down that route and then realised all those savings and then if they were insufficient, then we can restart this debate. It is premature to have this debate until we have exhausted every other saving in the organisation on a national basis.

**MR CREW:** You are entitled to a response on that which is that isn't something this review is covering but those arguments haven't been lost on the reviewer and, as he has made the point, he is not restricted to commenting in his report on the actual terms of reference of the report. Is that a fair summary?

**MR WINSOR:** I will say anything I like.

**MR CREW:** That is what he said. I was trying to put it more politely. Mick.

**MR WILLIAMS:** A number of points, if I may. First of

all, the pact that was referred to exists of course in the military. It is known as the military covenant and redundancy does exist. There are parallels about different employment rights and the rest of it but redundancy does exist.

Putting that to one side, I would absolutely endorse everything that has been said about the unique office of constable that gives add value in ways which are almost immeasurable, and just as an ex-military man I wouldn't wish to see that thrown away. I am quite sure those holding the office of constable and others would say to me quite persuasively: you can't count this but it makes a difference, and indeed we should not dismiss that.

I simply say though that there are other organisations that have a similar unique arrangement where redundancy does apply.

One thing I would say though and going back to Ian, you were saying earlier on about the need to turn on recruiting and employ people if you are short of a skill, having let police constables go.

Ironically, the current terms of service which have led to the pulling of the only lever that everybody

has got, turning off recruitment, exactly works against that. In three or four years time there will be an absence of an entire strata of constable moving through the organisation like a black hole. The air force in its first redundancy scheme did exactly that. It said, "Let us maximise attrition. Let us do that by immediately turning off training and recruiting." Still to this day there are people who regret that immensely. The end resulted of that was that at certain rank levels there was a lack of quality in promotion but nevertheless people had to go for them.

We threw away training organisations that then had to be rebuilt later. That suggests to me that what we really need is a measured approach knowing the workforce, understanding the experience profiles and the skill profile of the people that are either surplus to requirement or in deficit and then matching any voluntary offer to those people, not necessarily making it open but matching it to those people.

My third comment is this: the one thing that the military does recognise is the need to make people employable outside, and ironically making people

more attractive to external employers actually increases the retention. If people feel they can get a job outside they are more likely to stay. But actually increasingly now in society there are financial pressures in terms of children's education and the rest of it that make people even at the end of a 30-odd year career, and retirement is looking like a 25, 30 year deal now as opposed to the deal it once was that people need to be employed.

What we found was that when we reduced the notice period from 18 months or two years to six months wait we found that when we said to people, "Do you know what, if you give us notice you can go in six months," what actually happens is that people say, "Thank you, I now know I can so I won't. And by the way, that training that I got to be a such-and-such has been NVQ assessed and I have got these qualifications." So we signed up fully to investors in people.

Last but not least, the longer one serves in the military the greater the length of resettlement training that one is given and at the end of the career. There is a recognition if you have been in

for three years actually you go and you go. If you have been in for 22 years you perhaps need a different amount of recalibration to the outside world, for want of a better word, and we will invest in you in certain skills in CV writing and all those sorts of things.

So I think if the police service was to move to a position where there were more exit points and a system of managed exits, whether that is redundancy, whatever you call it, there also, it seems to me, is an equal obligation on the service to make sure that those people are well prepared throughout their career for the transition to civilian life. It is not just a matter of saying: here is an easy way of getting people out. I think it is a case of looking at those people who were in and saying: how could we prepare them in such a way that when the time does come for them to leave that it is not such a shock?

**MR CREW:** Thanks for that. Very helpful.

**MR SMITH:** Just to raise a point. I think one of the issues that forces have at the moment and picking up on Steve's point around workforce planning, we all want to plan to avoid redundancies. You don't want redundancies and you have got a legal

obligation to try and avoid redundancies amongst your police staff and we wouldn't want redundancies amongst our police officers.

However, there is an unplanned issue which has hit us. To this very point we still don't know how much money we are specifically going to get and in planning to deal with that shortfall of money forces like my own have looked at restructuring the entire organisation. What that can leave you with, as an example, is a situation whereby actually what I need is fewer inspectors. I can live with the same number of constables. I can live with the same number of sergeants and in fact by turning off the recruitment tap I've got vacancies to put these people into but they are no longer at an inspector level and I have absolutely no mechanism, unless it is 30 years and trying to make use of A19, of actually dealing with that situation. And that just can't be right for organisations to be trapped into a situation where you have to put an inefficient structure in place where you have to explain to half of the workforce why more of them are having to go even though you have got a need for their job role.

Just a final point. I am not sure it is redundancy anyway in terms of the legal definition and, therefore, if we are going to write something in we had better make sure that actually it is proper compensation as a result of business reorganisation because there is a very specific legal definition of redundancy which is a cessation or a reduction of work of a particular type in a given area, so short of crimes disappearing entirely being able to call it redundancy is a moot point.

**MR JOHNSON:** Just picking up on Graham's point actually, when we were looking at redundancy, two points really.

Firstly, I don't think any of us would be looking at redundancy in terms of a single issue. We would want to look at it in terms of flexibility package and I think that touches upon some of the things we have discussed already.

Certainly in terms of redundancy, we have looked at the issue and Sir Paul Stephenson in the Met said this morning he is not using it. So there we go. When we were looking at it what we were thinking in terms of, if there were back office functions being outsourced or ceasing where

police officers or police staffs are in roles we can shoe the police staff into the role with KPMG or whoever. We can't shoe police officers. If we are not recruiting we don't have anywhere to redeploy them what do we do with? We don't have an option. So if we had a redundancy option that would be a voluntary option that we could offer.

When we were talking in terms of redundancy within the Metropolitan Police Service that is how we were looking at it. We are looking at large scale redundancies in police staff. We are looking at ceasing functions.

So there are clearly some options. Some very difficult choices are going to have to be made there and we are going to have a real problem redeploying quite seriously large numbers of police officers from those back office functions.

**MR CREW:** Yes, thank you for that. I can almost anticipate the reply I think. It has come up in at least two submissions, it may be more, against this changing landscape whether we need all the ranks we have. I know it has come up before and gone or hasn't gone and then it has come back. But that is why I say against this changed landscape, because

it is a very different landscape, it has come up in submissions. I would be interested in reactions to it.

**MR S HUSSAIN:** There are fewer levels in the Catholic church.

**MR CREW:** Is that meant to be an encouragement?

**MR S HUSSAIN:** It tells us that they can manage the world with fewer ranks.

**MR CREW:** Yes.

**MR CORKERTON:** I don't see any particular issues with the number of ranks we have at the moment apart from they tend to engender a discipline where you have to fill in the gaps so we end up over time growing the number of management levels because a superintendent needs to have chief inspector who needs to have an inspector. If we could be slightly more disciplined about actually using the ranks appropriately, so what is to stop a sergeant or inspector reporting into a superintendent and not needing to fill in the gaps over time having a number of different management grades and the number that we have got is not excessive. But our consciousness with rank and uniform tends to make us populate every level on the grid.

**MR CREW:** There is another argument which talks about slowing down the obviously outstanding officer from making rapid progress in that he or she has to go through all these different levels rather than rank hopping to get to a more senior rank. It is not a nub issue by any means but it is a consideration. Any other views on that at all?

**MS CARTER:** I wonder if we have oversupervision which is a similar point really in terms of we have got relatively highly paid -- I will be controversial -- levels and then we overlay it with another level of supervision. It is adding and constraining which I think then leads to the bureaucracy with no empowerment.

We have officers at PC level who are working very independently. We have others who are working in a very structured way to sergeants and then to inspectors who are used to seeing the same person consistently, in the absence of that person consistently become a burden to them or a benefit.

I am not sure that we are getting the benefit from having these different levels. I think it might be constraining, and can actually create a different sort of cultural environment than probably we need

in the future. So I sort of echo your point.

**MR GIBBONS:** Just to expand on that a bit further. One of the key points we made in our submission was tall hierarchies of organisations as counterintuitive and has been recognised in the military in terms of their flexibility and ability to exercise judgment freely, innovation, all those sort of things we associate with modern effective organisation generally. Which is why it is hard to disassociate those aspects from things such as entry and exit routes as well through the service. If the attributes of the individuals required to work within a flatter organisation deal better with ambiguity and are better at problem solving and unfortunately this blue versus white colour argument as well, then what you probably want is those who are better skilled, better educated, better qualified, have more diverse experience and that feeds into the thinking that what you need is perhaps more flexible entry and exit routes. This concept of the singular having a progression, particularly in respect of pay of course, is quite a rigid imposition upon the ability of forces to do that.

**MR CREW:** Any other observations on that? Jo.

**MS SHINER:** I don't think we need anything changed to do what is common sense quite honestly. If there is a structure and it is recognised that you don't need all those ranks, there is nothing which says you have to have all those ranks, and that comes down to the honesty of managers to actually take those ranks out. And it comes down to the culture of saying, "I don't mind if I have inspectors answering or PCs" but whatever is needed to get that particular job done quite honestly. I don't think we need anything changed to do that. I just think we need to be, quite frankly, more honest about it.

**MR CREW:** I am not arguing for it but just to put up a counter to that, doesn't it disadvantage your officers though if you don't have a rank in terms of they might be wanting to go to another force on promotion?

**MS SHINER:** It might disadvantage the taxpayers more.

**MR CREW:** I do accept that.

**MS SHINER:** I think there are other ways of developing officers and I think there are other ways of developing the next rank without actually having to

perform in that rank and maybe, whether it is commander cadres or other skills, I think you can develop people naturally without having to pay them at a high rank.

**MR CASSIDY:** I would say this, wouldn't I? I think there is a business case for chief superintendents and superintendents. I think as well it is worth remembering of all the ranks in the service over the last ten years, perhaps with the exception of inspectors, our ranks have declined whilst others have increased. So in that sense I think our members are very good value in money.

**MR CREW:** They have certainly decreased sizeably in number. I am not sure about inspectors though.

**MR RENNIE:** From a Federated ranks perspective if you go back to 1993 it was the chief inspector rank that was removed from the Federated ranks and very very quickly they realised they had to bring that rank back because it left an enormous hole between inspector and superintendent, so they did bring it back. There has been a reduction in numbers of chief inspectors and inspectors, not significant, but there has been a reduction in numbers, certainly over the last few years.

I think there has been certainly an increase in sergeants and constables, constables have been the lion share of the 140,000 but there has been an increase in sergeants as well and I think that's to reflect certainly part of the report from HMIC, 'Leading from the Front-Line', and the importance of hands-on supervision first line management that sergeants deliver on the streets to assist constables, which is the most important rank, just in case anybody has any doubt about that. The constable is the most important rank because they deliver the service to the public and it is important that they have the support of good quality supervision through that chain, particularly at the sergeant rank to assist that and of course sergeants do need somewhere to go to when they have a problem and that is why we have inspectors who do inspecting and superintendents who do superintending.

It might not be in the numbers that we had. If you remove a rank, it leaves a hole and then you have to consider how you are going to fill that gap because who does what that person did and the responsibilities that they had? Be that in PACE.

There is a PACE requirement for inspectors for the custody reviews or the superintendents in that regard. So there are a number of issues around if you remove a rank.

**MS SHINER:** I agree. I just think you can plan for it. And actually there is no reason why an inspector can't sort out the issues of a PC if you planned for it and your workforce is constructed to manage those roles quite honestly. I just think we need to get out of that culture of a PC having to go to a sergeant. A sergeant having to go to an inspector and all the bureaucracy.

To be honest, what that also does is it offers up opportunities for us to get processes wrong and to be taken to ETs and for people to fudge issues and not actually deal with staff properly and a whole other range of things. Actually if we dealt with things properly and straight right from the start, we would save a huge amount of money in management time, ET costs and goodness knows what else.

**MR RENNIE:** I don't think removing the ranks will solve that problem. That is about managers actually doing their job and what they are paid to do, regardless of what rank you are.

**MR GIBBONS:** A similar sort of view I think, there is the hole that you referred to removal of ranks creating, Ian. I would have thought the only reason a hole would be created is if you could see the organisation in its previous form whatever the option to reconfigure and reconstruct and we can see what rank means and how and what it is there to do. I just get the feeling that rather than us talking about a title we need to dig beneath what the title is actually there to achieve.

So I just think in terms of when you take out a rank and will lose a hole, it is only if you see the organisation in its previous or its current form.

**MR S HUSSAIN:** I think we have to distinguish between operational policing and force activities because the rank structure which we have inherited is designed for policing the streets: a hierarchical and pyramidal model.

Where you have a specialist squad historically we have tried to replicate the street supervision model and there is no need for it. So in the specialist units where you are all in an office you don't need all the intermediaries. I have an example, I had an inspector reporting direct to me. He was very

uncomfortable with it thinking he shouldn't be bothering me. I said, "Look you're reporting to me and that's a fact of life. It's not an issue."

So I think if we separate the two functions, you can be more flexible in the specialist area and the back office area.

**MR CREW:** Okay. Thanks for that.

Again, I am not sure how much this will exercise people, but the issue has been raised in some of the submissions about the re-hiring of retired officers, about whether officers retiring on pensions should be re-hired as members of staff. If they are, on what terms should they be engaged? Should there be abatement of pensions, for example? Should they be treated any differently from any other member of the public who is coming in as a member of the police staff?

**MR CASSIDY:** I think it is just as you said in the last sentence: they should be treated like everybody else.

**MR S HUSSAIN:** The rules are there. If the rules were applied, I am not sure if there is an issue because the rules are you have to be selected by competition to avoid abatement. So if you are

looking after your mate, well bad luck you have to be abated, you have not complied with the rules. If you are competing with someone from the outside sector in an open competition and you happen to win it and is transparent then you should be treated no differently.

**MR U HUSSAIN:** The Local Government Pension Scheme is slightly different. Again, you do compete for the role but you do lose a pound for the pound that you earn. So within the police staff areas there are different rules in the Local Government Pension Schemes. Pension schemes are dictated which means you do compete but if you work in local government again you do abate your pension automatically.

**MR WILLIAMS:** If I may, I think the public sometimes find it hard to understand how a situation can arise where somebody does a long career, picks up benefits at the end of that career and then is re-employed in more or less exactly the same role the following week earning again. It may be well be that the rules are there. I am no expert in this so I offer no insight, but I imagine that there are instances where those rules have perhaps not been followed as rigorously as they might and

they have led to a situation where somebody may find themselves being seen as benefitting extremely well when actually they are doing exactly as they did before.

What this review I am sure will need to take on is also the acceptability to the wider public in terms of those things. It is not easy because I could equally make the case that if you have somebody who has a certain skill set and has a level of insight and experience which has grown over time, why on earth wouldn't you take those people back, providing that that competition is truly open?

And I think there might be a way of going down that road and making posts more open to competition than they are now. It may well be that certain of them are closed and I am not entirely sure how to square that circle but there is a need, I think, to demonstrate when these instances occur that there was no alternative to it because to the public purse that is quite an expensive solution.

Admittedly to the force or the individual at the time it may be justifiable but to the public purse it is often a very expensive solution and I think the general public sometimes find it hard to see

that there wasn't an alternative which was equally effective.

**MR CREW:** Thank you.

**MR U HUSSAIN:** Positive is that. It gives you flexibility for officer roles to be freed up so you can then restructure. The negativity is it perpetuates a culture which you might want to change, so you have the history, the legacy and you don't really want to do that again.

One of the things that restructure allows you to do is to limit that competitive process when you are redeploying police staff into other police staff roles. So the police staff become redundant and when you do a redeployment issue you can give preferential treatment to those police staff posts before you open it up to police officers for recruitment. So that flexibility is already there in the transitional phase. In the longer term open competition applies.

**MR CREW:** Thank you.

**MR CORKERTON:** I think there's two different things at play here. There is public perception and there is the actual economic sense of making the decision and the two things aren't always the same. So it

doesn't sound right that somebody is working with the organisation one day, is then paid a pension and comes back and does a similar job but they have contributed to that pension throughout their career, they have earned it. And to then go and disincentivise them to come back to the organisation and pick somebody else who is less skilled doesn't kind of make sense either frankly. But the two things aren't always reported or portrayed as a logical decision. Perception tends to dominate.

I think the other thing that I would say though is perhaps a new reward and conditions model that actually joined up the policing family might handle that in a different way because Umar said really that there are constraints on police staff members retiring and rejoining as police staff members. At the moment it is entirely proper and lawful that a police officer who retires can be considered for a police staff job. There is nothing wrong with that and often they are highly qualified and suitably skilled and why would you pass over them? But actually if we had a different model you would look at it in a different way.

**MR S HUSSAIN:** A quick point of detail, if a police officer comes back as a police officer, then there is full abatement. Therefore, there's no exit costs.

**MR CREW:** So that is the same as a police staff member coming back as a police staff member.

**MR S HUSSAIN:** Yes, it is only when they convert to a different post. I echo what you would say. I civilianised the collision investigators, which is more to do with physics and engineering than it is to becoming a constable and in the end we ended up with one third retired cops, one third graduate intake and another third were apprentices. So you can have a mixed team where no one gets disadvantaged.

**MS CARTER:** I think one of the issues is we don't have standard roles that are civilian roles and officer roles, really distinct. I am not sure it would be helpful if we did but I think that is one of the perception issues.

I think the other big issue is where we have the example of: I am the serving officer doing this job. I retire. I come back the next day and that same job has now been civilianised and I have got

it.

I think those are the big issues and again, that probably comes down to culture as well in terms of what that message then gives out to the wider workforce, both to the officers and the staff. I think it would be probably helpful if we did define very clearly what the entry points were, if we actually felt that certain skill sets were part of those future workforce planning, and if we did combine it with some sort of tenure system, there would be succession planning throughout the organisation, so it would be easier to move from an officer who had transferable skills into different roles by defining them and setting them out up front. I think that would give us some inherent flexibility and deal with some of the perception issues at the same time.

**MR RENNIE:** Our position is that if it is a fair competition, then obviously they should be entitled. We have to cast our mind back we went through a workforce modernisation programme where we civilianised a large amount of the investigative process and if we hadn't recruited retiring detectives, I think we would have had great

difficulty in recruiting the skills to deliver the majority of that service. And if we make it too much of a detriment for people to come over, it will just take them into the wider world and get a job where they can utilise those skills, because that is what some officers do and they don't lose their pension then. It would be a real shame if you had to lose those skills by imposing something which didn't make it as attractive to stay if you retired and became a member of police staff because it will take them elsewhere and there will be no abatement at all.

So as long as it is a fair competition I think the rules are absolutely perfect as they are and there should be no difference.

**MR CREW:** Thank you. That has all been extremely useful.

I said I would leave some space at the end now to raise the issues you were hoping we were going to raise around exiting of police officers from the service. We might have left some of that ground uncovered. So I am just going to give a bit of time for people to raise those issues now.

**MR U HUSSAIN:** I suppose we looked at flexibility of

the exit point and we were looking for some flexibility around financial pressures replacing. We also need to look at the flexibility of the entry point because there are massive opportunities there to reduce the cost base. We spend an awful lot of time trying to provide theoretical knowledge and invest in that process and at the end of maybe two years the operational capability skills cannot be acquired and both parties have lost out of that process.

Lots of other professions require individuals to acquire the theory before they join the organisation, pre-qualified investment. They benefit and they can recycle those skills.

But also those issues are other entry points in terms of a different passport, if you like, for PCSOs, different passport for special constables, different passport for those semi-operational roles, scenes of crime where those are useful for a police officer. So I think a multiple entry point, multiple skills, acquisition would save the organisation money and it would help the exit with dignity as well. I think if you had a professional qualification you can use and you have a natural

end point to that, you can walk out with a small pension plus a qualification and it gives flexibility to both ends.

**MR WILLIAMS:** I was going to make two points, the first of which Umar has made perfectly well so I won't repeat it, but thank you for that. Flexibility of entry point is just one of the levers that can be applied.

The second point is I don't know if colleagues around the table are aware of the NHS MARS Scheme, the Mutually Agreed Resignation Scheme. But it is a scheme whereby in certain parts of the NHS people were allowed to step forward and volunteer for a discussion around a compensated release, and in the private sector that is often called a compromise agreement. It is available online. I encourage people around the table if they are interested to go and look at it. For a limited period of time the NHS ran a scheme, and I think certain trusts, and it was driven by the Department of Health who set the framework to allow the very different employing bodies in the NHS, of course there are trusts, there are old-fashioned hospitals, all sorts of different employment

relationships. So the scheme essentially said: if you come in and have a conversation if it is agreeable with us, if it is agreeable with you, here is a sliding scale of benefits. Let's have a conversation around that.

The benefits to the individual, as I understand it, and I speculate a little, are that they get an opportunity to truly consider leaving the organisation soon as opposed to hanging on, and we have talked about that in plenary, as it were. One of the benefits to the organisation is that one of the things they can talk about is releasing the individual very quickly if it suits them. Of course the benefit to the organisation is that by releasing them very quickly if they don't have to go through the consultation period of several months and then several more months and then due notice, and that has a salary attached to it, then the entirety of the package can be cheaper to the organisation whilst at the same time allowing a decent degree of compensation.

So if you are going to save 12 months salary and there is a compensation payment of X, if somebody wanted to leave and they were prepared to go after a month

you then 11 months salary to play with to potentially increase that. I am not suggesting it would be that amount. But one could imagine that sort of sliding scale.

That scheme exists in the NHS and it strikes me as something that could at least be looked at because what it breaks down to in the end is not redundancy and what the scheme absolutely isn't is redundancy and it is clear as that in its opening sentence: this is not redundancy.

What it is is a framework that allows informed constructive discussions between the employer and the potential party to talk about the arrangements by which they might become compensated and of course it would have to be within a framework of confidentiality and so on and so forth so that there was no stigma attached to it. But it strikes me that that is something that could be looked at either as an interim measure to get us over this incredible hump that we are in or as a permanent facility to be deployed should this happen again. And you were saying earlier on, John, about we don't know what is coming round the corner, if we get another double dip, I think you talked about,

Terri, we will be back here again potentially with further legacy issues to discuss. So I offer that for consumption.

**MR SMITH:** Just to come back briefly on that point.

Compromise agreements are something that we can and do use for our police staff. What we don't have is a mechanism that enables us to use those compromise agreements with police officers.

**MR CREW:** Is it because you are precluded from using those mechanisms or?

**MS SHINER:** You can't do it because of the pension. We have tried to do one recently.

**MR CREW:** Do you have an answer to that, Ian?

**MR RENNIE:** Officers are not employees.

**MR S HUSSAIN:** The MPA took legal advice and it is in their committee minutes. They will consider compromise agreements for chief officers.

**MR CREW:** Correct?

**MR JOHNSON:** Yes, under section 6 of the Police Act there is an opportunity to interpret the Act in a way that enables that to take place.

**MS TEASDALE:** Just for chief officers, only for chief officers.

**MR CREW:** The hare has been set running. It has raised

some interest, so I think we need to look at it.

**MR RENNIE:** I just want to come back on Umar's point.

I understand because of the financial constraints about trying to reduce the cost of recruitment and I fully understand that. But this is a baby and bath water moment I am afraid. We really have to think of how we got to where we are now and the recruitment process we have. We have gone through a lot of pain to get to where we are to make sure we recruit from a diverse society to a police service that is diverse and if you introduce cost cutting measures by pre-qualification, you then are reducing the pool of potential applicants to the police service because they are unable to do it, can't afford to do it for whatever reasons. So there is some real issues around there.

You have to go back. We are here because in 1981 Scarman reported about the attitude of police officers, Stephen Lawrence inquiry, the Bill Morris inquiry, the CRE inquiry. That is why we are here. That is why everybody who becomes a police officer has to go through the search process to make sure that they are the right standard of person to use the powers that are bestowed upon them with the

office of constable, and that they don't abuse those powers and that they don't discriminate against people and we provide as good service to the public as we can. That is where we are.

So if you reduce the pool, you are going to reduce the group of people that you are going to recruit from. They will not be diverse. We need to be very conscious and remember why we are at this point and how we got here.

My only personal view -- I think it is the view of my organisation -- is we continue to recruit the number of special constables, that special constables who when on duty have the same powers as the office of constable should also undergo a rigorous assessment through recruitment. And PCSOs, yes and specials can have an advantage because they have some information but they should still have to go through that selection process because even though they have been in the organisation and we have had sight of them, we might not have sight of them when they are actually dealing with things. Because one thing SEARCH<sup>5</sup> does, and second interviews do that forces

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<sup>5</sup> SEARCH is the police recruit assessment centre

undertake, is weed out people particularly for race and diversity attitudes that are not wanted within the police service.

So I think we have to be very careful what we do at that front end.

**MR CREW:** Thanks for that. Jo you can have the final word.

**MS SHINER:** First of all, it is interesting because we have been running a precommencement scheme as a pilot in Norfolk and actually it has really improved the potential diversity of our workforce because what we have been able to plan to do is to actually move that scheme out to a couple of other colleges which are in the middle of the areas in which some of our more diverse communities are, and we run it on part-time basis with financial help particular to the diverse community, so that has really worked well for us as an organisation.

Just the final point is that I don't think the current recruitment scheme, whatever you want to call it, in terms of assessment centres is adequate. We have had to put, as have a number of other forces, final interviews over and above that process and actually we probably lose about 20 per cent of

those people who get through the assessment centres in those final interviews which were also chaired by superintendent or above because of diversity and other issues from those candidates.

**MR CREW:** Okay, thanks for that.

Before I say thank you I will let Tom have a word.

**MR WINSOR:** Thank you.

**MR CREW:** There you are.

**MR WINSOR:** It has been enormously helpful and whilst I haven't intervened very much because I get my chance to say what I want later, this has been extremely valuable hearing the range of views on these issues. I do encourage those who have taken part in this conversation to let us have any further views they may have in the light of what has been said today and also in the light of the information which we will shortly be putting on our website, if it is not already there, which is the written submissions we have had from all the relevant organisations and consultees with very few exceptions. When you see what others have said if you have points to make in relation to those things, then please let us have them as soon as possible. We value every contribution that we get

and we are determined to analyse and understand the issues as thoroughly as we possibly can.

**MR CREW:** Thank you, Tom. If do want to submit further information, I will give you, for those who weren't here yesterday, an email address which is [contact@policereview.gsi.gov.uk](mailto:contact@policereview.gsi.gov.uk). Please don't feel inhibited at all about using it. We welcome any contribution which you wish to make.

Ladies and gentlemen, thank you very much indeed.