Winsor Review of Police remuneration and conditions – part 1

ACPO / NPIA – summary and observations

March 2010
Winsor Review of Police remuneration and conditions – part 1

Introductory remarks

Purpose of this document

- This document provides a summary of all of the recommendations from part 1 of the Winsor review, with a small précis of the background to each recommendation.
- It also contains comments, where appropriate, which reflect either the ACPO or NPIA view on each particular recommendation.

Money / Cost

- The Winsor Review of Remuneration and Conditions of service for officers and staff has identified total Cumulative savings of £485m (net, over 3 years)\(^1\) are to be retained within the police service.
- Forces are currently modelling the financial implications of the review.
- It should be noted that part 2 will consider a regional pay structure to reflect the different costs of living in various areas of the country.

Communication

- Communication from NPIA on this subject should be via the NPIA Press Office.

Workforce

- The Expertise and Professional Accreditation Allowance is an interim solution as a system which recognises professional development is designed and implemented.
- The development of these future options needs to reflect the Neyroud Review.
- The Hutton review will also impact on the policing workforce, however it remains to be seen exactly what these changes will be. This will entail consultation as opposed to negotiation.
- Winsor makes frequent references to common career models and development frameworks and demand based pay for police officers and staff. Part 2 will examine issues such as job evaluation / classification for police officer roles, and the quantification of the 'X-factor' -quantifying the particular elements of police officer terms and conditions which are unique, and therefore the impact, in pay terms, of the office of constable.
- There are lots of references by Tom Winsor that the personnel management skills of managers need to be improved so that good practice as operated elsewhere can be exploited in the police service (e.g. robust assessment of performance).
- In many of his recommendations Winsor states that the decision making authority must lie at Chief Officer level. In some cases this would mean moving this authority up the chain of command and giving managers less autonomy.

Timescales

- At high Level Working Group on 10 March 11, Tom Winsor committed to completing part 2 by the end of June 2011. Considering the complexity of the issues, these are seen as exceptionally challenging timescales.
- All financial assumptions with the report are triggered to commence on 1 September 2011.

Overall observations

- Overall both the ACPO and NPIA submissions have clearly been influential in developing part 1 of Winsor's review.

\(^1\) See Appendix 1, page 22 for a summary.
• Within the functional areas of policing there is a need for greater clarity around the inclusion (or exclusion) of certain roles within policing (i.e. surveillance, intelligence.)
• The following significant issues have yet to emerge or be defined, it is expected they will appear in Winsor part 2: rank structure; pay machinery; ill-health management; the combined impact of the Neyroud and Hutton reviews; entry routes and pre-entry qualifications.
• An Equality Impact Assessment has been completed for the report, none the less, more detailed assessments will probably be required at both national and force level for specific changes both as implementation plans are developed and as final decisions are being made.
• There are clearly many issues which Winsor has stated will be covered in part 2 of this review, this will require ACPO / NPIA to prepare further submissions to the review team.
Chapter 1 - Context

The police service has changed very significantly since the Committee of Inquiry into the Police, chaired by Lord Edmund-Davies, published its report on police pay in 1978. The composition of the workforce, the variety of different jobs – including highly specialised ones – which police officers now do, and the level of public scrutiny they receive is markedly different. This Chapter discusses each of these areas to provide a contextual background to the recommendations in this report. It also considers how total police officer and staff pay compare with pay in other occupations, including the variance in regional employment markets. Winsor 1 – pg 35.

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

Chapter 2 - Deployment

The efficient and effective deployment of police officers and police staff is important in the economical discharge of the obligations of the police, particularly at a time of national and local financial constraints. Police officers and police staff should be fairly compensated for the work they do, taking full and proper account of the effects of the circumstances and demands of their service on their health and their family lives. The present system of police pay fails properly to differentiate between police officers who work unsocial hours, and those who do not, and provides for payments for overtime which are in excess of the actual hours worked. Winsor 1 – pg 49.

2. Recommendation 2 (pg 59) – Police constables, sergeants, inspectors and chief inspectors should receive an additional 10% of their basic pay, on an hourly basis, for hours worked between 8:00pm and 6:00am (non-pensionable).

Winsor recommends this is open to all Federated ranks (including inspectors and chief inspectors) thus incentivising these ranks to work unsocial hours. Winsor suggests two ways of administering this system, payment of an extra 10% of hourly pay in forces where pay systems will allow, or the payment of an annual allowance based on the average pay at each rank on the applicable local shift arrangements (Constable £1,200 – CI - £2,100 approx). This should only be an interim arrangement until 2014, pending a more detailed review of police officer pay which can be varied dependent on the roles undertaken. Estimated cost of this is £60m in FY11/12 (if implemented from Sept 11) and £103m in FY 12/13. (Pg 58)

Comment:
- This is a new payment for officers actually working unsocial hours which supports ACPO’s proposition, Winsor strongly reminds that this is over and above the current 9% shift allowance which is already a component part of basic police officer pay. It would appear that it will be paid in addition to overtime that is worked between 8pm – 6am.
- Winsor is not recommending the disaggregation of current shift payments (recognising financial commitments on individuals).
- Note that this is not a uniform amount for everyone who works shifts, it will vary according to average salary and will need to be individually calculated depending on circumstances. Forces will need to share the way they calculate these OR a national view will need to be taken to ensure consistent methodology of payment for these unsocial hours across forces.
3. Recommendation 3 – Police staff should not receive additional shift premium (time and a half or double time) for weekend day working if it is part of their normal contracted hours. The rate for routinely working a public holiday should be reduced to double time only. This should be agreed in the Police Staff Council and incorporated into individual contracts of employment using the established mechanisms for doing so. In the case of police forces outside the PSC arrangements, these changes should be agreed in the usual manner with the relevant unions.

Staff who work shifts (and are therefore in receipt of a shift allowance) at weekends will no longer be able to claim a weekend premium for the hours of work performed at the weekend. Time off in lieu will no longer be able to be claimed in addition to double time for working on a public holiday.

Comment:
- The Working Time Directive seeks to protect ‘time off’ rather than enhanced payments so consideration is needed about the compatibility of the loss of the replacement day off and the requirements of the WTD. Implications will need to be examined in more detail and any changes negotiated through the Police Staff Council.
- Possible impact in forces – how many people will lose the extra day and how will forces manage that? What is the corresponding financial saving that will be achieved?

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

Comparisons are not currently able to be made between police staff as a whole and other categories of worker as detailed in the ONS (ASHE) annual data.

Comment:
- This would collate together large groups of staff who cover a whole range of professions and levels of seniority which are currently captured in other areas of the ASHE data. COT level staff members would be categorised with admin staff and PCSOs meaning average pay data would be skewed and this pay data would be removed from other areas of the ASHE and not represented in the overall national average data for managerial / professional / admin roles.

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

Winsor notes the standard shift patterns and how Variable Shift Agreements are currently operated. He comes to the recommendation above by balancing the lack of the right to strike against the need for the police service to make necessary operational decisions, contrasting the police service position with that of the armed forces and prison officers (who also have no right to strike but also no right to veto shift pattern decisions).

Comment:
- The recommendation is in line with the ACPO proposition and also the feedback from the APA, LGA and MPA.
See para 2.3.8, pg 63. The recommendation emphasises the need to consult 'the affected officers' and take full account of their individual circumstances. It does not suggest that consulting representative bodies (e.g. PFEW, PSAEW) would be sufficient, although the preceding paragraph does refer to consultation with these bodies. This will require clarification because in a large scale shift change it would be difficult in practicality to consider the effects on each individual officer.

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

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

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

Winsor makes clear that he has found no widespread evidence of the much publicised overtime abuses which have been prevalent in the media, however he agrees that the current system leaves potential for this abuse and agrees with the ACPO position that officers should be paid for actual hours worked, not minimum periods. Winsor also recommends the abolition of the five day notice period, whilst retaining premium pay for rest days, public holidays and annual leave.

Overtime savings for Recommendations 6, 7 and 8 are estimated to be approx £48m p.a. although consideration must be given to possible double counting as overtime is reduced via other efficiency measures. It is suggested that average overtime pay will reduce from £2,751 to £2,418. Part 2 will consider the case for buying out overtime in certain roles and widening job banding to reduce overtime. Recommendation 8 will enable police officers to choose their own bank holidays.

Comment:
- Recommendation 6 - Para 2.5.44, pg 81 with reference to ‘any additional hours should be paid’, it is unclear whether this is after the first 30 minutes or including the first 30 minutes e.g. ‘The Queen’s half hour’ of currently unpaid overtime. Clarity must be sought from Winsor.

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

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

The cost of police staff overtime for 2009/10 was £76m. Analysis demonstrates that overtime is used less often for police staff than for police officers. Winsor recommends aligning public holiday arrangements with those of police officers whereby police staff will be able to choose their own public holidays and these will be protected.

Comment:
- Recommendation 9 will reduce Sunday overtime rates for police staff.
- The reference to Assistant Chief Constable in recommendation 10 will be taken to include Assistant Chief Officer. As per recommendation 8 above.

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

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

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

Winsor summarises the history of mutual aid and the origins of the Hertfordshire Agreement, particularly highlighting the 16 hours which are paid regardless of how many hours are worked, provided an officer is away from his or her normal place of duty overnight. Winsor notes that mutual aid is not cost neutral – in 2009/10 expenditure was £7.7m while income generated was £10m, with larger forces gaining relatively more income to the detriment of smaller forces. Winsor notes the on-going work on mutual aid for the Olympics but states that agreement has not been reached at the time of writing.

Comment:
- Recommendation 11 would abolish the Hertfordshire agreement. The abolition of the current arrangement will mean that officers are no longer on-call for any part of the 16 hours if they are not actually working.
- Recommendation 12 is in line with the ACPO position.
- It should be noted that recommendation 13 re. on-call allowance corresponds with the overarching recommendation re. on-call (Recommendation 44).

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

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

Winsor highlights the fact that there is no current evidence that rules around the monitoring of business interests are causing a problem and so sees no need to recommend a tightening of the rules. He does find that the role of the Home Secretary as the final stage of the appeal is
anomalous and that forces, officers and staff would benefit from further clarity as to the types of business interest likely to be regarded as objectionable. There are also ambiguities around police staff who have no agreement at a national level.

Comment:
- ACPO and NPIA support recommendation 14 but would commend that all guidance on this issue takes into account the working time directive, health safety and welfare issues as well as detail of which business interests may not be compatible with policing.
- ACPO would be content with the removal of the right to appeal to the Home Secretary as this would empower Chief Constables and Police Authorities/ PCCs.

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

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

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

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

All feedback to Winsor and Winsor's own view of the Special Constabulary emphasised how valuable the Constabulary is to policing. Part 2 of the review will look at the role of the Special Constabulary as a requirement prior to entry as a regular constable.

Comment:
- ACPO and NPIA strongly support the enhanced recognition of the Special Constabulary as a vital part of the police service, as detailed in recommendations 16 – 19.
- It should be noted that the Ferrars Awards which specifically recognise the contribution of special constables and police service volunteers have been running since 1993. These are currently run on an annual basis by the NPIA. NPIA also believe current regional efforts to recognise the value of Specials and PSVs should be remembered.
- NPIA and ACPO note that there is no mention of the professionalisation or deployment of special constables in the recommendations. This should be considered as a way of using special constables’ existing specialist skills and as a way of retaining special constables by providing them with interesting and varied ‘real’ police work. The Special Constabulary should be included in the professionalisation agenda within policing.
- NPIA will be able to add to further part 2 consultations as work in this area progresses.
Chapter 3 – Rewarding contribution

The length of time a police officer has occupied his rank is, excluding the attainment of a higher rank, by far the most significant factor in determination of pay. This holds true for all but the most senior police officers. For police staff, the existing system of pay gives greater weight to the job, but length of service still plays a significant part in establishing remuneration. I do not consider that it can ever be fair that a police officer or police staff member who has fewer years of service, but who is consistently performing to a high standard should be paid less than someone with longer service, whose performance is of an appreciably lower standard. This manifest unfairness should be brought to an end. Winsor 1 – pg 101.

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

Pending the establishment of ‘a fairer system’ of pay (i.e. one not based on time-served increments) and due to the present conditions of national financial pressure Winsor has recommended this two-year increment freeze for the whole policing workforce. Winsor estimates that this will make savings in the region of £257m.

Comment:
• Winsor recognises that increments are contractual obligations which will require negotiation via Police Negotiating Board / Police Staff Council.
• This issue is contractual for police staff and will require collective agreement, through negotiation. For police officers this is a PNB / Home Secretary determination issue and therefore could be imposed.
• The savings generated through the incremental freeze could be used to mitigate job losses and / or bring forward resumption of recruitment.

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

Winsor believes that a significant proportion of the police service is not yet ready for a more developed system which will attach appreciable financial consequences to assessments of competence and exceptional performance. He goes on to say that for such a significant cultural change to work, leadership will be essential and that there would need to be a significant change in the capacity and capability of management in these respects before a new, more sophisticated regime could be fairly implemented and accepted by the vast majority of officers.

Comment:
• It is not entirely clear what Performance Related Pay systems Winsor is referring to. On pg 20 he identifies three areas which constitute PRP in his view: 1) Bonuses up to 15% for Chief Officers; 2) accelerated increments for Superintendents; and 3) Competency Related Threshold Payments although he is not explicit around his recommendation.
• ACPO does not support Performance Related Pay in principle and did not support the introduction of the measures in the point above.
• Winsor however does view PRP as a legitimate long term aim, to be introduced gradually so this will be a point for discussion in part 2.

22. Recommendation 22 – Forces reviewing their performance and development systems and training for managers should do so in the knowledge that they may be used in determining pay within the next two to three years.
NOT PROTECTIVELY MARKED

Winsor notes past criticisms of the Integrated Competency Framework and the PDR process, which were seen as bureaucratic and requiring large amounts of evidence for little discernible benefit. He notes the introduction of the Policing Professional Framework but also that it is not mandatory. Winsor highlights that forces should use NPIA guidance when reviewing their PDR schemes.

Comment:
- NPIA note that the national PDR guidance has been reviewed and is due to be published by the end of March 2011. It is not mandatory but is based on the assumption of competence highlighted by Winsor. The Policing Professional Framework is currently being rolled out via NPIA workshops to forces.

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

Winsor notes that very little comment was received re. Chief and Deputy Chief Constable pay. He notes that the current system is crudely based on job evaluation and until a more advanced system is devised it should remain the same.

Comment:
- There is no dispute on this issue from ACPO.

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

Winsor states that the weighting of ACCs roles should be amended to reflect the system used for Chief and Deputy Chief Constables. Moreover he also believes this should apply to the Superintending ranks, although this is already taken into account within some forces through use of the ‘big job’ allowance (see recommendation 26). Winsor believes any evaluation process would need to balance complexity with breadth of demand as in smaller forces an Assistant Chief Constable’s portfolio is likely to be broad, with significant time spent on-call, whilst, in contrast, Assistant Chief Constables in large urban forces are more likely to deal with complex situations.

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

In the light of the abolition of performance-related pay for other ranks as an interim measure pending Winsor’s recommendations in Part 2 of the review, chief officer bonuses are suspended until September 2013.

Comments:
- For the longer term, Winsor intends to invite views on whether a similar approach should be taken for all staff and officers. Questions on which he will be seeking proposals include: what should constitute good performance? And what proportion of pay should be “at risk”?
- Winsor will consider the role of PCC’s deciding whether to deduct an element of a Chief’s pay should objectives not have been met.

26. Recommendation 26 – The post-related allowance for chief superintendents should be retained at its present level for the short-term, to reflect the different weights of jobs at the same rank.
Local Government Employers’ PNB survey data indicate between a third and a half of all chief superintendents received this allowance between 2005 (36% in receipt) and 2008 (44%), which may be indicative of the occurrence of ‘pay creep’.

Comment:
- Interestingly, this appears to be the only ‘bonus’ type allowance which Winsor has recommended be retained.
- Possibly this is a reflection of the impression he has gained through his significant contact with operational Chief Superintendents.
- The retention of this allowance would also seem to signpost his thinking within part 2, as it is rewarding Chief Superintendents for size and range of their role.

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

Winsor submits that this payment should be suspended in line with all other ‘bonus-type’ payments. In part 2 he will look in more detail at the merits of “at risk” pay rather than bonuses, with the possibility of pay for exceptional performers in the longer term.

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

Winsor reasons that this allowance should be retained due to its reflection of the increased weight of the role for the inspector ranks in London, reflecting his view in terms of Superintendents in recommendation 26.

Comment:
- South East and London differentials are supported by ACPO.

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

Winsor has concluded that the CRTP scheme is not working as intended. He also believes in working from the basic assumption of competence (i.e. that most officers are working to the standard expected of them.) He therefore works on the assumption that competence is assumed for pay and poor performance should result in a loss of pay. The abolition of this payment should release £96m annually.

Comment:
- Removal of CRTP was recommended by ACPO on the grounds of unfairness particularly around gender (possible contravention of Equality Act 2010.)
- The proposed abolition is not unanticipated but there are challenging timescales for implementation through PNB.
- CRTP payments are pensionable so removal will have more of an effect than removal of non-pensionable allowances..
- NPIA note that the newly developed PDR scheme for forces is also based on Winsor’s assumption of competence.

**30. Recommendation 30** – Chief officers should continue to be able to make _ex gratia_ payments of £50 to £500 to any officer to recognise a piece of work which is outstandingly demanding, unpleasant or important.
Winsor believes the bonus payments for the Federated ranks should be retained as they give managers a way of rewarding their staff for exceptional actions. It is used sparingly.

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

Comment:
- Team reward is supported but need clarification on whether this is annual or per occasion.

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

Winsor notes the current award arrangements for police officers, from the formal honours system to the force specific awards which take place in some forces. However he believes there should be greater official, national recognition, particularly for the federated ranks and police staff and recommends a tier of national awards should be created, even detailing three levels of awards he feels may be appropriate: ACPO Commendation; the Police Award for Gallantry; and the Police Award for Distinguished Service.

Comment:
- ACPO feel current award landscape is too crowded and therefore do not support.

**Chapter 4 – Recognising Posts and Skills**

*Existing post-related pay systems already recognise that not all police roles have equal weight. Whilst I have recommended that the current systems for police staff and more senior police officers should remain, at least for the short term, the current post-related model for the Federated ranks should end. Special Priority Payments have not met their objectives, have been divisive and represent poor value for money. In the longer-term, pay for both police officers and police staff should reflect and facilitate the continuing trend in policing which moves it from a craft towards a profession which has a more structured approach to standards and development. Until the necessary infrastructure is in place, however, there is a need to recognise the importance of retaining in specialisms police officers who are in the posts which are of the greatest importance to the public and the efficiency and effectiveness of the police service. Winsor 1 – pg 135.*

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

Winsor’s analysis highlights the varying use of SPPs across forces and the fact that none of the forces which provided data are spending the expected 2% of their pay bill on them. Data also shows that the percentage of officers in receipt of SPPs varies between 36% and 74% (from 35 forces who provided data) compared to the minimum of 20% and maximum of 40% of officers envisaged when SPPs were introduced. ‘Frontline posts in particularly demanding areas’ was only the fourth highest reason given for the use of SPPs, the top 3 being ‘demanding working conditions’, ‘recruitment and retention’ and ‘higher responsibility’.

There is a 13% pay gap between men and women for the payment of SPPs at the rank of Constable (9% at Sgt, 7% at Insp and 8% at CI). Overall consensus from consultation shows most consultees to be against continuation of the SPP scheme in its current form. Winsor feels
the current scheme is not providing value for money and is contributing to the gender pay gap and therefore recommends its abolition but he is not against the principle of paying more to those in especially demanding posts or with higher responsibilities (see recommendation 34). The abolition of SPPs should release £84m annually (based on FY 09/10 figures).

Comment:
- It is considered that most people will not be sorry to see SPPs go, although there may be concern from some quarters that the interim replacement (EPAA, see below) is simply a re-badging of SPPs with more restrictions around their use.

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

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

Based on discussions around the National Strategic Assessment of Policing (ACPO / NPIA) Winsor identifies four policing functions which he believes should qualify for this payment. These are:

- Investigation (Officers with Level 2 of the Professionalising Investigation Programme.)
- Public order (Officers with Levels 1 or 2 of the public order accreditation.)
- Special operations (firearms)
- Neighbourhood policing (where an officer has been working in the same neighbourhood in an NPT for a minimum of 3 years).

N.B. Note that Investigation includes a wide range of specialisms including drug-related crime, child protection, domestic violence and serious, organised and other crime.

Winsor is explicit about the fact that these categories should be prescribed at national rather than force level (pg 145/7) for reasons of simplicity of operation. Winsor is also clear that Specialist Ops refers only to firearms officers (pg 146). The total cost of this is said to be £52m in FY 2011/12 and £90m in 2012/13. This is part of the recycling of Special Priority Payments. Winsor recognises that this is not a perfect solution but is a step in the direction of recognising accreditation and the professionalisation of policing. Winsor believes this system will need to be replaced or expanded in the future (Recommendation 35).

Comment:
- The detail of the payment includes reference to certain qualification levels (e.g. PIP level 2) which need to be acquired in order to receive, but does not quantify the full definition of investigation, leaving areas of doubt as to which specialist areas may be contained in this category (e.g. surveillance / intelligence).
- Winsor states (pg 145/147) that the EPAA should be paid to officers working in ‘one or more’ of the four categories of policing, suggesting that this allowance should only be paid once to any individual. He is clear that this allowance should only be payable to officers who maintain and use these skills and should be removed if this is no longer the case. Management scrutiny will therefore be necessary.
- In the absence of national accreditation for neighbourhoods Winsor has suggested 3 years in the same neighbourhood which could be difficult to manage.
36. Recommendation 36 – Arrangements for police forces to recognise the skills of police staff should remain unchanged in the short term.

Because police staff pay is already based on job evaluated roles, including the use of market supplements where appropriate Winsor does not recommend any early changes to police staff pay. However, he does state that in the longer term police staff should become part of the same professional development framework as police officers and have their skills recognised in a similar way.

Chapter 5 – Allowances

There is a range of allowances, entitlements and other payments which supplement the basic pay of police officers and police staff. The prompt reimbursement of reasonable expenses incurred in the course of police work is entirely justified. There are also circumstances where policing places special demands on police officers and police staff which deserve compensation. Police officers and staff should neither benefit nor suffer in this respect. Most of the existing system of allowances already reflects this principle. However, some reform is needed to ensure that the system is fair. Winsor 1 – pg 151

37. Recommendation 37 – Police Authorities should be required to pay all reasonable costs arising from the sale and purchase of a chief officer's house, and should pay all tax liabilities arising from any relocation packages, so that, for the chief officer concerned, there is no personal financial disadvantage.

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

Winsor agrees with the existing requirement for chief officers to gain experience in other forces before they achieve promotion to the rank of Chief Constable. He also concludes that officers should not be discouraged by the financial disadvantage of relocating in order to qualify for such promotion.

Comment:
- ACPO supports transparency but still leaves a question mark over the disparity of Chief Officer remuneration packages and the financial impact of promotion.

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

Winsor highlights that chief officer appointment packages and benefits in kind vary considerably from force to force. This disparity is evidenced in Professor Disney’s report which highlights that additional remuneration can increase chief officer pay by up to 21%. He did not agree with CPOSA on the provision of additional benefits such as vehicles for personal use or medical insurance.

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

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

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

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

Comment:
- NPIA and ACPO support modernisation of Central Service terms and conditions as these were last revised in 2005.
- Winsor critical of rented property for secondees in expensive locations (i.e. Pimlico, central London.)
- Winsor believes that officers should be compensated and not profit from secondments as they are career enhancing in any event.
- No data were included in the report on the numbers of officers on secondment and claiming reimbursement for accommodation or an estimate of the overall cost to the service.

The Home Office ‘Guide to conditions of service for police officers seconded to central services’ has not been revised since 2005. In central London Winsor suggests officers should only be accommodated in private rented properties if there are no MPS properties available.

Comment:
- This recommendation is in accordance with the ACPO submission and also feedback from MPS. PFEW proposed an increase in the level of London weighting and commented that regional allowances had not been raised for several years even though forces have the power to increase them.
- Geographical pay differentials will be addressed in part 2 of the review. It is firmly believed that Winsor will support regional pay structures. ACPO are concerned that this approach could potentially impact on interoperability, recruitment and retention.

Comment:
- Impact will be felt mostly on officers being promoted into the MPS, on average they will lose £2,000 p.a.
- The Equality Act 2010 means that equal pay legislation now applies to police officers and the payment of this allowance runs the risk of being held to be in violation of equal pay legislation as women officers are less likely to be in receipt of it than male officers.
44. Recommendation 44 – A national on-call allowance for the Federated ranks should be introduced from September 2011. The amount of the allowance should be £15 for each occasion of on-call after the officer in question has undertaken 12 on-call sessions in the year beginning on 1 September. An on-call occasion should be defined as the requirement to be on-call within any 24-hour period related to the start-of-the-police-day.

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

There is currently no on-call allowance and on-call does not qualify for overtime. Winsor states that the overall value of the ability to have officers on-call is recognised as of high worth and as such something which should be appropriately compensated. There is limited data to understand the impact of on-call and this has hampered tribunal investigations into the matter. Nevertheless the tribunal recommended that a national recompense for on-call should be introduced. Many forces already recognise the need to recompense officers for on-call; Winsor believes this should be nationally introduced at an agreed level.

Comment:
• This is a new allowance, both the amount and the qualifying period are supported by ACPO.
• Winsor asserts strongly that ACPO should tackle overuse of on-call through collaborative arrangements. The £15 sum is the median value paid by the forces analysed. This will therefore impact on higher paying forces such as the MPS.
• The allowance will require a minimum qualifying criteria, given that on-call requirements are to be expected in some policing activities.
• On-call will not be payable to those outside the federated ranks.

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

There is no material distinction to be made between the cost of motoring use and other travel expenses and as such, motor vehicle use should continue to be reimbursed. The amounts to be used in calculating reimbursement should be based on independent technical advice such as that used to set Local Government rates. Policing motor vehicle allowances used to be set according to Local Government rates and should now once again be linked.

• Re-establishing the link will eliminate the disparity between allowances for police staff and police officers and reintroduce fairness.
• Recognise and accept the reduction for some officers but difficult to argue given the size of the differential.

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

Police regulations determine that an officer of Superintendent rank or above may travel in first class on trains whilst on duty. Whilst officers should always seek to travel by the most cost effective means possible. For senior officers on some occasions they may be prevented from undertaking work whilst travelling in standard class. In that case, standard class travelling does not represent good value for money.

Comment:
• Senior officers are urged to use their judgement in respect of use of first class travel.
48. Recommendation 48 – Officers’ maternity entitlement should increase from 13 weeks at full pay to 18 weeks at full pay, with officers having the option, with the agreement of their chief officer, to spread the final five weeks of maternity pay over 10 weeks at reduced rate.

This section reviews the maternity provision for officers and compares this with police staff provisions and other public sector arrangements in terms of impact on pay. The analysis identified that provisions are comparatively poor and may contribute to officers returning to full operational duties before they are fully fit to do so. The recommendation puts police officers on the same terms as police staff. Although this makes police officers relatively better off through maternity, that material difference reflects the arduous and stressful role of a police officer.

Comment:
- This contributes to potentially significant additional costs, which forces may wish to impact assess.
- This recommendation supports preventative Occupational Health and Wellbeing strategies which seek to reduce the costs of ill-health through finding ways to promote wellness and prevent ill-health.

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

This recommendation reviews the rationale and cost structure for stand-by allowances and recognises a need for parity between staff and officers since those affected are affected in equal measure from disruption to family life.

Comment:
- Although this creates parity with proposed allowance for officers it does mean a significant reduction on current allowance for staff.

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

This recommendation recognises the issues pertinent to recommendation 47 in that whilst staff should always seek to travel by the most economical means, in some circumstances, first class travel may offer better value for money for some senior police staff in that it will allow the individual to work productively whilst travelling. The same need for judgement is called for.

Chapter 6 – Managing the workforce

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

Police officers are not employees of the force of which they are members, but rather holders of the office of constable, responsible for their actions directly to the law. This special position must be recognised and accommodated. However, there is nothing inherent in the office of constable which can, or should, prevent police forces obtaining, and using, a right to require individual officers, of any rank, to leave the force in the interests of efficiency. This is already the case with officers who have more than 30 years’ police service. The creation, in the hands of police forces, of a power analogous to compulsory redundancy is not necessary in the short-term. Other changes to the way in which police careers may be structured will be considered in Part 2 of the review. Winsor 1 – pg 181.
51. Recommendation 51 – Regulation 13 of the Police Regulations 2003, which allows for the dismissal of officers, should be retained for probationary officers.

Winsor recognises that a proportion of officers in the 2 year probationary period may judge for themselves they have made the wrong career choice, choose to leave following management intervention or be dismissed.

Comment:
- The evidence presented demonstrates the effectiveness of Regulation 13 and its retention is supported.

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

Winsor notes the disparity between the use of UPP and for police staff the capability process. He deduces the complexity of the process and reluctance of the line managers to engage with it are significant factors.

Comment:
- The points raised by Winsor are recognised. There is evidence of good practice that should be adopted by other forces.
- Work is needed to give managers the confidence to utilise UPP as they would with the police staff capability procedures.

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

Winsor cites the example of the Metropolitan Police introducing a dedicated Commander to handle all UPP cases that have reached Stage 3.

Comment:
- There is potentially some benefit to be derived from training a group of officers and staff equivalents who specialise in UPP, conduct and other such matters. This could improve consistency and help to eliminate delays in the process.
- Although the recommendation focuses on ACC level this approach should use officers and staff equivalents across the rank structure as appropriate, this will require further clarification.

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

Currently the UPP procedure indicates that every separate instance has to start at Stage 1 and does not take account of previous proceedings within recent times.

Comment:
- This recommendation is supported and would assist with those cases where an officer’s performance or attendance is falling just short of acceptable and showing the required short-term improvement to just meet requirements.
• Currently officers would be given a written warning at Stage 1 and a final written warning at Stage 3 valid for 12 months. The extension of this, in effect, to 5 years is very likely to be viewed by an employment tribunal as unfair. Case law would allow for consideration of previous expired warnings, but not generally for more than a few months outside the warning period and generally only then where a pattern is evident.
• Generally, this principle widens the fast-tracking of UPP and would be supported.

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

This is a potentially complex issue depending on personal circumstances and the relevant tax position. If adopted it would allow chief officers to defer their pension to minimise the tax due.

Comment:
• The complexity of this proposal will require further research and consideration before a considered response can be given, particularly in light of the Hutton report.

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

Comparisons are drawn with the new Civil Service Compensation Scheme for compulsory redundancy.

Comment:
• This will be considered further in Part 2 of the review.

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

A number of forces are either using or considering the use of Regulation A19 to manage their financial situation. The wider context of workforce planning mechanisms will be considered in Part 2 of the review.

Comment:
• Regulation A19 is contingent upon officers achieving their full pension entitlement and being compulsorily retired. Lord Hutton’s review of public sector pensions issued on 10 March 2011 proposes extending the normal pensionable age for police officers to 60. It is unclear at this time what the impact will be on pension entitlement or the transition arrangements. Depending on the detail of these changes Regulation A19 in its current form could be rendered ineffective. This would preclude forces from changing the shape, size or structure of their police officer workforce and would lessen their ability to introduce new skills or to undertake positive action initiatives.
• The current wording of Regulation A19 allows for the consideration of essential skills and business continuity to be taken into account.
• This additional criteria to the use of A19 make it more restrictive to use and increase the possibility of challenge.

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

A small proportion of officers resign or are dismissed. Forces seeking to reduce their officer numbers have the option of suspending recruitment, or using Regulation A19. These options are recognised in the review as crude tools to manage the situation. There is currently no voluntary severance scheme and parallels are drawn with the new Civil Service Compensation
Scheme. This scheme does not allow for pension enhancements in accordance with public policy. The Chief Constable would have the right to exclude officers subject to UPP or conduct proceeding in specific circumstances.

Comment:
- The ACPO team has already submitted a proposal for voluntary exit for police officers, having consulted with the Police Federation and PSNI. This will requires further work as part 2 of Winsor progresses.
- A scheme based on the new Civil Service Compensation Scheme has advantages, but further work would be required to fully cost the proposal.
- An analogous scheme to the new Civil Service Compensation Scheme should be considered, but not directly linked to this scheme in order to maintain control within the police service.

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

This recommendation extends to the minimum notice period of one month to two months and the need to find a suitable post from one month to two months.

Comment:
- This recommendation is supported and would still allow for an earlier appointment if that is possible.

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

Police staff as employees of the Police Authority can be made redundant in accordance with employment legislation.

Comment:
- Recommendation accepted and it should be noted that the redundancy terms are decided by the employing local authority.

Chapter 7 – Managing ill-health

The police service has a moral duty to look after its officers and staff, especially those who are injured in the course of duty. Nevertheless, the restricted and recuperative duty designations available for officers need better and more focused management over the coming years, particularly as the pressure for forces to become more efficient increases. The progress which many forces are making in this area is encouraging. However, in the longer term change is necessary to make police forces more resilient and better able to deal with the unexpected. Key to this is the treatment of officers who are permanently unable to perform as constables, a small but significant proportion of the officer workforce. This may require a fundamental change in the way a police career is structured. Part 2 of the review will consider what, if any alterations should be made to police officer career structures. Consideration in Part 2 will also be given to focusing ill-health pensions more on the degree to which an individual can work in the future. However, it would be imprudent to recommend detailed changes before considering the full implications of Lord Hutton’s final report on pension reform in March 2011. Winsor 1 – pg 199.
61. **Recommendation 61** – Forces and their occupational health departments should continue to develop and improve schemes to monitor the use of long-term sickness, recuperative duty and restricted duty, to improve the management of those on restricted duties and work with officers to bring them back to full duties as quickly as possible.

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

Data currently demonstrate that in 2009/10 2.2% of total national officer strength (3,264 officers) were on recuperative duty in that period, an increase on the previous year but much reduced from a peak in 2003/4.

Winsor acknowledges that recuperative duty is an essential tool which helps keep officers in touch with their work place but nevertheless envisages greater regulation of this duty in part 2 of his report, with a view that it may end in the relatively short term.

In terms of restricted duty Winsor notes the Equality Act 2010 (disability provisions) requirement on employers and lists reasonable adjustments a force might be expected to make to allow an individual to remain in their career. Winsor notes that the use of restricted duty has doubled in eight years and now stands at 5,499 officer or 4% of strength (09/10). This is at the same time as the number of ill-health retirements has fallen significantly. Winsor does not propose any early changes to restricted duties or the current arrangements for sick pay for officers, but this will be picked up in part 2.

Comment:
- NPIA note that Winsor’s view on ill-health focus largely on the physical as written, without noting restrictions which may be caused by psychological issues which tend to be longer and harder to quantify and therefore manage.
- NPIA work with the National Attendance Management Forum identified that the labels ‘restricted’ and ‘recuperative’ can be seen as somewhat stigmatising as they focus on what someone is unable to do, not what they can do.
- ACPO’s view is that the significant increase in restricted duties numbers needs to be dealt with either through ill-health retirement or conversion of non-operational police officer roles into skilled police staff roles.
Appendix 1 – Total Costs and Savings Summary

Extract from pages 208 – 209 of the Winsor part 1

Table 8.1²

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

Costs of Part 1 review:

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

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