

ICC CIRCULAR 08/2008

TO ALL IBB SECRETARIES

PNB/PAB Update July 2008

PNB / PAB Meetings 23rd July 2008

Pay Settlement 2007

Whilst any further considered legal action has been placed on hold regarding 2007, the General Secretary and Chairman of the JCC are working behind the scenes in respect of binding arbitration and the potential implications in terms of the England and Wales vote to pursue the right to take industrial action.

Pay Settlement 2008

It will come as no surprise that the Official Side's objective was to secure a multi year deal as per the ambitions of the Home Secretary. Unfortunately the negotiations commenced under the threat of a pay review body in the event that such ambitions were not met.

Not a good way to enter negotiations with any confidence of valued independent debate by the Official Side.

Regardless of perceptions, the Staff Side negotiated with good intent and retained an open mind on potential solutions to suit all parties. I consider it fair to say there was little movement by the Official Side resulting in a failure to agree.

The Staff Side message was simple, if the Home Secretary genuinely wanted a three year deal then any deal needed to be fair and reasonable in a climate of unknown inflation.

This was considered to be of particular importance to our members who have good reason to perhaps lack confidence in the government following their failure in 2007 to properly ratify the deliberations of the P.A.T.

Level Playing Field

As you will be aware, the Staff Side took the level playing field to arbitration and the judgement came down in favour of the Official side. Basically because the Police have not moved over to any public sector index which would perhaps have justified a levelling of purchase power.

Booth Part 2 – Review of Negotiating Machinery

On 8 February 2008 the Staff Side wrote to the Home Secretary to ask what the Government intends to consult on and the timetable for the introduction of any PRB.

A response from the Home Secretary was received on 8 April 2008. In essence, the Home Secretary said that she would like to hear the PNB's views on her proposals for a multi-year deal before considering further the issues raised by Staff Side. It was also suggested that the issue of progressing Sir Clive Booth's recommendations for a pay review body would be less pressing if the PNB were to agree the proposals for a multi-year deal.

Background: The Booth report part 2 was published in December last year. It recommended that a pay review body for police officers should be created, that the pay of police officers and police staff should continue to be determined by separate mechanisms, that the existing Police Staff Council machinery should be retained for the time being. In addition chief officers should be covered by the proposed pay review body for police officers, but if such a body is not created chief officers should become one of the groups covered by the Senior Salaries Review Body.

Regulations and Determinations

Staff Side are currently considering a draft determination with regard to PNB Circular 06/5 on adoption leave which has been sent to solicitors for comment. They [S/S] are content with a draft determination on Annex O (annual leave), which corrects an incorrect date.

Staff Side have written to the H.O. to confirm their approval of a revised Annex U that details the rates for Motor Vehicle and Dog Handlers' allowance for 2007 and are awaiting a draft determination on Motor Vehicle Allowances for 2008, as detailed in PNB Circular 08/1

It should be noted that due to the recent considerable increases in fuel costs, the Secretary of Staff Side has written to the Official Side requesting a review of motor vehicle allowances and awaits a response.

In addition, Staff Side has given notice to the Official Side that they will be submitting a claim for such a review to take place.

Part-time Inspectors – Pay

The Staff Side have delivered a letter to the Official Side detailing why the matter needs to be treated as urgent in terms of potential equality issues (less favourable treatment for part time officers).

The Official Side have now agreed to deal with as urgent.

MATTERS IN CONCILIATION

London and South East Regional Allowances

At the PNB meeting in February Staff Side recorded a failure to agree and moved the matter to arbitration. On 14 April the Official Side wrote to Staff Side with a proposal for changes to the South East allowance only (not the London allowance). At the April PNB meeting the Official Side proposed that the Sides hold back from progressing the arbitration procedure pending further discussions

on the Staff Side's claim and the Official Side's proposals. This was agreed.

Background: On 15 July 2004, the Staff Side submitted a revised claim seeking an increase to the allowances with effect from 1 September 2003, which would effectively apply the same increases as awarded to basic pay since the introduction of the allowances with an up rating in line with basic pay thereafter. The claim was rejected by the Official Side and referred to conciliation. A conciliation meeting held on 1 December 2004 was adjourned until 21 January 2005, pending receipt of SPP data from the Home Office, but was never reconvened. At its extraordinary meeting on 12 September 2005, the Staff Side agreed to defer conciliation until they had had an opportunity to consider the Official Side proposals on pay reform. Further discussions on the Official Side's proposals to increase the payment are to take place between the Side Secretaries.

Temporary Salary

This matter has now been concluded and a PNB circular has been published and circulated.

Payment of Allowances whilst on Sick Leave without Pay

No change, this is an Official Side claim that has been put on hold for some time. However, they have given notice that they may bring it back in the near future.

Equality Issues

All maternity, family leave and part time working claims have now been pooled together in readiness for the newly formed Equality Working Group. They will hold their first meeting on the 5th of August 2008.

Probationers Pay

This relates to the lack of consistency amongst Forces as to when Probationers receive their first increment. The matter went to conciliation and the Official Side are now, with the aid of the NPIA, collating data to establish the extent of the problem.

On Call Allowance

A matter that has been the cause of extreme irritation to our members who are frankly astounded at the inability to correct the injustice of being ordered to be On Call, with intrusive restrictions on their private lives, with no form of compensation.

Our stance has always been that until 'On Call' is made expensive to focus the minds of budget holders, Forces will continue to take the easy option of putting officers On Call (including rest days) to the detriment of work life balance.

It is a matter that has been on the table for four years and dogged by delaying tactics. When On Call was taken to arbitration the Staff Side, in the interests of getting a solution, agreed to a time restricted working group. After twelve months the Official Side decided they needed data. Again, reluctantly the Staff Side conceded to cooperating in the interests of achieving a solution.

The majority of Staff Side wanted the matter to go to arbitration now. However, following much debate and an appeal by the Independent Chair to allow the Official Side time to analyse the data and give a response, the Staff Side agreed to a further delay providing it was minuted and clearly understood by the Official side that they either make a response in October or it will automatically go to arbitration. To sum up October is the final delaying tactic that the Staff Side will accept.

Shift Allowance

Staff Side still collating information on what is a complex matter, defining a shift that attracts the need for such an allowance is the first hurdle.

SPP Payments Modernisation Test Sites

The Official Side expressed disappointment that the Staff Side had not yet completed their consultation with regard to ACPO's wish to pay up to £8000 SPP to officers working in the test sites in order to attract the right staff.

Whilst there will be those who will not understand the Staff Side not grabbing such an offer, it should be remembered that much is about Constables taking on Sergeants responsibilities and Sergeants taking on Inspectors responsibilities for non pensionable SPP and perhaps reducing promotion prospects for themselves and others.

The Official Side reinforced the urgency and were quite rightly reminded that the Staff Side view 'on call' as urgent and they [O/S] have pontificated for four years in their efforts to delay matters.

Pension Issues

For all pension issues, please see 'Report to PNB by Police Pensions Working Group' appendix 'A' attached.

PAB Meeting 23rd July 2008

Health and Safety

PAB were advised that a high level meeting had taken place in respect of the Police and Health and Safety involving all interested parties and guidance was being produced on the operational setting based on current legislation.

On the same date, an ACPO group met and a new structure was set up chaired by the A.P.A. Their first meeting will be October in Belfast and the structure will be reviewed after 12 months.

Reform of Police Disciplinary Arrangements

The new regulations have been laid before Parliament and are scheduled to be finalised October 2008 in readiness to commence on the 1st of December 2008.

The draft regulations have been circulated to Forces this week.

The Future Role and Structure of the HMIC

The HMIC are reviewing their review [loss of one HMIC post] and any likely implications regarding the recently published green paper.

Terms and Conditions for Seconded Officers

No changes of note. Working towards the required amendments to legislation. Consultation on going, including legal opinion.

National Recruitment Standards

(History to date) Following agreement at the PABEW meeting in January 2006 a working party was formed to review recruitment standards and make recommendations on procedure and practice relating to the recruitment process. At the PABEW meeting in July 2006 it was agreed that this working party should be re-constituted as a Sub-Committee of PABEW to monitor and review issues relating to recruitment standards over time.

There has been one meeting of the Sub-Committee since the last PABEW. This paper outlines the following topics discussed in the meeting:

- **Police Recruitment from the Special Constabulary.** This relates to a proposed transfer policy for members to move from the volunteer role into the regular paid service via a work-based assessment. The Committee had previously agreed a trial should proceed in Cheshire. This is now on hold as Ministerial approval is needed before the trial can proceed.
- **Review and use of SEARCH interview.** A number of forces seem unhappy with the SEARCH interview. The NPIA is in the early stages of trialling situational judgement tests.
- **Key skills.** Members of the Sub-Committee agreed a paper illustrating the relevance of Key Skills in a policing context should be placed on the NPIA website and the message put across to careers advisers and other interested parties.
- **CBQ.** Members agreed data should be collected from forces to enable national monitoring.

Work Based Assessments

The Staff Side expressed continuing concern about WBA being rolled out before it has been properly evaluated. They [S/S] reinforced their viewpoint that it is expensive, not all of the test sites appeared ready, PDR is not robust enough, not enough places available to officers and there are not sufficient numbers of assessors to make it work.

Complaints to date indicate there is a potential for employment tribunals if they [O/S] do not get it right at an early stage.

Developing Senior Police Staff – Delegate of Functions

(History to date). The Home Office White Paper (Building Communities Beating Crime) aims to remove any regulatory bar which prevents members of police staff carrying out functions appropriate to their role as senior managers. A paper proposes that all Chief Officer Functions should be delegable to senior managers and would require an amendment to relevant police regulations.

The main difficulty for the working group was finalising a form of words to clarify the Police Staff equivalent to the ACPO rank and the Chief Inspector rank.

Despite last minute attempts by the APA to have a free hand on delegation of duties, the guidance (Appendix B) produced by the working group was signed off with a 12 month review date built in.



George Appleby
General Secretary
Inspectors' Central Committee

28 July 2008