

IAN RENNIE – ANNUAL REPORT TO CONFERENCE 2010

Conference, it is my privilege as your General Secretary to present the Annual Report.

With no pay negotiations it has been an interesting time within PNB, which has allowed us an opportunity to deal with many outstanding claims that have been on the table for a number of years. Many of these claims relate to improvements in the working arrangements for police officers.

Starting with the PNB Gender Equality and Work-Life Balance Working Group, Staff Side proposed the creation of this group nearly two years ago to ensure that basic human right for all officers – the right to enjoy a family life.

There were several outstanding claims regarding the pay and arrangements for part time officers and for women officers on maternity leave.

Regulations in this area need to be made simpler and clearer, particularly in relation to the way in which part time hours operate. We suggested changes to the part time determinations to make them more easily understood both by managers and officers but, disappointingly, we still await the Official Side to accept them some several months later.

The Official Side also were not prepared to accept our proposals to increase and extend Police Maternity Pay from 13 to 26 weeks.

It was not until October that the Official Side made an informal offer to change the way in which maternity pay was paid. The offer represented a reduction in the weekly money received by women spread out over a longer period.

Staff Side took the view, therefore, after consulting with the Women's Reserved Seat members, that in the current financial climate it would be better to withdraw the claim, but reserve the right to bring it back at a later time.

However, I am pleased to report that the Official Side did agree to a Staff Side proposal that PNB should publish practical guidance for Forces on managing maternity, and that just last week a final version of the document was agreed.

Two other matters have also been agreed through the Working Group:

First, I am pleased to report that officers on maternity leave will be entitled to ten voluntary Keeping In Touch days - to be paid in addition to their Statutory Maternity Pay.

I am also pleased to report that, following negotiation, police officers will be able to reckon up to 52 weeks of their maternity leave for the purpose of pay, leave and pensions. This will be a significant improvement for officers who currently can only reckon up to 29 weeks after the birth.

Now that we have a Police Minister, I am hopeful that these agreements can all be signed off soon and that PNB circulars can be published.

Conference, the Official Side has never hidden its desire to remove the right of Joint Branch Boards to agree Variable Shift Arrangements before they are implemented. We have resisted this at the PNB.

Instead, we negotiated guidance which

- addresses the needs of the Official Side to address poor management practice,
- highlights the importance of work-life balance and,
- most importantly, preserves the fundamental protection that any VSA must be agreed between the Force and the JBB.

Disappointingly we have not managed to agree several other claims through this Group, and are having to progress them by other means, including, taking action through the Courts.

Constables and Sergeants who reduce their hours of work receive the right to pensionable pay for any additional hours worked above their agreed hours up to 40. This is not the case for the Inspecting Ranks.

Regrettably the Official Side refuse to accept that this is unfair and potentially unlawful. So we are currently pursuing this through court action and are hopeful of a positive outcome later this year.

Conference, sometimes it seems that the system is set up to prevent officers from having a decent balance between their home and working lives. This is something that will become increasingly important to all of us as we approach the Olympics.

And when police officers do manage to achieve some balance, the system should not stand in their way. Last summer, when Ofsted threatened to prosecute two women officers in Thames Valley for caring for each other's children, their situation generated a huge public response through a petition placed on the Downing Street website.

Their case was taken up by Andy Viney, the Thames Valley JBB Secretary.

We were prepared to challenge Ofsted, but before it went to litigation I approached the Minister of State for Schools – who luckily was known to us as the former Police Minister, Vernon Coaker. He agreed with us that this was a ridiculous situation and undertook to get the law amended.

In March the Government fulfilled this promise and changed the law thereby allowing reciprocal childcare arrangements. I regard this as a victory for common sense and for all working parents.

I would like to place on record my thanks for the work done by Andy Viney whose involvement was instrumental in getting a successful outcome for the officers.

Turning now to some of our other long standing claims.

Last August, the Police Arbitration Tribunal found in favour of Staff Side's claim for a national on-call allowance, but directed both Sides to negotiate the actual amount and to agree the principles of how on call will operate. The Official Side has consistently resisted a national allowance, arguing instead for compensation to be determined locally.

But that is what we have at the moment

That is why we have some officers rightly compensated for the impact upon their family and personal life, while others are not.

Since the PAT, the Official Side has continued to frustrate the progress of our on-call claim.

The claim for a national on call allowance was first tabled in February 2005, but it was nearly six months after the PAT decision in August last year that we received the only Official Side offer:
a derisory flat rate of just £10.

This offer

- failed to recognise the greater disruption to the personal lives of officers who are on-call on Rest days compared to Duty days.

It was

- significantly below the Staff Side claim,
- below the amount currently paid to police staff and,
- below the level that many police officers currently receive.

Staff Side rejected the offer and with great regret, we had no choice but to refer this matter back to the PAT.

You will all be aware of the concerns expressed by the Inspecting ranks in relation to the possible future abuse of on call.

I fully understand and appreciate their concern that they will be used as a cheaper option because they receive no remuneration if required for duty when on call.

I would like to reassure you that Staff Side is continuing to talk about the conditions for the operation of on-call with the Official Side.

Conference, I am absolutely committed to ensuring that our members will not be abused and that on-call remains:

- voluntary as part of defined roles agreed with Branch Boards
- that officers not in one of these roles can not be lawfully ordered to perform on call

- that on call rotas must be agreed and published every three months as per other shift duty rosters, and
- that the burden of on call does not fall disproportionately on any one rank

There is a letter in this week's Police Review criticising my leadership and that I made a decision not to circulate the Staff Side on call protocol document.

Can I just say:

Staff Side has drawn up a position statement to inform the principles of our negotiating strategy.

This has been circulated for full consultation.

This is not just my decision, but a decision taken by Staff Side.

The decision not to circulate the protocol document was taken by Staff Side to ensure that we did not compromise our future negotiations.

Let me also say:

You elect Staff Side to negotiate on your behalf. We have taken a view and are already consulting you on that view.

I believe this is the right way to do business and using the press or other publications only undermines our claim.

I am hopeful that we can resolve this long standing claim and I will keep you fully informed as matters progress.

Moving now to the South East Allowance

After nearly seven years, Staff Side has managed to agree an increase in the maximum levels of the South East Allowance, which includes no detriment provisions for officers within those forces. We have been unable to resolve the London Allowance and Staff Side has reserved the right to bring back the claim at an appropriate time.

I would now like to report on our claim for probationers' pay, tabled four years ago. Some Forces pay the first increment at 28 weeks, while others pay at 42 weeks. That means that in some Forces student officers wait one and half times as long for their pay increment. This was not right, not fair and not justifiable.

When the Official Side proposed that the increment should be paid as late as 38 weeks, Staff Side asked to see the evidence to support this proposal. There was none.

Conference, I am glad to report that an agreement in principle was reached at the April PNB meeting.

All student officers will receive their first increment as soon as they achieve the required competencies and are deemed fit for independent patrol – there will be no time bar.

This success is largely due to the work of Alan Jones who represented the Police Federation on the IPLDP Central Authority for which I am grateful.

Conference, next year it is proposed that the PNB is to become subject to the public sector equality duty. This will mean that all agreements will need to be equality impact assessed. In line with all other public sector organisations the PNB will need to develop an Equal Pay Action Plan that identifies and addresses any gender pay gap.

At the end of last year Staff Side carried-out an Equal Pay Audit on behalf of the PNB. Although the Audit found a relatively small gap between the basic pay of male and female officers, when overtime, CRTPs and SPPs are taken into account the gap increases considerably.

I have made clear that Staff Side wants to remedy these pay gaps, through negotiation with the Official Side if possible; but if not, through formal claims.

MOVING NOW TO PENSIONS

In relation to pensions, you will be aware that at our conference in 2008, Jacqui Smith the then Home Secretary announced changes to the injury award provisions and you won't be surprised to hear that these proposed changes were not to improve the benefits for our members.

Although pensions are non negotiable, after much work by Staff Side we have managed to ensure that officers performing operational duties will still be protected should they become injured or if they are tragically killed.

Disappointingly we were unable to stop the proposal to exclude journeys to or from work.

However, Staff Side is working to ensure that

- where an officer is not travelling to his or her normal place of duty,
- where the officer commences duty from home
- or where their travelling time is treated as duty,

such situations would be included in the provisions.

We have also yet to agree ACPO guidance that deals with Forces responsibility for officers who drive home having worked particularly long shifts, something that Jacqui Smith agreed was required before this change was introduced.

However, I am pleased to report that we expect the revised ill-health retirement guidance, taking account of the medical assessment procedures in the New Police Pension Scheme, to be signed off shortly.

Conference, there has been much speculation about future attacks on public sector pensions and the police service will not be immune.

Police pensions are periodically reviewed and the next review, which we have known about for a number of years will take place in April next year.

One possible outcome could be a rise in contributions, but there are many others. Until we know the outcome of the review, there is little point in speculating, but Staff Side will continue to work to ensure a fair outcome of that review.

The JCC Equality Act Working Group has asked that I provide an update on the Equality Act as it may impact on the structure of our organisation.

The Act gained Royal Assent on 8th April this year and has two main purposes,

- to harmonise discrimination law, and
- to strengthen & simplify the law on equality.

If enacted in its current form, it will also permit (though not require) positive action, which includes the reserving of seats for the minority gender and other protected characteristics, provided these can be justified.

These protected characteristics for positive action under the Act are

- age,
- disability,
- gender reassignment,
- race,
- religion or belief,
- sex, and
- sexual orientation.

The whole Act is a large piece of legislation which could take up to 4 years to fully implement. Once implemented, most of the current discrimination legislation will be repealed. The previous government planned to implement the positive action provisions which may impact on the structure of our organisation in October this year.

In view of the change in government, at this stage there is no clarity on implementation dates or whether the new government will amend the Act before implementation.

Any amendment now to the Police Federation Regulations, under or by reason of, only of the Equality Act, would therefore be premature.

The JCC has formed a working group to look at the positive action provisions within the Equality Act. The Equality Sub Committee will look at the remaining provisions within the Act.

The next working group meeting will devise the terms of reference, and a paper with their recommendations will be presented to the June Statutory JCC meeting.

Depending on further information as to the intentions of the new government, it is anticipated that these recommendations will include a continuation of the women's reserved seat together with additional work to be carried out in relation to all protected characteristics.

This will involve consulting with all branch boards and members of relevant groups. Your support and assistance will be pivotal in gathering any data that is required to objectively justify any long term changes to our organisation.

Finally, Conference, I want to turn to the issue of Workforce Modernisation. And you will note the recent subtle change of branding from Workforce Modernisation to Workforce Development. Perhaps they think if they change the name we will forget about the failures.

In March the final Deloitte evaluation report of the demonstration sites was published. The report is a particular disappointment and took no account of the issues that we raised in our 'How it Measures up' Report.

There is little hard evidence to support any of the claims about the potential benefits of Workforce Modernisation. Nor has there been any adequate equality impact assessments of the projects, either locally or nationally. Whilst the NPIA is making claims that Workforce Modernisation improves diversity, the final report indicated that this improvement was likely to be limited to police staff.

There is clear evidence that Workforce Modernisation is unable to accommodate the working arrangements required by some police officers.

We have called for a proper evaluation of the impact of Workforce Modernisation, not just in terms of value for money but also

- on the diversity of police officers,
- the resilience of the police service and
- the quality of the service it delivers to the public.

We intend identifying these failings to the new Home Secretary and we can but hope that she takes more notice than her predecessors

I am grateful to the Branch Board Representatives from the Forces that have hosted the Workforce Modernisation Demonstration Sites who have worked closely with us and assisted in identifying the failings of the Workforce Modernisation programme

Conference, we are in the midst of uncharted political territory.

Recruitment freezes in many Forces mean that our members will have to take on more responsibilities, while harsh economic conditions mean that our members will have to deal with some of the resulting social dislocation.

We will have to do more with fewer resources. And we will have to do more whilst this new government clearly has our pay and conditions within its sights.

This September will see police officers' pay go up by 2.55 percent. That will be the last instalment of the three-year pay deal which we negotiated just after I had taken over as your General Secretary.

Whilst others have looked on with envy, given the deteriorating economic situation, that agreement provided a degree of stability over a three-year period. It was supposed to give us a period of grace in which we could consider the future of police pay and conditions. Disappointingly, we have received no proposals from the Official Side in all that time.

However, yesterday the Home Secretary clearly indicated a review of our pay and conditions of service.

When our deal expires, from September 2011 we will face, for the first time in nearly two decades, the prospect of negotiating in a climate of reduced public spending.

Police officers do a tough job without the freedom to withdraw our labour. So let me put the Government and Official Side on notice:
There has to be a method of up-rating our pay on an annual basis.

There has to be a fair and honest mechanism which provides transparency and stability, and which has the confidence of police officers throughout the country as they work hard to keep our communities safe and secure.

Conference, let me assure you that I am committed to that goal.

This mechanism must be backed by binding arbitration.

Over the last year at regular meetings with the Home Secretary and Police Minister, the Chairman and I have pressed the case for binding arbitration. However, it was always apparent that in the dying embers of the last government, we were unlikely to make any real progress.

We now have an opportunity to progress this with a new government and I am grateful for Pete Smythe for putting the Home Secretary on notice yesterday.

We face some difficult and challenging times ahead.
It has never been more important for us to stand and work together to represent the interests of our members.

Conference, all motions to this conference have been concerned with our internal workings. This needed to happen. We have had to make some tough internal decisions and we have more to make

But we must not forget the challenges to the Service from outside. We need also to look outwards and recognise the dangers facing us in the future. Only then can we succeed in representing what the Police Federation stands for, the welfare of our members and the efficiency of the service.

Conference: That concludes my update and I am happy to take questions.

I thank you for your time and I would ask you to accept the Annual Report.