



SILVER BULLETIN



UNCERTAIN TIMES

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What does Regulation A19 of the Police Pensions Regulations 1987 actually say?

(1) This regulation shall apply to a regular policeman, other than a chief officer of police, deputy chief constable or assistant chief constable, who if required to retire would be entitled to receive a pension of an amount not less than 2 thirds of his average pensionable pay or would be entitled to receive a pension of such an amount if it did not fall to be reduced in accordance with Part VIII of Schedule B (reduction of pension relating to up-rating of widows pension).

(2) If a police authority determine that the retention in the force of a regular policeman to whom this regulation applies would not be in the general interests of efficiency, he may be required to retire on such a date as the police authority determine



Only those who have recently returned from a extended period of isolation will not be aware that when our new Government came to office they announced a range of financial cuts for all Police Forces. For the Met this meant an immediate reduction in their finances of around £160 million pounds. In the emergency budget statement delivered by George Osborne in June, the Government made a further announcement that in the Comprehensive Spending Review, the results of which will be announced on 22nd October, the Home Office, along with every other government department, would have to find savings of 25% in its funding.

Policing is the predominant cost within the Home Office Budget and it is therefore obvious that the majority of this cut will be met by a reduction in police force income. The 25% figure is not yet set in stone and may well change before October, indeed there was some suggestion that Government departments should plan for a 40% cut, but whatever the final figure it is clear that there will be significant cuts to police force budgets. 25% of the Met budget is approximately £500 million so understandably the Service has been doing some preparatory work to look at how this level of saving might be achieved. Staff costs account for a huge percentage of the overall budget, so we think its reasonable to conclude that any such review of costs will include an exploration of ways in which the number of staff the MPS employs might be reduced.



It is important for us all to recognise that at present there are no firm proposals, just exploratory ideas, many of which may never come to fruition. In the absence of any definitive plans, you would expect but I am nonetheless happy to confirm that the Federation, have not had any formal discussions or consultation on these issues either Locally or Nationally. What is clear though is that anything and everything is being considered including principles that we have previously always thought of as sacrosanct.

We have recently had sight of legal advice obtained by a collaboration of Chief Constables which indicates that both a more active application of Pension Regulation A19, which allows Forces to dispense with the services of individual officers who have reached 30 years of pensionable service on efficiency grounds and redundancy are being considered. This is what Peter Fahy, Chief Constable of GMP meant when he said in the press recently "Chief Constables need greater flexibility to get through these uncertain times, while maintaining frontline services". Regulation A19 is already in existence, unlike any regulation that allows Police Officers to be made redundant. For that reason alone we **(Continued Overleaf)**



(Continued from Page 1) believe the likelihood of A19 being used to assist in any future reduction of numbers is more likely than redundancy. Whilst accepting that legal advice is just that, advice and that others in the legal profession may have a contrary view, its quite clear that the concept of redundancy for Police officers is far from fanciful and the prospect of new regulations being introduced within the foreseeable future to facilitate it should not be easily dismissed. Nor should we assume that the introduction of a Redundancy regulation would automatically trigger increased employment rights. Once again though I wish to reiterate that at this stage there have been no formal discussions on either the application of A19 or redundancy and at present it has not progressed beyond the thought processes of those within Management Board.



The good news is that the Home Secretary has confirmed that this year's pay award 2.55%, which is the last of the three year pay deal signed in 2008, will be honoured. *(The new pay scales are on the back page)* However, she also indicated that along with the rest of the Public Sector, Police Officers pay will be frozen for the next two years. Furthermore she announced a wider review of Police pay and conditions, which is where the 'redundancy regulation' might appear, but again we are currently unsighted on the detail and like you know only what we hear and read in the media.



We appreciate that uncertainty over Pensions is causing a great deal of anxiety amongst our members. Sadly though once again there are at present no firm proposals. What we do know is that the Government has undertaken to review all public sector pensions including the Police Pension Schemes. The review is being conducted by John Hutton and he has written to the Police Federation inviting preliminary representations. In turn the Met Police Federation has been asked to contribute to the collective response and this we have done. Hutton has stated that there will be an interim report in September and the final recommendations will be made next March. In his press release John Hutton indicated that the Commission will consider issues including:

- The growing disparity between public service and private sector pension provision;
- The need to ensure that future pension provision is fair across the workforce;
- How risk should be shared between the taxpayer and employee; and
- Wider Government policy intended to encourage adequate saving for retirement and longer working lives.

There is of course much speculation and rumour about the potential outcome and whilst this is understandable it is not always helpful. What is clear from his press release the review will certainly focus on whether public servants, including police officers, should be required to pay more for their pensions and/or work longer before they are eligible to retire.



The Police Federation in addition to the more technical elements of their submission will ensure that the Commission are fully aware that;

- The Police Pension Scheme was reviewed as recently as 2006 and a new pension scheme which introduced a thirty five year career for new joiners is already in place.
- Police Officers pension contribution is far higher than those of other public sector workers.
- The risks faced by Police officers in their daily duty require a pension scheme that supports them should they be no longer able to work.
- The potential impact on morale and recruitment and retention if a pension scheme does not afford the proper protections to police officers as they go about their daily duties.

Whilst we will of course do everything we can to ensure a fair and equitable outcome to Hutton's review it should be noted that unlike pay and conditions we do not have rights of negotiation regarding pensions and any changes can and will be imposed. Clearly if we believe the Government have breached their legal obligations the Federation, as they have demonstrated in the past, will mount whatever legal challenge is necessary.



Given the enormity of all the potential changes and the uncertainty this brings it is understandable that officers will seek to try and gather as much information as possible. In the absence of information the rumour mill is rife and speculation quickly assumes the status of fact. The Federation is committed to ensure that we communicate based on fact and not engage in the speculation. As information comes out we will pass that information on to you via your Branch Board reps and our web site.

Finally I would like to thank Ian Leyland, the Merseyside JBB Secretary for providing the kernel of an idea from which this article developed.

Mark Crake. General Secretary Met IBB

The X Files. The Truth is out there!

Recently I unexpectedly received through the post a huge arch lever folder which contained a copy of the MPS's part disclosure for a member's civil case that I'm currently dealing with. The file contains many hundreds of carefully photocopied documents which they may need to refer to in court and will I thought 'make captivating bedtime reading'.

It was only when I began wading my way through the tome that I realised that I had badly underestimated the interest I would have in some of the documents that had been buried deep within the bundle. One in particular caught my eye and I thought you too might be interested in its contents.

Dated 11th May 2001 it is a 'Confidential' internal report compiled by a member of Police Staff or Civilian as they were called back then, of today's equivalent C or HEO grade.

It's entitled '**Inspectors Pay & Working Conditions**' and is addressed to the then Assistant Director of Pay Branch P5. It begins with the words "This Project was initiated after a query from the MPA the aim of this report is to identify the specific problems faced by the Inspecting ranks."

Under a heading of '**Findings**' the author reports "My findings do more than suggest that there are some serious issues impacting upon the Inspectors. I think it is worthy to state at the beginning that it is not merely a remuneration problem, but more importantly, the problems, which impact on the quality of lives of these people"

A sub-heading of '**Hours worked**' reveals "There is evidence to indicate that the Inspecting ranks are working considerably above a 40 hour week. Research from Boroughs suggests that Inspectors regularly work more than 40 hours per week and the cancellation of leave or rest days is now considered normal".

On one Borough I contacted, the average number of hours worked by an Inspector was 50. This did not include cancelled leaves or on-call. This was particularly so in cases where the Inspector worked in a singleton post or filled a detective position.

Overtime- From the 1st September 1994, Inspectors moved onto all inclusive salaries which included overtime. Chief Inspectors received a £3000 addition to their salary and Inspectors received £3500. I have calculated the value of this figure to today's value after successive annual pay rises. The £3000 figure is now valued at £3669. The £3500 figure is now valued at £4281. For example, if an Inspector averaged 10

hours overtime a week for 47 weeks, equalling 470 hours per year, divided by £4281 would make the overtime rate payable at £9 per hour. Clearly this is far below the hourly rate they would receive in overtime were still payable. However the all included salary is of course pensionable whereas overtime is not.

On-Call - This is particularly relevant to the detective discipline whereby the officers are frequently required to be on-call. There is evidence to suggest that some of the detectives of the Inspecting ranks are on-call for weeks on end. I have a particular example whereby a DCI on a Borough was on-call for a continuous period of 3 weeks. This naturally puts constraints on the lives of the individuals and one would question

whether it is reasonable to ask an officer to give this kind of commitment. Previous advice from solicitors would suggest it is not reasonable. Secondly they are very likely to be recalled to work for which again they would receive no compensation.

Welfare- The Inspectors Branch Board of the Federation believe that the number of hours worked by the Inspectors and their on-call requirement are unacceptable.

There is a belief that this has a detrimental effect on Officers health which in some cases leads to stress related illnesses. I was unable to produce any data to support this but it would be wrong for us to assume there is no truth in this.

P4: Working Conditions of Inspecting ranks Alison Smith. Research and Survey Unit 1997. This report is some 4 years old now which in itself indicates how long these issues have been around. This is a particularly detailed report which I will not attempt to go into here. However I would like to highlight one statistic from the survey carried out. 61% of the respondents routinely worked between 45-54 hours per week. As can be seen at 4.3 the situation has not got any better.

Conclusions

I have collated some factual and anecdotal evidence to indicate that there is indeed a problem around both the pay and working conditions of the Inspecting ranks. This evidence would indicate excessive amounts of overtime being worked making the payment made in 1994 to be undervalued. The on-call requirements would appear to be stretching the definition of reasonableness as well as adversely impacting upon the personal lives of the officers. I would also suggest that these issues are by no means new and were highlighted in a very detailed report in 1997.

(To be Continued..... On Page 4)



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We're on the Web
www.metibb.co.uk

New Pay Scales

w.e.f. 01/09/10

Inspector's

- 0- £48,840
- 1-£50163
- 2-£51,489
- 3-£52,818

Chief Inspector's

- 1-£53,853
- 2-£54,888
- 3-£55,980
- Pre 94-£56,853**

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Recommendations

1. *I think the MPS needs to acknowledge that there are problems and issues which need to be addressed.*
2. *The number of Inspectors needs to be looked at in two ways; the distribution of our Inspectors across the MPS and the total number of Inspectors*
3. *I would recommend that the salary of Inspectors be increased to reflect the additional hours worked.*
4. *I would recommend that the clarification be issued as to what on-call duty can reasonably be expected from the Inspecting ranks.*



which makes it all the more mysterious that it should resurface in the manner in which it has!

For me there's a certain comfort in the knowledge that it's not all, as some would have you believe 'Federation propaganda' that evidence of Inspectors having a home life is being suppressed. There are, we now know, others out there, like 'Cigarette Smoking HEO', who believe that the goodwill of our members has for too many years now been ruthlessly abused.

But also if you, like me, hanker for the good old days, the words of our friend in the shadows,

will I am sure evoke many happy memories, such as the time when you could get away with doing a 45 hour week. Ah....those were the day'zz!

Perry Oliver
Deputy General Secretary
Met IBB

Needless to say this report was cast into the Met's equivalent to Room 101, never to see the light of day again,

Return to the Dark Ages ?

You may have recently noticed Lord Young suggesting that the emergency services should be exempted from health and safety legislation and relieved of the burden of trivial paperwork. I have sympathy with the latter, a mantra that is regularly repeated without much evidence of success in any field of activity. As far as the former is concerned, I doubt very much whether he had time to visit one particular Met Police station but if he had he might have seen the slip hazard signs on the wall of a lift that are permanent fixtures suggesting that the hazard cannot be controlled any further. Yet any sensible person could work out that changing the floor surface to a non-slip one might just do the trick. Sadly this solution somehow eludes the senior managers despite the fact that they walk past these signs every working day. Move a few miles across London to a similar lift where there is no such signage and spirits rise as your belief that a solution is available is confirmed. Only to discover that those lifts are not being maintained in accordance with the H&S regulations which set out regular inspection and maintenance regimes. Perhaps somewhere in London there is a lift with both problems, or worse which sometime soon will plummet to the basement seriously injuring its occupants.

Does Lord Young really think it is a good idea to exempt the Police Service from Health and Safety legislation given deficiencies like those I have identified above? Does he not realise that there is still a separate common law duty of care to staff in any event, about which unfortunately, very little guidance is given to managers on what is or isn't required?

Does he advocate exempting the Police Service from that common law duty as well, returning us to the dangerous dark ages of 'Crown exemption'?

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