

POLICE NEGOTIATING BOARD

Independent Secretary
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AGREEMENT REACHED IN THE POLICE NEGOTIATING BOARD

1. At the meeting of the Federated Ranks Committee on 22 October 2002 agreement was reached on guidance on the application of the agreement made within the Police Negotiating Board in May 2002 for the management of working time to reduce the overtime bill and provide a better work/life balance for police officers. Details are set out in the attached memorandum.
2. This agreement requires no amendment to police regulations or specific authorisation by home department circular.
3. Any inquiries should be addressed to the Independent Secretariat at the Office of Manpower Economics ☎ 020 7467 7218 or to the Official Side Secretary ☎ 020 7296 6722 or to the Staff Side Secretary ☎ 020 8399 2224. Enquiries to the Independent Secretariat relating to the interpretation of this circular should, where possible, be sent in writing or by email to michael.penny@dti.gsi.gov.uk.

31 October 2002

* PNB Circulars form a single numerical series. Those which in themselves provide authority to implement an agreement carry the serial number alone, while those which are purely advisory are designated as such after the serial number.

MEMORANDUM

At its meeting on 22 October 2002, the Federated Ranks Committee of the Police Negotiating Board reached an agreement on a guidance document for the management of working time.

The full text of the guidance is attached as Annex A to this circular.

Annex A

POLICE NEGOTIATING BOARD MANAGING OVERTIME: GUIDANCE 28th October 2002

Introduction

This circular sets out guidance on the application of the agreement made within the Police Negotiating Board in May 2002 for the management of working time to reduce the overtime bill and provide a better work/life balance for police officers

Work/life balance

The scheme agreed by the PNB in May 2002 to manage overtime is about using more flexible working and rostering arrangements and measures to tackle bureaucracy to reduce the reliance of the service on overtime and to give police officers a better work/life balance. It is not about cutting costs. It is not about reducing the availability of officers for operational duties, including, when need arises, beyond their rostered hours.

The PNB believes that police officers, regardless of age, race or gender, are entitled to enjoy a healthy work/life balance. Research has shown that a good work/life balance brings benefits to both employers and employees – so the police service must be able to learn from developments in the wider employment market. The PNB believes that forces should develop working practices that will enable police officers to combine work with their other responsibilities and activities. This in turn will make the police service more attractive as an employer and better able to make the best use of its officers.

The PNB is also mindful of the fact that police officers' conditions of service are subject to the provisions of the Working Time Regulations 1998. Consequently, whilst recognising that officers will sometimes have to work beyond their rostered hours, PNB believes that forces must make every effort to ensure that police officers are not routinely having to work excessive hours, for whatever reason. Force managers will need to show commitment to resource management and planning to ensure the most efficient and effective use of officers' time. Acknowledging a proper work/life balance for officers will improve both performance and morale. Forces should review resource management training requirements in order to meet this objective.

Operational Effectiveness

It is essential that, in seeking to manage overtime, forces should take account of the impact on operational effectiveness. Forces will need to produce evidence for the Inspectorate that they have fully considered the need to maintain operational resilience when setting local targets and have in place effective monitoring systems.

Initiatives to help forces manage overtime

There are a number of developments at national level that should help forces to manage the amount of overtime worked by police officers, in particular:

1. The change from 12 month rosters to 3 month rosters, included in the PNB Agreement. Since rosters will cover the next three months rather than twelve,

managers should be able to take account of forthcoming events, changes to the policing environment and officers' domestic responsibilities more easily, thereby ensuring that rostered rest days are cancelled less frequently.

2. The change from 8 days to 5 days for the higher rate payment for working on rostered days, also included in the PNB agreement, will allow forces to make savings without any reduction in rest day working. (However, it is not the PNB's intention that this measure should perversely increase the incidence of rest day working. On the contrary, cancellation of rest days is a key barrier to a good work/life balance and the PNB will be monitoring the effects of this change.)
3. Removing the 16 hour a week minimum requirement for part-time working and the requirement for a job share in middle and senior ranks. These measures will enable forces to make better and more flexible use of part-time working. Part-time officers often prefer patterns of work which match periods of peak demand, which could go some way to reduce the overtime commitments needed from other officers.
4. Measures to reduce bureaucracy. Whilst the primary thrust of the measures to reduce bureaucracy is to free up time for core policing duties, there should also be a spin-off in reducing the need for overtime. Since bureaucracy often creates overtime commitments, forces can look forward to such measures to help them to meet their targets.
5. The increasing police numbers in most of the United Kingdom – and, in particular, the Crime Fighting Fund in England and Wales – will mean that police officers should not have to work overtime to make up for gaps in police numbers.

It is recognised that local staff associations have a key role in working with managers to identify and implement new systems and ways of working designed to reduce the requirement for overtime working.

ENGLAND AND WALES

Setting Targets

The PNB Agreement provides for a national target of a 15% reduction in the overall expenditure on overtime over the three years from 2003/04. That target is based on overtime expenditure in 2001/02. The national baseline for 2001/02 in England and Wales is £284,922,000. The baseline has been set following consultation with the Audit Commission. The baseline will exclude all payments for rostered shift working on a public holiday, but any payments made for working beyond these rostered shifts will be included in the baseline figure. Each force will need to identify payments under each of these headings in determining targets. Overtime payments to officers on secondment to other police organisations will also be excluded from the baseline figure.

The service-wide target is consequently a 15% reduction by March 2006 against expenditure of £284,922,000.

Local targets will be set locally by the police authority and the chief constable, with the approval of HMIC. The Agreement allows for police authorities and chief constables to agree targets lower than 15% under certain circumstances. If the police authority and chief constable can show, to the satisfaction of the Inspectorate, that they have taken effective action between 2000/01 and 2002/03 to reduce their overtime bill, a target of 10% may be agreed. In exceptional circumstances, such as

a substantial reduction or shortfall in the availability of operational resource, a target lower than 10% may be set.

A "substantial reduction in the availability of operational resource" might mean, for example, where recruitment/retention problems have led to overtime being used excessively to maintain adequate operational cover.

In setting local targets, account will need to be taken of how to treat one-off major incidents that required additional one-off overtime commitments in the baseline year. Such one-off commitments should be retained in the baseline. Local targets would then be set taking account of the fact that those commitments no longer apply. This should mean that some local targets will be higher than 15%.

Local targets are for the force as a whole. Where management of overtime has been devolved (to BCUs and Departments), it is possible that individual units could not meet the force target, but, overall, the force would be expected to meet its target. This is a matter for the force to monitor and control, with police authority oversight.

PNB envisages that the process for setting local targets will be as follows:

- Chief constables and police authorities will, at or around the time they start the budget setting process for 2003/04, look to set a provisional target against the baseline for 2001/02.
- Local baselines will exclude all payments for rostered shift working on a public holiday, but any payments made for working beyond these rostered shifts will be included in the local baseline. (It should be clear that elements which are excluded from national and local baselines should nonetheless continue to be managed, with a view to reductions in overtime and improvements in officers' work/life balance being made.) Overtime payments to officers on secondment will also be excluded from the local baseline.
- By March 2003, the chief constable will agree with the police authority on an initial target reduction for 2003/04 and provisional target reductions for 2004/05 and 2005/06, along with a description of how it is proposed to achieve the changes necessary to meet the targets. It will be open to forces to publish revised targets for the latter 2 years by March 2004.
- Chief constables and police authorities will then produce a joint submission, with the necessary evidence, to the Inspectorate to firm up the target.
- They will also consult local staff associations on the target before publication of the local policing plan in order to show how their targets are designed to give officers a better work/life balance.
- The target will be finalised in time for publication in the local policing plan by 31 March 2003. Chief constables and police authorities should indicate how they expect to achieve the savings necessary to meet their targets.

Increased Officer Operational Availability

The PNB Agreement makes it clear that the scheme for managing overtime will be complemented by the efficient and effective deployment of officers. The Inspectorate will monitor increased officer operational availability using the existing Best Value Performance Indicator on measuring the percentage of police officers in operational posts and by any refinements to that indicator which more accurately reflect the availability of officers in serving the public.

Forces will be able to retain savings if they meet their interim targets from 2004/05 provided that they have also increased officer operational availability. The savings

will then allow opportunities for increasing establishment or for other initiatives designed to generate greater visibility or availability.

Efficiency Plans

The Agreement states that forces may include overtime reductions as part of their 2% Best Value efficiency gains.

Role of Police Authorities

Police authorities will be responsible for setting, with the chief constable, local targets (subject to approval by the Inspectorate), for supporting the force in their work to achieve the targets and for monitoring and scrutinising force performance against the targets. Police authorities would expect to receive regular progress reports from the chief constable, at least quarterly.

Role of HMIC

In terms of the Inspectorate's monitoring role:

- The onus should be on forces to produce evidence of their performance against the interim targets for the year
- The Inspectorate will monitor both the increased availability of officers for frontline duties and the force's performance against interim targets for reducing overtime expenditure, based on the evidence provided by the force.
- The Inspectorate's staff officers will seek updates and progress reports during their quarterly visits to forces.
- At the end of the year, forces should produce an outturn report – certified by the police authority Treasurer – confirming that the overtime expenditure details produced are accurate and can be substantiated, stating whether or not the target has been achieved. In those cases where a force has fallen short of its reduction target, explanatory or mitigating factors should be set out.
- Each force will provide evidence to the Inspectorate detailing how forces have redeployed their savings in order to generate greater visibility and availability.
- Her Majesty's Chief Inspectorate of Constabulary will due course provide additional guidance to forces concerning the evidence required to ensure a consistent approach is maintained across the country in relation to these matters.

SCOTLAND

Setting Targets

The UK PNB Agreement provides for a national target of a 15% reduction in the overall expenditure on overtime over the three years from 2003/04 to 2005/06, but the Agreement does not specify the level of reduction which should apply in Scotland.

The baseline for the target is 2001/02. The types of overtime to be covered by the scheme are to be agreed by the Scottish Executive, ACPOS, COSLA, ASPS and the SPF, but will exclude double time premium payments for officers rostered to work on

public holidays, overtime payments to officers on secondment, and court overtime to meet the demands of the Scottish Criminal Justice system.

Target-setting will be integral to the budget-setting process for 2003/04. By March 2003, the chief constable will advise the police authority on an initial target reduction for 2003/04 and provisional target reductions for 2004/05 and 2005/06, along with a description of how it is proposed to achieve the changes necessary to meet the targets. It will be open to forces to publish revised targets for the latter 2 years by March 2004.

In determining the targets, the chief constable should have regard for:

- The scope for improving the work/life balance of police officers;
- The need for more efficient and effective deployment of officers to front-line duties;
- Trends in numbers of officers and civilians in the force, and in demands on the force;
- Any short-term unusual circumstances which affected the baseline in 2001/02;
- Current and future employment legislation;
- The views of the local staff associations;
- Advice from HMIC; and
- The norm across the UK of a 15% reduction by 2005/06.

Local targets are for the force as a whole. Where management of overtime has been devolved (to Divisions/BCUs and Departments), it is possible that individual units may not be able to meet the force target, but, overall, the force would be expected to meet its target. This is a matter for the force to monitor and control, with police authority oversight.

Increased Officer Operational Availability

The PNB Agreement makes it clear that the scheme for managing overtime will be complemented by the efficient and effective deployment of officers.

Forces will be able to retain savings from achieved reductions in overtime. The savings will then allow opportunities for increasing establishment or for other initiatives designed to generate greater visibility or availability.

Role of Police Authorities

Police authorities will be responsible for approving the target set by the chief constable, for supporting the force in their work to achieve the targets and for monitoring and scrutinising force performance against the targets.

Performance against target

Forces should report on progress against their target in their annual report. This should state whether or not the target has been achieved, and should comment on the wider aspects of the policy including improvements to work/life balance and to efficient officer deployment. In those cases where a force has fallen short of its reduction target, explanatory or mitigating factors should be set out.

Audit Process

Reduction of overtime is an issue for both Best Value and for good HR practice. The onus will be on forces and authorities to produce evidence of their performance against their targets for each year. However, although the setting and achieving of targets is primarily a matter for forces and authorities in consultation with the staff associations, both HMIC and Audit Scotland will have an interest in how forces and authorities take forward this initiative.

HMIC and Audit Scotland will consider management of overtime and effective deployment of staff within regular inspections/Best Value reviews of forces.

NORTHERN IRELAND

Application of the agreement in respect of managing overtime will follow, broadly, the procedures outlined above for England and Wales. However as the Audit Commission does not operate in Northern Ireland the setting of the baseline calculated by reference to the overtime expenditure in 2001/2002 will be undertaken following consultation between the Northern Ireland Policing Board and the Chief Constable and be subject to the approval of the Secretary of State for Northern Ireland. Due regard will require to be given to the security situation pertaining at the time and to the restructuring of the Police Service as a consequence of the recommendations of the Commission on Policing in NI.

In order to contribute effectively to the nationally agreed target of a 15% reduction over 3 years in the overall expenditure on overtime the Policing Board and the Chief Constable with the approval of HMIC will set a local target for the PSNI. The caveats in respect of the setting of targets lower than 15% under certain circumstances as are outlined for forces in England and Wales shall apply equally in Northern Ireland including account of the security situation pertaining. References there to BCU's will be interpreted as meaning DCU's (District Command Units) in Northern Ireland. The requirement for consultation with local staff associations is expected to be met in full.

In Northern Ireland there is no less a need for "increased officer operational availability" which will compliment improvements in the management of overtime. This will, as in England and Wales, be monitored by HMIC and PSNI will, like other police forces, be able to retain savings resulting from targets met so long as the officer operational availability has increased, to spend on similar initiatives. HMIC's monitoring role as outlined for England and Wales will be the same for Northern Ireland.

REVIEW

The Police Negotiating Board will review, in conjunction with the HMIC, the operation of the target setting process required under this procedure by the end of 2003.

28th October 2002