

Devon and Cornwall Police Authority Minutes

A meeting of the **Human Resources Committee** was held in the Conference Room, Police Authority, Endeavour House on the 24 January 2007 starting at 10:00 hrs.

Present

Chairman Mr J N Smith
Members Sir Simon Day, Mr I P A Doggett, Mr T Evans (HR/234 onwards), Mr S Hughes, Mrs A Malcolm (HR/233 onwards), Mr S Malloni, Mr D Money (HR/233 onwards) and Mr B Preston.

Officers in Attendance

Ms A Broadbent (Force Learning and Development Manager), Mr N Holt (Director of Human Resources), Mr C Miller (Recruitment and Development Manager), Ms K ?? (??), Mr C Schofield (Police Authority HR Advisor), Mrs E J Tanner (Administrator). Ms A Hasyn (HR/238 only), Ms Ruth Mundy (HR/243 only).

HR/229 Election of Vice-Chairman

Sir Simon Day was elected Vice-Chairman.

HR/230 Apologies for absence

There were no apologies for absence.

HR/231 Declarations of interest

The following declarations of interest were made:

Name	Agenda item	Minute number	Nature of interest	Action
Bryan Preston	17, 18, 19 & 20 - <ul style="list-style-type: none">• Review of Employment Tribunals• Changes to LGPS Regulations - Flexible Retirement• Revised compulsory redundancy terms for police staff• Proposed Voluntary Severance Terms for Police Staff.	HR/244 HR/245 HR/246 HR/247	Personal - Mr Preston is a member of GMB	Spoke and voted.

HR/232 Minutes

RESOLVED that the minutes of the meeting held on 8 November 2006 be confirmed as a correct record.

Issues discussed during consideration of this item included:

- HR/215 The Police Authority now had input to the induction process for police staff.
- HR/216 Members had received a list of the staff support groups.
- HR/219 The Director of HR would ensure that appropriate changes were made to the policy dealing with the reappointment of Police Officers.
- HR/220 Action Plans resulting from the HMIC Baseline Assessment would be presented to Members at the next meeting of this committee.

HR/233 HMIC Report of Training Best Value Review

Members considered the report. Many of the actions arising from the review had been addressed and closed. The recommendation that the Police Authority review the effectiveness of succession planning processes across the training function, particularly where they impact high-risk areas for the Force was still being progressed.

Issues discussed during consideration of this item included:

- The need for the Police Authority to question how high impact roles were being identified and filled and to monitor the succession planning process.
- It was clear that a succession plan of at least 5 years was required. Currently, this was not in place for the majority of roles; general succession planning was restricted to the current year only. Succession planning for senior posts and for posts that required long term training, for example Senior Investigative Officer posts, was being done. It was thought too labour intensive to implement a succession planning model for all roles within the Constabulary.
- Progress on this recommendation would be picked up by future HMIC inspections, during the annual self-assessment process undertaken by the department, and through the recently requested department PMR.
- The Director HR was due to meet with the Chief Constable to look at succession planning for critical roles. It was expected that similar meetings would take place at least 3 times a year. A report on the outcome of these meetings would be provided for Members of the Committee.
- It was suggested that Members may care to 'dip sample' progress on the implementation of a succession model by visiting the department from time to time.

RESOLVED that

- i. the Committee Vice-Chairman identify succession planning models in use elsewhere and advise, and to
- ii. carry out a 'dip sample' of the HR Department and report to the Committee.

HR/234 Absence Comparison

The report compared average number of hours lost per person per year in the Devon and Cornwall Constabulary for the last three years with that of similar police forces and public sector organisations. To enable comparison, it was necessary to convert the CIPD data from days into hours by multiplying the number of days by 10 (equating to the average daily shift for a police officer).

Issues discussed during consideration of this item included:

- The reasons behind the dramatic fall in absence levels in Cumbria in 2004/05 compared to 2003/04. It was suggested that this was as a result of a national drive to review police absence.
- The need for the Authority to identify the information required to effectively scrutinise Force performance and to consider this consistent data over a period of time. This would enable effective monitoring. In addition, to require officers to analyse data presented to the Authority in advance of meetings to identify best practice / potential improvements / possible action prior to presenting the report to the committee.
- The staff survey would help to provide data on Officer / Staff morale.

- Officer bonus payments and possible use of a similar scheme for police staff.

RESOLVED to note the report.

HR/235 Job and Grading Review

Members were updated on progress of the job and grading review. The pilot assessment of ACAS preferred job and grading schemes included a sample of fourteen benchmark jobs. It was hoped that the outcome of the pilot, with recommendations on the preferred scheme and an implementation plan would be presented to members at their meeting on 16 February, however this was becoming increasingly unlikely due to complications around synchronising the various meetings required to formulate the recommendation to Members. It was therefore suggested that should it prove impossible to report at the 16 February meeting, delegated powers be given to the Chief Executive in consultation with the Chairman and Vice-Chairman of the Police Authority to select the scheme.

Issues discussed during consideration of this item included:

- Constitutional issues around decision making and a desire for Police Authority Members to retain ownership of decisions.
- Whether it was necessary to appoint the JAG practitioner prior to deciding on the scheme.
- The terms of the appointment of a JAG practitioner and the processes in place to ensure a suitable candidate was appointed.
- The need for continuity of service from the selected consultancy.

RESOLVED

- i. that the decision on the selection of the scheme be made by the Police Authority at their meeting on 16 February or if that is not possible, the decision be delegated to the Chief Executive in consultation with the Chairman and Vice-Chairman of the Police Authority; and
- ii. to note the report.

HR/236 Overtime levels and trends

This report provided the current overtime levels as at 30 November 2006 and an indication of the year end picture with projections based on the current levels of expenditure. It also included information for the last three financial years. The data presented was not inflation adjusted.

Issues discussed during consideration of this item included:

- The Authority had expected overtime levels to decrease over the years as more police officers were employed.
- The Authority had agreed a recruitment drive for additional police officers some five years ago to an establishment of 3500. It was requested that a comparison of the overtime levels prior to this recruitment be made with current overtime levels.
- A breakdown of overtime per BCU would be useful.
- Whether overtime increases were as a result of an increase in work, or the culture within the Force.
- The inevitability of overtime in police work because of Bank holiday working, policing of unexpected incidents, the need for continuity during arrests, Police Regulations in relation to time off in lieu.
- The need for challenging overtime targets to be set for BCU Commanders.
- Efficient and appropriate deployment of police officers.
- The lack of local information held by the HR department.
- The content of reports submitted to the committee. There was a need for officers to effectively pre-empt questions Members may have on data presented and to include appropriate information to answer these

questions. Specifically, the Authority's role is one of performance monitoring and report writers should be identifying issues arising from data provided that are likely to be of interest to the police authority, the reasons behind these identified issues and what the Force is doing, or should be doing to improve upon the situation.

RESOLVED

- i. that the issue around the collation of data be examined to see what the issues are, and for the data to be accessible. ?? (not sure what this means?)
- ii. a more refined set of data be provided in reports to the committee, acknowledging the pressures within the department.
- iii. to raise the issue of overtime targets for BCU Commanders at the Seminar on 25 January with a view to testing whether targets should be included within next year's budget setting.
- iv. to note the report.

HR/237 Impact of assaults on Officers

The report provided information on the impact of assaults upon police officers and police staff in relation to number of days lost and cost in salary for the period 1 April - 30 September 2006. It was not currently possible to monitor the direct impact on officer morale.

Issues discussed during consideration of this item included:

- What options the organisation may wish to look at which merited further investigation in relation to recovering payments made to staff injured by criminal actions.
- The number of assaults on officers was considered relatively low.
- The calculations did not include on-costs or costs related to restrictive or recuperative duties.
- The report only provided the statistics for physical injuries sustained.
- The need to represent this report when considering psychological disorders and actions being taken to prevent and manage absence.

RESOLVED to note the report.

HR/238 Special Constabulary deployment, Management and Duty Hours

Issues discussed during consideration of this item included:

- The deployment of Special Constables had been relatively unmanaged over the last few year.
- Often there was no Police Officer available to brief Special Constables when they came on duty.
- The duty management system used for Police Officers was now being used for Special Constables and this would enable effective deployment and management of duty hours for Special Constables.
- The Airwave radio sets enabled managers to identify when officers were on duty, however this information was not kept.
- The management of Special Constable deployment in some areas of the Force was very good.
- In areas where duty management was not well managed, it was likely that there was an impact on the motivation of Special Constables.
- Under the Working Time Regulations, records of Special Constable's full time hours were kept to enable the required calculations to be made.
- The possibility of Special Constables being given the title of Parish Constable.
- Member attendance at the Special Constable conference in Plymouth.

RESOLVED

- i. to note the report

- ii. that information on Special Constabulary deployment, management and duty hours for each BCU to be gathered and comparisons made.
- iii. that best practice be identified and disseminated throughout the Force area
- iv. to receive an update on the deployment, management and duty hours of special constables in twelve month's time.

HR/239 Alcohol and Drugs: misuse and testing policy

Members considered the draft policy which had been drafted in compliance with the Police Amendment Regulations 2005 and endorsed the testing for substance misuse of certain members of the Force.

Issues discussed during consideration of this item included:

- The policy had been drafted and audited in accordance with the principles of Human Rights legislation.
- The drinking culture within police forces.
- Who makes the decision on which officers are to be tested.
- Is there a policy that officers involved in fatal Police car pursuits are routinely breath tested?
- The need for the underlying issues surrounding drug / alcohol dependency to be researched.
- Concern that following implementation of the policy, some staff & officers may be in immediate breach of the policy and unable to deal with it.
- Assurances that people would not be sacked or reprimanded if they admitted to alcohol or drug related problems.
- That common, everyday medicines can cause drowsiness.
- Comparisons with testing procedures undertaken by other high risk professions, for example train drivers, was requested.

RESOLVED

- i. to endorse the introduction of an Alcohol and Drugs misuse and testing policy in support of the provision of a safe, healthy and productive working environment
- ii. an update be provided to Members in six month's time to report on amendments to the policy in light of the impact on staff & officers post implementation and comparisons with similar policies in use by other organisations.

HR/240 Psychological disorders and actions being taken to prevent and manage absence

RESOLVED to defer this item to the next meeting.

HR/241 Impact of age legislation

RESOLVED to defer this item to the next meeting.

HR/242 Consideration to Excluding the Press and Public

Resolved that the Agenda items detailed in the table below be considered as closed items

Agenda item No	Minute Number	Report Title	Relevant Act	Relevant section
21	HR/243	Long Term Sickness within South and West Devon BCU	Local Government act 1972 as amended by the Local Government	Schedule 12A Paragraph 4 Information relating to any consultations or negotiations, or contemplated consultations r negotiations, in connection with any labour relations matter arising between the

			(Access to Information Act 1985)	authority or a Minister of the Crown and employees of, or office holders under, the authority.
17	HR/244	Review of Employment Tribunals	Local Government act 1972 as amended by the Local Government (Access to Information Act 1985)	Schedule 12A Paragraph 4 Information relating to any consultations or negotiations, or contemplated consultations r negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
18	HR/245	Changes to LGPS Regulations - Flexible Retirement	Local Government act 1972 as amended by the Local Government (Access to Information Act 1985)	Schedule 12A Paragraph 4 Information relating to any consultations or negotiations, or contemplated consultations r negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
19	HR/246	Revised Compulsory Redundancy Terms for Police Staff	Local Government act 1972 as amended by the Local Government (Access to Information Act 1985)	Schedule 12A Paragraph 4 Information relating to any consultations or negotiations, or contemplated consultations r negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
20	HR/247	Proposed Voluntary Severance Terms for Police Staff	Local Government act 1972 as amended by the Local Government (Access to Information Act 1985)	Schedule 12A Paragraph 4 Information relating to any consultations or negotiations, or contemplated consultations r negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

HR/243 Long Term Sickness within South and West Devon BCU

Issues discussed during consideration of this item included:

- No significant issues had been identified within the BCU that would account for the level of recorded absences during the last reporting period.
- Many of those reported as being on long term sick leave in the previous report had now returned to work.
- The Human Resources department within the BCU was understaffed by 50%.
- Management issues and the need for a Forcewide policy on sickness management and dealing with malingering.
- The need for managers to have up to date knowledge of employment legislation.
- That sickness absence for police officers Forcewide was the second lowest nationally.
- The possibility of deploying an appropriately qualified officer or team on a task and finish basis to departments or BCUs where problems were being experienced and whether this could be done in South & West BCU.
- A request for confirmation from the Command team that existing Force policies in relation to sickness absence were sufficiently robust and not overly risk averse, and that the current delegation of responsibility for sickness absence was appropriate.

RESOLVED

- i. to note the report
- ii. to request confirmation from the Command team that existing Force policies in relation to sickness absence were sufficiently robust and not overly risk averse, and that the current delegation of responsibility for sickness absence was appropriate.
- iii. The Director HR to address the resources within the Human Resources Department in South & West BCU and to ensure that appropriate employment legislation or legal advice is available to managers responsible for implementing the sickness absence policy.

HR/244 Review of Employment Tribunals

The Authority's Diversity and Stop & Search Working Group requested that a report be presented to the Committee giving information about the subjects / issues which were the reasons for Employment Tribunals. Members now considered a report which provided an analysis of information relating to employment tribunals.

Issues discussed during consideration of this item included:

- The number of Employment Tribunals had increased. It was of concern that the nature of many of the grievances related to discrimination in the workplace and many were from women.
- The staff survey may be useful to highlight discriminatory practice in the workforce at a unit or department level.
- The number of employment tribunal applications that had been settled was proportionately high – issues that had been taken into account included legal advice, costs of defending, return to work, PR and non-admission of liability.
- Whether satisfactory advice was available to enable decisions on settlement to be made and whether a review of policy was required.
- The need for exit interviews.
- The need to ensure that training was fit for purpose by follow up assessments in the workplace.

RESOLVED

- (i) Employment Tribunals, grievances and discipline cases are monitored and regularly reviewed by HR and Training Board, using relevant performance indicators
- (ii) The provision of training and specialist post selection procedures are routinely monitored in line with the expectations of Force policy and these statistics are reviewed
- (iii) Quarterly reviews of ongoing ET and grievance cases are held by legal services, employee relations and diversity units to quickly identify issues and act on them
- (iv) The Fairness at Work Procedure be revised to include the Dispute Resolution Procedures and organisational experience to date.
- (v) Equality and Diversity training is evaluated by an audit of supervisors covering knowledge and understanding, particularly in relation to harassment, disability and sexual orientation.
- (vi) Specific training and support be made available to those area where the organisation may be vulnerable as demonstrated by ET or grievance.
- (vii) All compromise agreements and grievance resolutions be collectively monitored within HR to ensure consistently, establish precedents, identify risk areas and measure costs.
- (viii) To ensure that proper evaluation of training and impact on performance is carried out.
- (ix) The HR Committee receive regular monitoring reports identifying numbers of Tribunals and cost [including the cost of any settlements].

HR/245 Changes to LGPS Regulations – Flexible Retirement

Changes to the Local Government Pension Scheme contained in the Local Government Pension Scheme (Amendment) Regulations 2006 introduce the new concept of 'flexible retirement'. The Authority is required to

agree and publish its policy with regard to this provision. The proposed Discretionary Policy on Flexible Retirement was presented for Members consideration.

Issues discussed during consideration of this item included:

- The criteria for 'exceptional circumstances' in relation to the waiving of a pension member's actuarial reduction.
- Whether the level of pension support currently received was satisfactory.
- The need for a pension expert to advise and provide assurances that the proposals were affordable.
- That early retirement would only be approved at no cost to the employer.
- That consultation on the policy with the relevant unions would take place and the policy would then be presented to the Authority for final ratification at a future meeting. It was suggested that this would be the meeting in May 2007.

RESOLVED

to support the Flexible Retirement Policy which

- i. Allowed consideration of applications from members of staff who wish to take their pension early whilst continuing in service on reduced hours or at a reduced grade;
 - ii. required any cost of taking early pension benefits to be borne by the employee; and
 - iii. allowed the Constabulary, in exceptional circumstances, to use its discretion to waive a member's actuarial reduction.
- iv. that the HR Committee receive regular monitoring reports.

HR/246 Revised compulsory redundancy terms for police staff

NB Mr Bryan Preston declared a personal interest in this agenda item as a member of the GMB.

The introduction of age discrimination legislation and changes to the Local Government Pension Scheme (LGPS) require a review the current Force Redundancy Policy, D254 for Police Staff. The report suggested options for the future and requested the Committee to consider its preferred way forward.

Issues discussed during consideration of this item included:

- The added years legislation is difficult to administrate and many other police forces do not use it.
- Redundancy terms for police staff are not negotiable with the unions, but are at the discretion of the organisation.
- The proposal put forward was a basis for discussion with the unions. Following this consultation, the policy would be brought before the committee and subsequently to the full Police Authority for final ratification.
- Potential budget implications.
- Legislative powers lapsed on 1 April 2007 and an urgent decision was required.

RESOLVED to support revised compulsory redundancy terms for police staff with more than two years' service of a two times multiplier of statutory redundancy pay with uncapped weekly earnings and no pension enhancement as the basis for discussion with the Trades Unions.

HR/247 Proposed voluntary severance terms for police staff

NB Mr Bryan Preston declared a personal interest in this agenda item as a member of the GMB.

Members considered the report which recommended the principles of a voluntary severance scheme for police staff.

Issues discussed during consideration of this item included:

- What the cost implications were for the Authority for the options presented. This was difficult to predict due to the lack of previous experience within the Force of voluntary severance, and the dependence on the age profiles of the 'pools' of staff involved.
- A request for the information in the above point to be available for the next meeting when the scheme was re-presented for ratification following consultation with the trades unions.

RESOLVED to

- i. approve the principles of a voluntary severance scheme as outlined below to go forward for discussion with the trades union
- ii. support the principle that voluntary severance is offered on the same terms as the Force's compulsory redundancy policy and on a targeted basis to defined 'pools' of staff, pre-approved by the HR Director
- iii. acknowledge that the Force reserves the right to turn down an individual's request for voluntary severance and that authority for decisions on release of individuals under such a scheme is delegated to a panel consisting of, as a minimum, a senior representative from HR and from the department concerned.
- iv. note the separate recommendation on compulsory redundancy and to consider the 'fit' of the two proposals.
- v. acknowledge the other options considered in appendix A and the background information in the report and risks in Appendix B.

NB Mr Tudor Evans abstained from voting on this item due to insufficient information.

HR/248 Resolved to reconvene in open session

HR/249 Staff Survey

Members considered the written update on the staff survey.

RESOLVED to note the report.

HR/250 HR Department future structure

The Director HR advised that a position was currently being advertised for a person to lead the job and grading review.

HR resilience was an issue and it was felt that a Head of HR Operations was required. Approval for this post would be sought at the next meeting of the Committee, or if more urgent at the Police Authority meeting on the 16th February. The Chairman of the Committee requested sight of the proposal prior to its presentation for ratification.

RESOLVED to note the report.

The meeting closed at 13:15hrs