

Devon and Cornwall Police Authority

MINUTES

A meeting of the **Human Resources Committee** was held on Tuesday 23rd November 2010 in the Conference Room, Devon and Cornwall Police Authority, Endeavour House, Woodwater Park, Exeter, starting at 10:30hrs.

Present:

Chairman: Mr D Money
Vice-Chairman: Mrs L Price
Members: Mr M Hodge, Mr B Preston, Mrs L Williams.
Also attending: Cllr J Owen (agenda item 5 only), Mrs L Dunn (agenda items 5 and 6 only)

Officers in attendance:

Police Authority

Mrs E Zoestbergen (Policy Officer), Mrs J Hall-Williams (HR Advisor to the Authority), Mrs G Clifton (Committee & Meetings Services Officer).

Police Force

Mr C Haselden (Director of HR), Mr G Cooper (Head of People Services), Mr A Burgess

HR/485 Apologies for Absence

Apologies for absence were received from Mr M Clayton, Mr J Hart, Mr M Hicks, Ms J Norton and Mr D Percival.

HR/486 Declarations of Interest

No declarations of interest were made in respect of any item on the agenda.

HR/487 Chairman's Announcements

The Chairman made the following announcements:

- Welcome to Cllr Owen and Mrs Dunn attending for specific items on the agenda and Mr Burgess attending on behalf of Ms C Owen.
- There would (unusually) be a Part 2 item at the end of the meeting.
- Mrs E Zoestbergen was to become the Policy Officer for the new Protective Services Committee and would be leaving the HR Committee. It was not yet certain what the future officer input would be; the Chairman had written to the Chief Executive on this subject.
- There is now a new Force Head of Learning and Development. Mr D Percival was the lead member for this area.
- A half-day training on HR issues would be organised as there were several new issues and the committee would have new members from 11th December.

HR/488 Minutes and Actions of the last meeting

RESOLVED: that the minutes of the meeting held on 23rd September 2010 be confirmed as a correct record subject to amending HR/481 title to read March 2011.

Matters arising:

At the last meeting Mr Preston had declared an interest in JE items as a member of the GMB. Following consultation with the Force this was no longer deemed necessary.

HR/480 4th bullet – the HR Strategic Manager would provide the information asked for in this item.

HR/483 – the Assistant Chief Executive was carrying out further work on this issue that would be brought to a future HR Committee meeting.

HR/479 – the Director of HR would provide a report on staff establishment issues to the January 2011 meeting.

HR/480 2nd bullet – PDR review briefing paper to be circulated.

HR/489 Recruitment of Neighbourhood Beat Managers

In response to a member's enquiry the report provides information on the position regarding Neighbourhood Beat Manager (NBM) vacancies. Issues discussed during consideration of this item included:

- A Ward Councillor received information that a NBM was moving but his replacement had not been appointed, thus creating a gap. This was thought to be because the post does not attract Special Priority payments (SPP) and carries a longer tenure of three years. The report states that the lack of SPP was not an issue but the post had not yet been filled and was a frontline post.
- The frontline service to the public is a priority focus. There were always issues with the movement of staff but this was heightened by the added uncertainty of the future structure of the Force and budget cuts. When vacancies arise expressions of interest for the post are sought. If there is a lack of volunteers then management action is taken to fill frontline roles. The Committee should be assured that this post is being filled and that there will be no gap.
- There was concern that the number of 'acting up' roles had increased. The People Gold Group's remit had been widened to give corporate endorsement and approval for all temporary promotions.
- There was a need to ensure continuity in the Neighbourhood Policing Teams as there is a link with public confidence.
- Succession planning was started before staff move so that there is no gap. The difficulty is that for resignations or retirements the requirement is only one month's notice, which is not always long enough to find a replacement.
- A future update on the situation would be provided.

RESOLVED: (i) to note the current position
(ii) that an update be provided to a future meeting.

Cllr Owen left the meeting

HR/490 Equality and Diversity Working Group Annual Update Report.

The Chair of the Diversity and Equality Group presented the report that provided a summary of the work undertaken by the Group since its first meeting on 7th October 2009. The Terms of Reference agreed at the Chairs' Committee on 12th March included a stipulation that update reports were to be provided to the HR Committee at least annually. Issues discussed during consideration of this item included:

- Diversity and Equality would become one of the cross-cutting themes under the new committee structure.
- Paragraph 7 outlined the four priority themes agreed by the Group.
- Local Employment Targets – the Group had looked at specialist areas such as firearms that were not particularly open to BME or women; this was one of the first authorities to do this. All areas should reflect the community they serve.
- The Single Equality Scheme – a significant amount of work had been done in this area backed by a detailed action plan; the plan would need updating for the new committee structure.
- The Working Group has closely monitored the Force's diversity training. The set deadlines were not reached but the Group believes that there is no excuse for this training not to be completed by January 2011.
- The APA response to the Equality and Human Rights Commission (EHRC) inquiry into disability-related harassment has not yet been received. This would be fed into the Protecting Vulnerable People Working Group.
- The links to other committees (paragraph 11) would change following the implementation of the new committee structure but it was important that the Group did not lose momentum.

RESOLVED to note the report

Mrs L Dunn left the meeting

HR/491 Equality Act 2010

The Head of People Services introduced the report that outlines the key implications of the Equality Act and what the Force has done to date to ensure compliance. Issues discussed during consideration of this item included:

- The new Act identified nine Protected Characteristics (PCs). If there are two candidates of equal merit it was permitted to positively discriminate in favour of a candidate with a PC.
- Plenty of advice was available from ACAS and lawyers. Case law would have to be monitored to assess the impact of the changes. There was cross-party agreement to the Act when brought in under the last Government but provisions in the Equality Act will come into force at different times. It was not known if this Government would make any changes to provisions not yet enabled e.g. the requirement to carry out equal pay audits.
- Members were concerned that the progress made since the enactment amounted to changes to references to legislation in documents and ceasing to send out pre-employment questionnaires. The Force assured the Committee that all its policies had been reviewed to ensure the PCs are covered but further guidance was needed. Jobs with special requirements e.g. use of firearms, helicopter pilots would continue to use a pre-employment questionnaire but the Force had to be in a position to justify why the information was necessary.
- The Act was intended to make things simpler by having all the different equality legislation in one place. Members thought that the Appendix showing the information available to staff on the intranet was well thought out and made clear the duty to consider the implications of the Act. There was also complementary guidance for operational units. Not much more could be achieved until challenges occurred.

RESOLVED to note the implications of the Equality Act 2010. No further information was required at this stage.

HR/492 Job Evaluation Update

The Lead Member for JE introduced the report that advised members of the latest progress and gave an oral update on the staff forums. Issues discussed during consideration of this item included:

- There were no areas of concern at present but should there be any concerns further detail would be provided.
- Six staff forums had initially been planned but an extra one had been added due to demand. 700 people, mostly police staff, had attended the forums. The Lead member had attended all of the events to get a feel for the issues raised and ensure a consistent approach. Other Police Authority members had also attended some of the forums. Each event started with a presentation from the Force followed by one from the Police Authority and then one from the Unions. There was also a presentation on the technical aspects of JE from the Head of People Services, which generated a lot of the questions all of which were dealt with well. The strength of the sessions was the amount of time given over to questions. Feedback from staff had been very positive they valued the communications about the project. The forums were lead by DCC Sawyer along with a small team which included a member of the Police Authority. He summed up concerns about the previous JE exercise as "history is point of reference, not a place of residence". This sentiment was generally signed up to by staff.
- Questions were on four main themes.
 - a) Jobs and job descriptions - concerns about specialist roles not being recognised, lack of understanding by line managers of a role and the fact that the system does not recognise the differences between rural and urban jobs.
 - b) The appeals process – there was no opportunity to appeal at a later stage when jobs had been assigned grades and salaries.

- c) The lack of a voice for non union members. This was answered in that unions negotiate contracts of employment for all staff and staff could join the union if they wanted to.
- d) The timing and cost of the project make it more important that jobs are rewarded fairly.
- Other concerns raised included the freeze in recruitment, that precluded some PCSOs becoming Police Officers, and the Station Enquiry Officer Review.
- There had been criticism that the JE website was difficult to find – this had been addressed.
- The report from the JE advisor to the Authority reinforced that negotiation will underpin the project. The external Gateway Review that was reassuring. Implications for this Committee are that before it goes to the procurement stage, more work on Pay and Reward is needed. This will be presented to the January meeting.
- The Windsor review looking at pay and conditions for Police Officers can be incorporated within the timing of the project.
- A paper had gone to Chairs' Committee about including Police Authority staff within the review, which was agreed. However, the timing is such that Police Authorities might have been replaced by the time the JE project is concluded. A forum for Police Authority staff will be arranged.
- There is general recognition that JE is not a pay increase exercise and that there will be winners and losers. The Pay and Reward Strategy would not dictate the answers but would provide a set of principles. This strategy would be approved by COG in December and, following any necessary refinements, would be reported to the HR Committee in January 2011 prior to the start of the procurement process in February.
- The Senior Stakeholder Advisory Group, chaired by the Deputy Chief Constable as Senior Responsible officer, is an intrinsic part of reshaping the organisation. But communication is key to the success of the project.
- The issue about line managers not understanding their staff's roles is not about JE but should form part of the regular PDR process.

RESOLVED to note the report

HR/493 Health and Safety Report

The Director of Human Resources introduced the item that provided an update on the position to date on the Health and Safety action plan and the remaining activities to be completed following the Health and Safety Executive (HSE) inspection reported in 2007. Issues discussed during consideration of this item included:

- The action plan from the inspection in 2007 was mostly complete and had received a positive response from the HSE.
- The recent deaths of four firefighters had reaffirmed the importance of specific risk assessments as well as generic ones.
- An external consultant had previously been used for safety audits. It was now intended to share in-force expertise within the South West and Wales to inspect each other. Inspectors will be trained to accredited standards. Devon and Cornwall will be audited in the second round in 2012-13.
- The Committee noted the report but commented that what had actually been requested was a report on actions taken as a result of specific accidents. For example, six people had fallen from a height what had been learnt and was specific training introduced as a result of this? The Force responded that the rate of accidents is unlikely ever to be zero. Training was provided but it can only minimise the rate or severity. Devon and Cornwall has a lower rate of accidents than other forces which is monitored on a monthly basis and every accident is investigated and the findings are fed into the organisational learning process. A report on specific actions taken following specific accidents would be brought to a future meeting.
- There was concern that the inspection was three years ago and the action plan was only 92% complete; one area outstanding was 'organisational commitment'. This is due in part to the HSE requiring a formalised audit process for this area to provide evidence. Health and Safety was on all formal meeting agendas in BCUs but it takes a long time to train 6,500 people. Mandatory training has been introduced including setting up one's workstation correctly and lifting techniques.

- RESOLVED** (i) to note the report
(ii) that a further report on specific actions taken as a result of accidents be brought to a future meeting

HR/494 HR Advisor to the Authority Update Report

This oral report provided an update on items that have arisen since the committee papers were prepared. Issues discussed during consideration of this item included:

- The Key Performance Indicators (KPIs) needed to be realigned with the risk register and aligned in a Scorecard format. A meeting was planned for January 2011 with the Treasurer and Internal Audit Manager to refresh the risk register and identify HR risks. Once these were agreed the KPIs would be realigned against the risk register.
- Force systems had now been added to the Force risk register; there would be further update to the January meeting of the Human Resources Committee.
- Employment Tribunal outcome and progress would continue to be monitored by this committee. The HR advisor would continue to look at the detail of the most recent cases for learning points.
- A half-day session was planned in January to build a detailed workplan for next year.
- A paper on fair career progression would be brought to the next meeting.
- The Force Scorecard would go to all committees and link in to the work of the committee. Copies of the Scorecard were available for members if required.

RESOLVED to note the report.

HR/495 Human Resources – Performance Indicators

The report provided an analysis and commentary on the latest HR performance indicators and key people management data. Issues discussed during consideration of this item included:

- It had been agreed at the last meeting that these indicators would be in a different format in future. Officers would raise any particular concerns.
- Numbers of Special Constables were lower but this could be because they are now not sworn in until after training. Numbers should therefore start to rise soon. Around 17 officers had passed through the National Specials Assessment Centre that was considered a model of Best Practice by the NPIA.
- Exit interviews were carried out with all officers and staff. This was usually in the form of a discussion with the line manager around the reasons for leaving and whether there is anything the organisation should learn from this. There is also a form to fill in that collects information on what should make Devon and Cornwall Police a good place to work.
- There was concern about the rate of PDR completion in higher ranks. This was partly due to the timing of the process but all had now been completed. At the next meeting the information would be more up to date.
- There were a considerable number of joiners who would not state their ethnicity on the diversity form. Some apparently had concerns that the data was not secure; if the information could be added individually and not through HR staff then the number of 'not stated' might reduce. The system to do this was not available yet.

RESOLVED to note the report

HR/496 Attendance Management

The report provided an update on attendance management, illustrating improvements made as a result of the significant effort to more effectively manage attendance and to outline the work currently underway to further improve attendance levels. Issues discussed during consideration of this item included:

- A number of roadshows had been carried out and there had been a step change in attendance. It had been reinforced that the responsibility lay with the managers and not HR. A second phase is now underway to further reduce absences. HR was carrying out a pilot project on reporting mechanisms.
- Sickness absence was a national issue and as resources reduce will become more important still.

- Flint House is the police rehabilitation centre run by a charity. Police Officers pay a small subscription to be able to attend Flint House but this is not compulsory. Those who choose not to pay this subscription do not have access to the facility.

RESOLVED (i) to note the improvement in attendance in the last 12 months.
(ii) to endorse the planned improvement activity

HR/497 Director of Human Resources Update Report

The Director of Human Resources introduced the report giving an update on important items that have arisen since the Committee papers were prepared. Issues discussed during consideration of this item included:

- The Equal Pay claims have been settled with the Union's solicitors. Nearly all have been accepted and paid within the financial parameters set. There was now a second round of claimants.
- The Pay and Conditions review - short term measures would be reported in February and longer term measures in June 2011.
- An announcement on Public Sector Pensions was awaited.
- The Blueprint project was about changing the way business is done to better serve the public on a reduced budget. This work ran parallel to the work on the comprehensive spending review. The specific workstream for HR and Finance included the Corporate Services Transformation process and regional collaboration.
- As the workforce reduces this had led to an increase in activity for HR that had to be managed with fewer resources.
- A new Head of Learning and Development had been appointed within the Leadership Directorate to help leaders through the substantial change programme. This Directorate would run for two to three years before becoming part of HR.
- The Station Enquiry Officer review had been completed and would be reported to a Police Authority seminar on 26th November 2010.

RESOLVED to note the report

HR/498 Implications of the Comprehensive Spending Review (CSR)

The report gave details of the impact on workforce numbers as a result of the CSR. Issues discussed during consideration of this item included:

- There was a need to reduce the budget by 20%. This will be achieved through a reduction of police officers, police staff and other resources - cars, buildings etc. Non-staff savings of £6m had been identified.
- The recruitment freeze might have to continue throughout the four years of the CSR. If a police officer resigns or retires they will not be replaced. It might be necessary to invoke Regulation A19 that means officers can be required to retire after 30 years pensionable service.
- As police officer numbers fall we need to understand what 'frontline' means and how it will affect the public. Everybody supports operational policing, the public expect to see officers on the street but with 1000 fewer people things will have to be done differently. Blueprint is not designed to cut costs but to reshape the organisation to maintain and improve the service, although VFM is always considered. There will be three main streams of work – Crime and Justice, Response, and Local Policing and Partnerships. These will be corporate functions across all departments, for example, the LPA and BCU boundaries will be meaningless to the Response or Criminal Investigation teams so boundaries will be removed.
- A stage might eventually be reached where things might not be done but it would be the least important tasks first. It will be a challenge to meet public expectation following the cuts and this would have to be properly communicated.

RESOLVED to note the report.

HR/499 Briefing Sheets

The new briefing sheet was noted.

HR/500 Consideration to exclude the Press and Public

Closed Items (items considered by the Committee with only members of the Police Authority, appropriate officers and expert advisors present, on the grounds that exempt/confidential information may be disclosed.)

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

Agenda Item	Minute No.	Report Title	Relevant Act	Relevant Section
17	HR/501	Regulation A19 / Redundancy Arrangements	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 or 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/501 Regulation A19 / Redundancy Arrangements

This item was to allow discussion of the current arrangements for Regulation A19 and redundancy arrangements. Issues discussed during consideration of this item included:

- Currently the Force pays more than the statutory minimum for redundancy – that might have to be reviewed.
- Legal advice had been sought by 28 forces on the justification for invoking Regulation A19. This was about how to use the Regulation rather than whether to in order to maintain the efficiency of the force. A recent decision of a German Court that the Regulation was unfair on the grounds of age discrimination had been overturned by the EU Court. Officers released under the Regulation would get full pension immediately.
- There had been concerns recently that the Government was considering taxing the pension lump sum, this might encourage some to retire after 30 years.
- There was no intention to use this facility before the end of the financial year but full Police Authority approval would be needed to enable the force to use A19. The Regulation only applied to officers up to the rank of Chief Superintendent.
- The financial impact was predictable but the operational impact was not known. There was a need to ensure succession planning and the proportion of ranks would have to be managed. On the plus side it would increase the proportion of women police officers as most of the officers in this category were men.
- A formal policy revision would be required to implement voluntary redundancy.

There being no other business the meeting closed at 13.20 hrs