



Police pay and conditions: Winsor Review

Standard Note: SN/BT/6148

Last updated: 5 December 2011

Author: Tim Jarrett

Section: Business and Transport Section

In October 2010, the Home Secretary, Theresa May, announced the “most comprehensive review of police pay and conditions in more than 30 years”. The independent review covering England and Wales was led to Tom Winsor, the former Rail Regulator.

In March 2011, Mr Winsor published his first report, which “covered short-term improvements to remuneration and terms and conditions”. The Home Secretary said that she would direct the Police Negotiating Board (PNB), and Police Advisory Board for England and Wales “to consider the [report’s] proposals that are within their respective remits for police officers in England and Wales as a matter of urgency”.

There was no agreement between the Official Side and Staff Side at the PNB in July, and the matter was referred to the Police Arbitration Tribunal, which considered it in November 2011; the Tribunal’s decision is currently awaited.

In developing his recommendations, Mr Winsor set out a number of principles in response to the terms of reference of the inquiry. The review made recommendations under four headings: deployment; rewarding contribution; allowances, posts and skills; and managing the workforce and exit routes. Mr Winsor forecast that the net annual savings of his recommendations would be £217 million by April 2014, which would “enable the police service to live within its reduced means for the short-term, whilst introducing some important reforms for the longer term”.

The first report was also subject to scrutiny by the Home Affairs Committee in its report of September 2011, *New Landscape of Policing*.

The second stage report, which will consider longer-term matters such as the career of officers and police staff – including the future of pay scales, progression increments and performance appraisal – is due to be published in January 2012.

Information on the Booth review of police pay can be found in the Library Standard Note, [Police Pay – Booth review \(2008–2011 pay deal\)](#) (SN/BT/4139).

Separately, the Scottish Government announced its pay deal for the police in February 2011.

This information is provided to Members of Parliament in support of their parliamentary duties and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as being up to date; the law or policies may have changed since it was last updated; and it should not be relied upon as legal or professional advice or as a substitute for it. A suitably qualified professional should be consulted if specific advice or information is required.

This information is provided subject to [our general terms and conditions](#) which are available online or may be provided on request in hard copy. Authors are available to discuss the content of this briefing with Members and their staff, but not with the general public.

Contents

- 1 Background 3**
 - 1.1 Announcement of the Review 3
- 2 First report – short-term improvements 4**
 - 2.1 Tom Winsor’s report 4
 - 2.2 Initial reaction to the review 11
 - 2.3 Government response to the report, and reaction 13
- 3 Formal consideration of the recommendations 15**
 - 3.1 Police Negotiating Board 15
 - 3.2 Police Arbitration Tribunal 17
 - 3.3 Police Advisory Board for England and Wales 18
- 4 Select committee consideration of the report 18**
 - 4.1 Home Affairs Committee report – September 2011 18
 - 4.2 Tom Winsor’s response to the report and reported comments by Keith Vaz 19
- 5 Part 2 of the review 20**

1 Background

1.1 Announcement of the Review

In October 2010, the Home Office announced the “most comprehensive review of police pay and conditions in more than 30 years”, stating:

The independent study, announced by Home Secretary Theresa May, will help bring modern management practices into policing and increase operational flexibility for the country’s 43 territorial forces.

Former Rail Regulator Tom Winsor will head the review, supported by professional advice from former West Midlands Chief Constable Sir Edward Crew and leading labour market economist Professor Richard Disney.

The review will report to the Home Secretary in two parts, the first on short-term improvements to the service in February 2011, and the second on matters of longer-term reform in June 2011.

It will operate with three key objectives, laid out today by the Home Secretary:

- use remuneration and conditions of service to maximise officer and staff deployment to frontline roles where their powers and skills are required
- provide remuneration and conditions of service that are fair to, and reasonable for, both the taxpayer and police officers and staff
- enable modern management practices in line with practices elsewhere in the public sector and the wider economy.¹

The Chancellor referred to the review in his October 2010 statement on the Spending Review, noting that “Tom Winsor is leading a review of terms and conditions that will report on how the police service can manage its resources to serve the public even more cost-effectively”.²

As noted above, Tom Winsor was the Rail Regulator for five years, before returning in 2004 to practice as a lawyer, taking the role of partner at legal firm White and Case:

Tom’s legal experience covers the railway, electricity and oil and gas industries, industry restructuring, the regulation of markets and advising both public and private sector clients on complex and high-value projects in those fields. He is also the co-author of Taylor and Winsor on Joint Operating Agreements, considered the standard legal text on upstream oil and gas ventures.³

He was supported in undertaking the review by Sir Edward Crew and Professor Richard Disney:

Sir Edward Crew was chief constable of West Midlands police from 1996 until his retirement in 2002. He was a police officer for over 40 years.

Richard Disney is Professor of Labour Economics at Nottingham University. He has also worked at the universities of London, Kent at Canterbury, Reading, Strathclyde

¹ Home Office, [Police pay and conditions review launches](#), press release, 1 October 2010

² [HC Deb 20 October 2010 c954](#)

³ White and Case, [Tom Winsor](#), website [taken on 18 November 2011]

and Addis Ababa. He is a Research Fellow of the Institute for Fiscal Studies and has worked with the International Monetary Fund and the World Bank.⁴

2 First report – short-term improvements

2.1 Tom Winsor’s report

The first report was published by Tom Winsor on 8 March 2011 and “covered short-term improvements to remuneration and terms and conditions”.⁵ The report was set in the context of the previous two major reviews that had been successfully implemented, namely the Royal Commission on the Police in 1960 (interim report) and 1962 (final report), and the Committee of Inquiry on the Police in 1978 which was chaired by the Rt Hon Lord Edmund-Davies, Lord of Appeal in Ordinary.⁶ The Winsor report noted that:

Thanks to the Edmund-Davies reforms, police officers in 2011 are no longer underpaid in comparison with average private sector or public sector workers. Indeed, their pay scale rates are typically 10 to 15% higher than some other public sector workers, and, in some regions of England and Wales, police officers are paid approximately 60% more than the median local earnings.⁷

However, the Edmund-Davies review was the last comprehensive review of policy pay and conditions; Mr Winsor commented that, as a consequence, “in 2011, police officer pay remains based on a scheme devised 33 years ago”, yet in the same period “the society in which police forces operate and from which they draw their personnel has changed dramatically, as has the nature of policing, and the way it is performed”, including:

- “workforce” – “in 1978, over 93% of police officers were men, few having undertaken higher education. By 2010, 31% of new recruits were women and 27% were graduates”. In addition, recruitment from black and ethnic minorities is much higher, there are significantly more police staff to assist police officers, and since 2002 Police Community Support Officers have supported police officers;
- “greater scrutiny” – “a significant proportion of British society has become appreciably less deferential to authority over the past 30 years”, expectations of public services have risen and Parliament has enacted “very significant amounts of new, highly prescriptive and complex criminal legislation with which police officers need to be familiar”. The Independent Police Complaints Commission, Her Majesty’s Inspectorate of Constabulary, the courts and other tribunals, and the media have increased the scrutiny of the police;
- “unsocial hours” – in 1978, almost all police officers worked and were expected to work unsociable hours; in 2011, 57% of the “Federated ranks” (which are constables, sergeants, inspectors and chief inspectors) regularly work unsociable hours, although all officers’ basic pay includes a significant element for unsocial hours;
- “increasing specialisation” – “the 21st century has also seen a huge expansion in the role of policing”, whereas the more visible 24-hour response and neighbourhood

⁴ Independent Review of Police Officers’ and Staff Remuneration and Conditions, [About Tom Winsor and his role](#), website [taken on 18 November 2011]

⁵ Independent Review of Police Officers’ and Staff Remuneration and Conditions, [Part one report](#), website [taken on 18 November 2011]

⁶ Home Office, [Independent Review of Police Officer and Staff Remuneration and Conditions – Part 1 Report](#), March 2011, Cm 8024, p9, para 5

⁷ As above, p13, para 2

policing, traditionally seen by the public as “core policing”, now accounts for only 43% of the police officer workforce.⁸

Mr Winsor noted that, in contrast to previous reviews, his review:

has been initiated not only because of the present necessity for the Government to reduce the national budget deficit, but also because police pay and conditions have developed a degree of rigidity and a distance from modern management instruments and practices. These inhibit the ability of the police service to adapt to the changing needs of the public and the demands properly made of the police.⁹

In framing his recommendations, Mr Winsor explained that he had developed the following principles in response to the terms of reference of the inquiry:

- **Fairness is an essential part of any new system of pay and conditions** – in procedure and conduct of this review, in its analysis and in arriving at its recommendations, the overriding consideration has been fairness, to the public, to police officers and police staff, and to the police service in its short-, medium- and long-term interests;
- **Office of constable is the bedrock of British policing** – the office of constable, whereby a police officer has an original and not a delegated jurisdiction, and is himself directly answerable to the law for his actions, is far from an historical adornment; it is a fundamental part of what makes British policing an essential and extremely powerful protection of the citizen in his relationship with the state and its agencies, and ensures that our country could never become a police state. A system under which senior police officers and management make decisions as to the efficient and effective deployment of police officers, and evaluate those officers in the ways in which they work and the jobs they do so as to ensure they always meet the needs of the public they serve, is entirely consistent with the integrity of the office of constable;
- **The demands of policing** – full and proper weight must be given to the particular and onerous demands which their occupation places on police officers and their families and the ways in which they live their lives, including the risks of personal injury and death, and public responsibility and scrutiny if things go wrong. The need to work unsocial hours and the absence of the ability of police officers in a disciplined service to withdraw their labour or to refuse to work to meet the exigencies of the service must also be taken into account;
- **People should be paid for what they do, the skills they have and are applying in their work, and the weights of the jobs they do** – the structure and diversity of tasks and expertise in the modern police service is now very different from how it used to be. All police officers have a set of core skills, but the omni-competent constable no longer exists. Specialist skills and more demanding posts should be recognised;
- **People should be paid for how well they work** – progression up national or local pay scales based purely on length of service is unfair. High performers should be paid more than those who perform adequately, and higher again than those who perform poorly;

⁸ As above, pp13–14, para 3

⁹ As above, p16, para 10

- **A single police service** – distinctions in pay and other conditions of service between police officers and police staff should be objectively justified having regard to the conditions which exist today, not on the basis of history or tradition; on that basis, the two systems should be brought into an appropriate degree of harmony;
- **Simple to implement and administer** – the review's recommendations should not unjustifiably add to the bureaucratic burden on individuals and police forces;
- **Phased introduction** – some reforms should be introduced over time, so that police officers and police staff do not feel threatened and the system has time to adjust. Cultural and historical blockages need to be dissolved, management needs time to learn and demonstrate its ability to operate new systems before they are brought fully into effect; people need to have confidence that the system will treat them fairly.¹⁰

Mr Winsor said that his report's recommendations, if implemented, would "concentrate the highest pay on the front line and more demanding roles in the police service", and that his recommendations were "directed towards the concentration of pay on frontline shift workers, and police officers who acquire and use professional skills of a high order".

One of the benefits of his proposals "should be the encouragement of long-serving, experienced officers back to the front line of policing", and Mr Winsor summarised the impact of his recommendations on pay as follows:

In short, some skilled police officers working unsocial shifts in response roles will receive up to approximately £2,000 more in cash terms per year than at present, whereas those in what are sometimes called middle- and back-office roles will not receive any additional pay and may experience a reduction of up to £3,000 in their allowances. Case studies which illustrate the effects of these recommendations are included in Chapter 8. One of the consequences of these changes should be the encouragement of long-serving, experienced officers back to the front line of policing. Although some officers remain in response teams or neighbourhood policing for a substantial part of, or even their entire, careers, most move relatively quickly to specialist or middle- or back-office roles. The public have a right to expect the best and most experienced officers on the front line.¹¹

The review made a number of recommendations under four headings: deployment; rewarding contribution; allowances, posts and skills, and; managing the workforce and exit routes.

On **deployment**, Mr Winsor did not recommend abolishing the 9% supplementary pay component in respect of shifts (as introduced by the Edmund-Davies report) from officers who did not work shifts; while its abolition would be "logical" and save £410 million across England and Wales, Mr Winsor concluded that it would be "quite brutal" to abolish it and "wrong for such a large proportion of basic pay to be removed without a substantial amount of time allowed for police officers to adapt".

¹⁰ As above, p16, para 12

¹¹ As above, p17, para 16

Mr Winsor did recommend that those officers in the Federated ranks should receive an additional 10%, non-pensionable, supplement on their basic pay on an hourly basis for those hours falling between 8pm and 6am on any day of the week.¹²

Based on the principle that “officers and police staff should be paid for the time they work”, Mr Winsor said that “the existing regime involving payment for a specified minimum number of hours, irrespective of the actual hours worked, should be brought to an end”. He recommended:

- police staff should not receive additional shift premium (time and a half or double time) for weekend day working if it is part of their normal contracted hours. The rate for routinely working a public holiday should be reduced to double time only;
- the chief officer should be required to consult, rather than agree, with the local joint branch board and individual officers in connection with the bringing into operation of a variable shift arrangement;
- time and a third premium pay for casual overtime should be replaced with plain time;
- the removal of double time premium pay and the notice period of five days for working on a rostered rest day. Therefore time and a half premium pay is applicable for working on a rostered rest day with fewer than 15 days’ notice;
- to allow double time for 25 December and seven other days chosen by the officer before 31 January for the next financial year;
- the Home Secretary should no longer have a role in approving schemes provision for financial rewards for special constables, where police forces consider that they will be effective and represent value for money.¹³

On **rewarding contribution**, Mr Winsor argued that “in too many respects, the police service has not been successful in establishing and operating a sound, non-bureaucratic, objective and fair system of appraisal of the performance of individual police officers”, and therefore “recommended that [performance awards] should be terminated in the short-term”.¹⁴ He recommended that “ACPO [Association of Chief Police Officers] and the Police Federation of England and Wales, along with other interested parties, should convene a working group to establish a series of new national policing awards” and he proposed a new “Team Recognition Award” that would allow payment of £50 to £100 to individual officers and staff.¹⁵

Although the Government announced a two-year pay freeze for public sector workers in the June 2010 Budget Statement, with “the expectation that police officers and staff will not receive increases in their pay from September 2011 to September 2013”, the report found that “this does not mean that total wage costs are frozen for this period” for the police; police officers and some police staff will “automatically progress up the pay scale for their particular ranks or posts” in spite of the pay freeze.

The report noted that “over 80% of police force budgets is spent on pay, which means that the ability of forces to achieve further efficiency savings from infrastructure reform and

¹² As above, pp18–19, paras 19–22

¹³ As above, p19, paras 23 and 25

¹⁴ As above, p20, para 27

¹⁵ As above, p21, para 31

collaboration between police forces has its limits”; further, the automatic pay progression “would make it even more difficult for police forces to find the necessary savings, and increase the likelihood that jobs will be lost”.¹⁶

Mr Winsor said that automatic pay progression “creates distortions and resentments which are not justifiable”, and that it was “no longer suitable for a modern police service”: “a hardworking and talented police officer who wishes to increase his income should not be faced only with the choice of waiting patiently until his annual increments raise his pay, working overtime, or securing promotion”.

Mr Winsor argued that “there are better, fairer and more sophisticated ways of recognising the acquisition and use of additional professional skills in policing”, and concluded that automatic pay progression should be suspended for two years from September 2011, with the intention of reviewing pay progression in his second report:

My conclusion is that the system of pay within ranks, or job categories for police staff, is in need of fundamental reform. In the short-term, I recommend that police officers and police staff should remain on their present increments for the next two years. After that, a new system of determining differential pay within a single rank, or job category, should be established and introduced. This suspension of the operation of the system of automatic annual progression will have the material benefit of going a significant way towards enabling police forces to keep police officers and police staff who might otherwise have been compelled to leave police forces. This approach to preserve employment has been used, with some success, in many private sector companies over the past three years. In cash terms, the suspension will ensure that officers and police staff will not have their present levels of basic pay reduced, although it should be noted that police officers at the tops of their pay scales, who have been in receipt of a Competence Related Threshold Payment and who do not work unsocial hours, will sustain a reduction in their pensionable take-home pay.

My Part 2 report in this review will make recommendations in connection with the possible introduction of entirely different, shorter pay scales, with pay increments that can go down as well as up.¹⁷

Under **allowances, posts and skills**, Mr Winsor was particularly critical of the Special Priority Payments (SPP) scheme that was introduced in 2003; SPP can be as high as £5,000 per officer, and is paid to the 20% to 40% of posts that are determined by senior officers to carry “significantly higher responsibility than normal for the rank, present particular difficulties in recruitment and retention, or have specially demanding working conditions or working environments”.

Mr Winsor described the SPP regime as having “significant shortcomings”, and highlighted that the review had found roles eligible for SPP were “as diverse as response, dog handlers, child abuse investigators, and professional development unit officers”.

The review recommended its abolition from 31 August 2011, and in its place “a new payment which recognises the acquisition, and use, of advanced professional skills in policing” at the rate of £1,200 per annum for those officers in a role which use the following skills: investigation, public order, special operations (firearms), and neighbourhood policing. Called the “Expertise and Professional Accreditation Allowance”, Mr Winsor said that the new payment he proposed would be an “interim allowance, pending the establishment of a more

¹⁶ As above, pp14–16, paras 6–8

¹⁷ As above, p20, paras 28 and 29–30, and p107, paras 3.1.27 and 3.1.32

developed regime under which the relative weight, including responsibility and professional demands, of a role can be assessed and valued".¹⁸

Other recommendations included:

- "chief officers should provide receipts for all expenses and information as to expenses above £50 paid to chief officers should be published quarterly on the Police Authority's website";
- "Police Authorities should publish details of all benefits for chief officers and their values in their annual reports, itemised by officer";
- the introduction of national on-call allowance for the Federated ranks of £15 per on-call after the officer in question has undertaken 12 on-call sessions in the year beginning on 1 September;
- increasing maternity entitlement from 13 weeks to 18 weeks of full pay, with the option to spread the final 5 weeks of maternity pay over 10 weeks at reduced rate.¹⁹

On **managing the workforce and exit routes**, Mr Winsor argued that the police service "lacks some of the most important instruments which every organisation with a workforce needs to manage its people. In particular, it has no right analogous to compulsory redundancy, under which it could require a police officer with fewer than 30 years' service to leave the force on the grounds of the needs of the service and the efficiency of the force".

Mr Winsor did not judge that Chief Constables would, in the short-term at least, use compulsory redundancy if other options to reduce costs were available, in particular if a voluntary exit scheme was introduced. Mr Winsor argued that "if such a system were established and used, it should result in fewer police staff members being made compulsorily redundant, as police forces will be able to change the mix of people in their early exit scheme", and recommended that a voluntary exit scheme should be established "as quickly as possible".

He added that part two of his review would include consultation on the creation of a new career model for police officers and staff which better matches the needs of the public and the police service.²⁰

In terms of the **costs and savings** of his proposals, Mr Winsor forecast that if his recommendations were implemented in full, they would produce a net cost annual saving of £217 million by April 2014, and would "enable the police service to live within its reduced means for the short-term, whilst introducing some important reforms for the longer term".²¹

¹⁸ Home Office, *Independent Review of Police Officer and Staff Remuneration and Conditions – Part 1 Report*, March 2011, Cm 8024, pp21–22, paras 32–36 and p138, para 4.1.10

¹⁹ Home Office, *Independent Review of Police Officer and Staff Remuneration and Conditions – Part 1 Report*, March 2011, Cm 8024, p22, para 37, and p156, recommendation 38

²⁰ Home Office, *Independent Review of Police Officer and Staff Remuneration and Conditions – Part 1 Report*, March 2011, Cm 8024, pp22–23, paras 38–41

²¹ Home Office, *Independent Review of Police Officer and Staff Remuneration and Conditions – Part 1 Report*, March 2011, Cm 8024, p18, para 17

	2011/12	2012/13	2013/14
Officers: 2 year progression freeze	-£72m	-£192m	-£220m
Staff: 2-year progression freeze	-£24m	-£42m	-£32m
Abolition of Competence Related Threshold Payments (CRTP)	-£37m	-£61m	-£65m
Suspension of chief officer and superintendent bonuses	-£0.5m	-£1m	-£1m
Abolition of Special Priority Payments (SPP)	-£50m	-£86m	-£86m
Changes to overtime / mutual aid (officers and staff)	-£32m	-£58m	-£60m
TOTAL SAVINGS	-£215m	-£441m	-£463m
Unsocial hours payments (10% of basic pay)	£60m	£103m	£104m
Expertise and professional accreditation allowance (£1,200 pa)	£52m	£90m	£90m
On-call allowance (£15 per day for officers)	£10m	£15m	£15m
Team recognition awards (officers and staff)	£1m	£2m	£2m
Officer maternity pay (Increase to 18 weeks)	£3m	£5m	£5m
National Insurance contributions	£17m	£30m	£30m
TOTAL COSTS	£144m	£245m	£246m
TOTAL NET SAVINGS	-£71m	-£197m	-£217m

Source: Home Office, [Independent Review of Police Officer and Staff Remuneration and Conditions – Part 1 Report](#), March 2011, Cm 8024, pp208–209, Table 8.1; figures may not sum due to rounding.

In addition to the overall costs and savings, the review also modelled the effects of the recommendations on some case studies of individual officers (pp209–214 of the review). Mr Winsor concluded that they “show that the effects of my proposed reforms will ensure that those officers who work unsocial hours and are in demanding, skills-based roles will earn more than those who do not. In some cases, a frontline officer will be earning substantially more than he does now, and these reforms will ameliorate the reduction in his take-home pay brought about by the rise in his pension contributions”.²²

²² As above, p213, para 8.2.10

2.2 Initial reaction to the review

The first part of the review was published on 8 March 2011. The Government's initial response was given in a written ministerial statement by the Home Secretary, Theresa May. She said that she was "very grateful for their work on this review and for this report", and that she would "consider the report very carefully".²³

ACPO broadly welcomed the report. Its press release said:

Chief officers welcome Tom Winsor's first report and hope that it will lay lasting foundations for the police service

ACPO workforce development lead Chief Constable Peter Fahy said:

"Chief officers welcome Tom Winsor's first report and hope that it will lay lasting foundations for the police service. The key to reviewing pay and conditions is fairness. Change must take account of the impact on individual members of staff, but people will accept change if it is seen to be fair.

"Bonuses for chief officers have been unpopular all the way through and we are pleased they are suspended. We are also pleased to see that Winsor found no evidence to suggest abuses of overtime are prevalent in the way has been suggested in some parts of the media.

"We have a great workforce that is very dedicated to the public. We want to allow frontline staff to build expertise and be rewarded for doing that."

"There are hugely difficult decisions to be taken in forces across the country but the majority of the police service are realistic that sacrifices will have to be made. There is a huge amount of detail in this report and we will take time to study it carefully".²⁴

In contrast, Paul McKeever, Chairman of the Police Federation of England and Wales (the staff association for police constables, sergeants and inspectors, including chief inspectors), said:

"These recommendations, if implemented, together with the 2-year pay freeze and a likely increase in pension contributions, will have a devastating effect on policing.

"Police officers are likely to suffer a 15-20 per cent reduction in the value of their pay. Officers and their families are paying the price for the failure of the Home Secretary to safeguard policing from the 20 per cent cut on the service imposed by the Treasury.

"Today ACPO has revealed plans that will see a loss of 12,000 police officers; this will have a detrimental effect on the service we are able to provide to the public - particularly as frontline police officers will also have to complete backroom tasks currently done by police staff colleagues as they too see a reduction in their numbers.

"Our message today is clear. Police officers are furious; whilst they are used to being attacked, it is ordinarily from criminals but they did not expect the biggest blow to come from government.

"Home Secretary - it's not too late. These are just recommendations at this stage and, if you wish to maintain the best police service, seriously consider the implications of proceeding with them."²⁵

²³ [HC Deb 8 March 2011 c60WS](#)

²⁴ Association of Chief Police Officers, [ACPO response to Winsor review](#), press release, 8 March 2011

Derek Barnett, the President of the Police Superintendents Association of England and Wales (PSAEW), whose members are Superintendents and Chief Superintendents, commented:

'I am pleased that Tom Winsor has explicitly recognised that policing is an essential public service and that the Office of Constable is the bedrock of our policing model.

'The recommendations made by Mr Winsor, if fully implemented, will impact upon the Police Service for many years to come and so it is important to recognise that the publication of his report now needs careful consideration by the Home Secretary and the Police Service and marks the start of a process of consultation and negotiation through the PNB [Police Negotiating Board].

'It is inevitable in any such review that there will be some winners and losers and it is important now that we take the opportunity to reflect on the huge amount of detail.

'We need to recognise that police officers, along with other public servants, are facing a two year pay freeze, steep increase in pension contributions that will significantly reduce the take home pay of all police officers. This will amount to a double hit for many officers.

'In addition, the 20 per cent reduction in police budgets and predicted reduction in police officer and police staff numbers will have an inevitable impact on workloads and morale.

'Nevertheless, no matter how these recommendations affect officers and staff, I have confidence that everyone will continue to deliver a first class service to the public and continue our successful efforts to reduce crime and antisocial behaviour in our communities.'²⁶

Later in March, the PSAEW and the Police Federation issued a joint statement:

The Police Federation and Police Superintendents' Association represent the interests of police officers from the rank of constable to chief superintendent throughout England and Wales.

Last week the former Rail Regulator Tom Winsor published a report containing 62 recommendations concerning the pay and conditions of police officers in England & Wales.

We recognise that it is over thirty years since the last full review of police officers' pay and conditions. The Edmund Davies Review heralded a long period of stability in policing where officers had confidence and trust in the arrangements to determine police pay. Police officers could go about the challenging and often dangerous business of protecting and serving the public confident that their contribution was valued and respected by government. That stability, confidence and trust, hard earned by a work force that does not have industrial rights like others in the public and private sector, is now at risk.

We fully understand the fiscal difficulties this government faces and accept that the police service should take a fair share of the savings expected right across the public sector.

²⁵ Police Federation, [Federation response to today's Winsor report](#), press release, 8 March 2011

²⁶ Police Superintendents Association of England and Wales, [Comment from President on Winsor Review](#), press release, 8 March 2011

However, no other group of public servants have been singled out and subjected to an additional review of pay and conditions that, if fully implemented, will see almost £500 million taken out of the pay packets of police officers.

This breaks all the rules of trust and fairness and seeks to overturn agreements lawfully and legitimately entered in to through established principles of negotiation and arbitration.

Our members are disappointed at the pernicious release of disinformation that portrays police officers as overpaid and seeks to misrepresent legitimate terms and conditions as perks, bonuses and 'Spanish practices'.

The Police Federation and Superintendents' Association together will approach any negotiations to reform police pay and conditions in good faith, constructively and fairly.

Our goal is to secure a future that delivers excellent policing for the public, that recognises the value and contribution of police officers in fighting crime and protecting the public, and acknowledges the unique qualities of commitment, professionalism and courage necessary to do our job.

Above all we look to the future where we are able to recruit and retain the best people to policing; a role we believe to be crucial in protecting the citizens of our nation, preserving the Queen's Peace and ensuring our democratic freedoms.

We are rightly proud of the reputation and standing of the British Police Service the world over and together we will do all we can to preserve all that is good about it.²⁷

2.3 Government response to the report, and reaction

At the end of March, the Home Secretary issued a further written Ministerial statement outlining the Government's response to the report:

We have the best police force in the world, but I said when the review was launched, it is vital that we have a modern and flexible service to meet the demands placed on it. The Government recognise and value the professionalism of the police and have made clear their commitment to supporting and maximising front line services to the public. Police officers and staff should be rewarded fairly and reasonably for what they do. They deserve to have pay and work force arrangements that both recognise the vital role they play in fighting crime and keeping the public safe and enable them to deliver effectively for the public.

The Government have also been clear that action is needed to tackle the deficit responsibly to ensure that the taxpayer gets a fair deal from all parts of the public sector. The police service has its part to play, and in an organisation like the police, where pay is 80% of police revenue expenditure, there is no question that pay restraint and pay reform must form part of the package. In this context, it is more important than ever that the police leadership has the flexibility to manage forces and protect the front line services.

The review has an important role in enabling the police service to do this. Tom Winsor was asked to look at how remuneration arrangements and conditions of service for police officers and staff can best support and enable the police service to serve the public and provide value for money for the public taxpayer.

In particular, the terms of reference asked for recommendations on how to:

²⁷ Police Superintendents Association of England and Wales, [Joint statement on Winsor by PSAEW and PFEW](#), press release, 16 March 2011

- use remuneration and conditions of service to maximise officer and staff deployment to front line roles where their powers and skills are required;
- provide remuneration and conditions of service that are fair to and reasonable for both the public taxpayer and police officers and staff;
- enable modern management practices in line with practices elsewhere in the public sector and the wider economy.

In recognition of the urgency of these matters, the review was asked to report in two stages: the first on short-term improvements and a second report on longer-term reforms.

The Government have now had the opportunity to consider the review's first report. It sets out the following broad principles:

- Fairness is an essential part of any new system of pay and conditions.
- The Office of Constable is the bedrock of British policing.
- The demands of policing should be given full and proper weight.
- People should be paid for what they do, the skills they have and are applying in their work, and the weights of the jobs they do.
- People should be paid for how well they work.
- A single police service—distinctions in pay and other conditions of service between police officers and staff should be objectively justified.
- Arrangements should be simple to implement and administer.
- Phased introduction of reform.

We welcome these principles, and believe that they provide a framework for fair and sustainable arrangements for remuneration and conditions of service.

The review also sets out a package of specific recommendations for police officers' and staff remuneration and conditions of service, based on these guiding principles. I have consulted the Independent Chair of the Police Negotiating Board and Police Advisory Board for England and Wales and I will direct those bodies to consider the proposals that are within their respective remits for police officers in England and Wales as a matter of urgency. I will also be writing to the Association of Police Authorities and the Police Staff Council to recommend that they consider the report's recommendations in respect of police staff in England and Wales.²⁸

In response to the Home Secretary's statement, the Police Federation said that while it remained "extremely disappointed that Tom Winsor's report fails to demonstrate any evidence based methodology or reasoning", what was "even more disappointing is that the Home Secretary is choosing to put forward a flawed report of personal views, not evidence, to the Police Negotiating Board", and added:

"We expect the Police Negotiating Board will give each proposal the in-depth analysis and consideration it deserves before any decision on any of the proposals is made. To

²⁸ [HC Deb 31 March 2011 cc37WS-38WS](#)

make any changes to police terms and conditions, the unique working arrangements and special relationship the police have in society must at all times be borne in mind.

“Whilst police officers understand that these are just proposals at this stage, they are putting their last ounce of faith in this government to honour the processes and procedures in place to protect their unique working status. It is therefore incumbent on the Home Secretary that she honours the decisions of the negotiating machinery.

“Many of the proposals put forward in the Winsor Report cause grave concern and consternation amongst the rank and file, particularly as some officers would suffer a pay cut of up to £4000. It is clear that police officers will be the biggest victims of the financial cuts in the public sector as this would be in addition to a two year pay freeze and possible increased pension costs. The 20% budget cuts imposed by this government will not only see a reduction in the numbers of officers fighting crime but will also impact on the unique working arrangements of police officers which reflect the dangerous and often thankless job they do.”²⁹

ACPO also issued a press release following the statement:

The key to pay and conditions review is fairness as challenging deadline is set for negotiations

ACPO lead for workforce development Chief Constable Peter Fahy said:

“The Home Secretary has set a challenging deadline for negotiations over pay and conditions. ACPO is represented at the police negotiating board and we look forward to getting into those detailed negotiations. We believe the key to reviewing pay and conditions is fairness.

“Our hope is that this review will lay lasting foundations for the police service.”³⁰

3 Formal consideration of the recommendations

3.1 Police Negotiating Board

As the Home Secretary noted in her statement of 31 March 2011, she directed the Police Negotiating Board (PNB) and Police Advisory Board for England and Wales (PABEW) “to consider the proposals that are within their respective remits for police officers in England and Wales as a matter of urgency”.³¹

Police Negotiating Board

The [Police Negotiating Board](#) (PNB) was established by statute in 1980 to negotiate the hours of duty, leave, pay and allowances, pensions and some other matters of United Kingdom police officers, and to make recommendations on these matters to the Home Secretary, Secretary of State for Northern Ireland, and Scottish Ministers. Local Government Employers provides the Employers’ Side of the PNB while the Staff Side is represented by the Police Federation, the Superintendents’ Association and the Chief Police Officers’ Staff Association. Guidance on UK Policing matters, such as pay and pensions, is produced by

²⁹ Police Federation, [Federation response to Written Ministerial Statement on Winsor Review](#), press release, 31 March 2011

³⁰ ACPO, [ACPO response to Home Secretary’s statement on Winsor](#), press release, 31 March 2011

³¹ [HC Deb 31 March 2011 c38WS](#)

the PNB. Nationally negotiated police officer pay scales are set out in [PNB joint circulars](#).

The composition of the PNB is as follows:

The parties to negotiation are the Official Side, comprising representatives of the Secretaries of State, police authorities and chief police officers, and the Staff Side comprising representatives of the police staff associations. Each Side appoints a Side Secretary who is the principal contact (and principal negotiator) on all matters relating to the PNB. The PNB has a full board - comprising 22 members on each Side - which considers matters affecting all ranks, and three smaller standing committees dealing with matters which affect specific ranks, i.e. the “federated ranks” (constable to chief inspector, including cadets), superintendent ranks, and chief officers.

The PNB has an Independent Chair and Deputy Chair appointed by the Prime Minister, whose role is to supply a neutral, independent voice in the negotiations and to assist in bringing the parties to agreement, through support, informal mediation and conciliation. It also has an Independent Secretariat based in the Office of Manpower Economics (OME), London, which makes administrative arrangements for meetings and researches and assesses data on pay and other matters. Since 2001 the Chair is required to make an Annual Report on the work of the PNB to the Prime Minister.³²

On 27 July 2011, the PNB Official Side issued a circular which noted that, “despite our best endeavours”, it had not been possible to reach agreement with the PNB Staff Side which “reforms the pay and conditions of police officers, redirects money to officers working on the front line and quickly saves significant amount of money”. As a result, the PNB Official Side referred the matter to the Police Arbitration Tribunal.

It also noted that “police authorities and forces should not enact any of the recommendations contained in the Winsor Part 1 report, but should continue to apply current terms and conditions for police officers”.³³

The Official Side noted that “both Sides of the PNB agreed at the beginning of this process that we would not comment publically on the negotiations until the process has been concluded”.³⁴ Notwithstanding this reported agreement, the Police Federation, who are on the Staff Side, issued the following statement:

Anger and disappointment as Police Negotiating Board registers failure to agree on police pay proposals

The Staff Side of the Police Negotiating Board (PNB) is bitterly disappointed that today’s PNB meeting has ended with a ‘failure to agree’ after it put forward an alternative proposal of reforms that would have delivered equivalent, or more, financial savings to those proposed in the Winsor Report. The actions of the Official Side has forced Staff Side to conclude that whatever savings Staff Side offers, a deal is not achievable as this appears to be about ideologically driven change and not just saving money.

The Staff Side, representing all UK police officers from constable to chief constable, is absolutely frustrated that there was failure to agree despite four months of intense

³² Office of Manpower Economics, [Police Negotiating Board](#), website [taken on 28 November 2011]

³³ Police Negotiating Board (Official Side), [Update on PNB Negotiations regarding Winsor Part 1 Recommendations](#), PNB Official Side Circular 11/01, 27 July 2011

³⁴ As above

negotiations on the Winsor Part One recommendations, and a willingness by Staff Side to offer alternative proposals and reforms that deliver savings that could exceed the £387 million desired.

Paul McKeever Chairman of PNB Staff Side and the Police Federation of England and Wales says;

“It is extremely frustrating and disappointing that we have been unable to reach agreement today. Staff Side fully engaged in the negotiations from the outset despite the extremely challenging timescales. We worked hard to find alternative reforms that make similar financial savings within the police service but unfortunately these alternatives were rejected by the Official Side. Today, they have made clear that despite government rhetoric, this is about dogma and not a solution to the fiscal situation the country faces.

“Staff Side made clear from the beginning that we would be unable to agree Winsor’s recommendations as an entire package because of the considerable financial hardship its proposals would cause for police officers. We remain concerned that some of Winsor’s recommendations would seriously inhibit, and in many cases, damage officers’ work/life balance. Also, as identified by Winsor, they impact unfairly on female and black and minority ethnic officers.

“We have repeatedly stated during negotiations, we remain unconvinced by the evidence, analysis or arguments set out in support of many of the Winsor recommendations so we couldn’t possibly sign up to them all.

“We offered proposals which deliver savings that match Winsor’s proposals. These include the suspension of superintendents’ and chief officers’ bonus payments for the coming two years, the suspension of the Special Priority Payment (SPP) budget for three years and a reduction in the rate of casual overtime.

“We now ask that the Home Secretary, Theresa May, keeps the promise she made last year to the police officers of England and Wales to fight our corner and that the government honour the negotiation process and the decision of the independent Police Arbitration Tribunal. Staff Side firmly believe that we made every effort to reach an agreement with the Official Side and we remain committed to fighting for the fairest deal for police officers throughout the UK.³⁵

3.2 Police Arbitration Tribunal

Because police officers do not have the right to strike, under the Constitution of the PNB matters (excluding pension matters) on which no agreement can be reached, and which cannot be resolved by conciliation, may be referred by either Side to arbitration:

Arbitration is carried out by a standing Police Arbitration Tribunal (PAT), which operates under the auspices of the Advisory, Conciliation and Arbitration Service (ACAS). The PAT consists of three arbitrators appointed by the Prime Minister. Currently, Professor John Goodman is the Chair and Mrs Margaret Salmon and Ms Virginia Branney are the members. The current PAT Secretary is Mr Amit Sen, Deputy Head of Arbitration Services, ACAS.

³⁵ Police Federation, [Anger and disappointment as Police Negotiating Board registers failure to agree on police pay proposals](#), press release, 26 July 2011

Before referral to the PAT, the Sides agree the terms of reference of any dispute. Any decision of the arbitrators is treated as though it were an agreement of the Police Negotiating Board.³⁶

The Police Arbitration Tribunal considered the recommendations from the report at its meeting on 8 November 2011,³⁷ and further at another meeting on 22 November – the Tribunal’s decision is now awaited, and no timescale was given for the decision.³⁸

3.3 Police Advisory Board for England and Wales

In addition to the PNB, the Police Advisory Board for England and Wales (PABEW), which among other things advises the Home Secretary on general questions affecting the police in England and Wales,³⁹ considered a small number of the recommendations in Mr Winsor’s first report at its meeting in July 2011.

Specifically, it considered the recommendations concerning business interests (recommendations 14 and 15), officer accommodation (recommendation 40), and disciplinary hearings (recommendation 54).⁴⁰ Minutes of the discussions can be found [here](#).

4 Select committee consideration of the report

4.1 Home Affairs Committee report – September 2011

In its report of September 2011, *New Landscape of Policing*, the Commons Home Affairs Committee considered the Winsor review as part of the context of the Committee’s report. The Committee’s conclusions and recommendations are reproduced below:

17. We agree that police pay and conditions need reforming in order to enable Chief Constables to shape their workforces to respond to the need for a more financially efficient police service that can continue effectively to pursue its mission of reducing crime and disorder in the 21st century. However, neither in his initial report, nor in his evidence to us, did Tom Winsor adequately resolve the issue of how to give police chiefs greater powers to manage without undermining the special role of police officers. We foresee a danger that, in the future, the courts may decide that police officers are employees. We note that Tom Winsor said that he does not see this happening because of the weight of law and history behind the office of constable, but we do not regard this as sufficient assurance. We therefore urge the Home Office to seek legal advice on this point, and in the light of that advice, to decide where the balance of changes to terms and conditions should lie.

18. Tom Winsor’s review of pay and conditions is having an inevitable impact on morale in the police service but it is possible to do more to mitigate this. Therefore we recommend that the Home Office set up an interactive website to answer questions from police officers and staff. Such a website would need to be very carefully designed and properly mediated and managed, and would require serious commitment from the Home Office. Many websites which are intended to improve communications with the public—both in the public and the private sector—prove frustrating and fail to provide good interaction, and that can make matters worse rather than better. Some officers

³⁶ Office for Manpower Economics, *Arbitration*, undated

³⁷ Police Federation, *Police Arbitration Tribunal (PAT) meeting - Chairman’s statement*, press release, 8 November 2011

³⁸ Police Federation, *Police Arbitration Tribunal concludes*, press release, 22 November 2011

³⁹ Office for Manpower Economics, *Police Advisory Board for England and Wales*, website [taken on 28 November 2011]

⁴⁰ Office for Manpower Economics, *Police Advisory Board for England and Wales – minutes (26 July 2011)*, para 6–24

felt that Tom Winsor did not take sufficient time to hear directly from them and understand their work. We therefore recommend that, before making any further recommendations, Tom Winsor should spend more time visiting officers and staff. When the second part of the review is published, the Home Office should hold events in local police force areas to explain directly how any proposed fundamental changes will affect officers and staff.⁴¹

4.2 Tom Winsor's response to the report and reported comments by Keith Vaz

In a response published on the same day as the Committee's report, Mr Winsor wrote to the Chairman of the Home Affairs Committee, Keith Vaz, to express his objections both to "some misleading material and consequently flawed recommendations contained in your report" and also reported statements made by Mr Vaz:

On such a sensitive matter as pay and conditions, I suggest that there is an obligation on all concerned to ensure that the recipients of your report (including police officers and staff) are provided with reliable facts, so that they may reach sound conclusions on whether the recommendations are fair.

In this respect, I took exception to your comment at the meeting of the Police Federation of England and Wales on 13 July 2011 that I had reached some of my conclusions after just "sitting in the back of a couple of squad cars". Your report then stated that "before making any further recommendations, Tom Winsor should spend more time visiting officers and staff." Appendix 7 of my Part 1 report, which was sent to you when it was published, lists over 200 individual police officers and staff whom I met during many visits to police forces around the country, at all times of the day and night. Furthermore, the review received over 7,100 comments from officers and staff to my online consultation. I hope that you will recognise that this amounts to a much fuller and more extensive consultation than was achieved in any previous police pay review, and very significantly more than has been indicated in your remarks and report.

Indeed, it was through these invaluable meetings with frontline officers and staff that I was made aware of the importance of maintaining morale. However, hard-working, frontline police officers and staff told me that morale was already low because they were receiving the same pay, and in some cases less, than colleagues in back-office roles who were not under the same pressures. That is one of the reasons I have recommended the creation of a new unsocial hours allowance, so that officers working overnight can receive an extra 10% per hour, as well as an Expertise and Professional Accreditation Allowance that is targeted at frontline officers with especially valuable policing skills. If these recommendations are implemented, those officers who work unsocial hours and are in demanding, skills-based roles will earn more than those who do not. In some cases, a frontline officer will be earning substantially more than he or she does now, and these reforms will ameliorate the reduction in his or her take-home pay brought about by the anticipated rise in police pension contributions.

Your report also recommended the creation of a website to provide officers and staff with more information on their pay and conditions to improve morale. Such a website already exists. In March 2011, the review's website (www.review.police.uk) published an innovative 'ready reckoner' so that individual officers could input their personal pay and role details. The calculator then set out in detail how much better or worse off they are likely to be if my recommendations are implemented in full. At the same time, I published a series of fact sheets, to ensure that some of the misinformation about my proposals was corrected.

⁴¹ Home Affairs Committee, *New Landscape of Policing*, HC 939 2010–12, 23 September 2011, p15

Finally, your report recommended that the Home Office obtains legal advice to ensure that my recommendations do not inadvertently undermine the special role of police officers. As I said in my evidence to your committee, constables have an original and not a delegated jurisdiction. Officers' terms and conditions are set out in regulations and not contract. None of my recommendations, if implemented, would change this. There is no question of there being any uncertainty about the legal position of police officers. I should add that I obtained legal advice before making the recommendations in Part 1 of my review, and I will do so again before publishing my Part 2 report in January 2012.⁴²

5 Part 2 of the review

While the first part of the review looked at "short-term issues", the second part will look at longer term matters. Mr Winsor noted that:

The following issues will be examined and expanded upon in Part 2 of the review:

- entry routes into the police service;
- the career of officers and police staff – including the future of pay scales, progression increments and performance appraisal; and
- the pay negotiating mechanisms themselves.⁴³

It is currently expected that the report into the second stage of the review will be published in January 2012.

⁴² Independent Review of Police Officers' and Staff Remuneration and Conditions, [Letter to Rt Hon Keith Vaz MP](#), 23 September 2011

⁴³ Home Office, [Independent Review of Police Officer and Staff Remuneration and Conditions – Part 1 Report](#), March 2011, Cm 8024, p23, para 43