



# Consultation Response

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## Policing in the 21st century: reconnecting police and the people – the response of the Police Federation of England & Wales

### Introduction

Whilst we contribute our views in response to the questions set out in the consultation document we are concerned about the depth and pace of the coalition government's reform agenda, the majority of which is not contained within the restricted parameters of this consultation exercise.

Most of the proposals contained in this document contain a lack of detail that makes it hard to comment in any greatly meaningful way but we hope that we will be given further opportunity to comment once proposals have been fleshed out.

The Federation will be pursuing every opportunity to voice the concern and apprehension that our members face in light of threats to their pay, pensions, working conditions and jobs. We hope that the government and the Home Office will listen to those concerns and work with us in order to maintain a police service that is the envy of the world.

Our comments here come with the overall caveat that many of the ideas and initiatives contained within the document are dependent upon sustaining the levels of current police funding. Without that, the police service may be depleted to such a degree that forces may be compelled to concentrate on core response services rendering community policing initiatives and key specialist roles an unaffordable luxury. We need to be honest with the public about that.

### Responses

1. Will the proposed checks and balances set out in this Chapter provide effective but un-bureaucratic safeguards for the work of Commissioners, and are there further safeguards that should be considered?

We understand and accept the ethos of PCCs, however, whilst localism permeates the consultation document and the proposals focus on PCCs that are locally elected and locally accountable, it is essential that there is an understanding and a will to support regional and national policing initiatives. This may be in direct contradiction to the platform upon which the PCC will be appointed,

and so it is essential that a role profile or contract is produced to ensure that this important stream of policing is completely unaffected by the PCC and catered for in any budgetary agreements.

There is a lack of detail in the current proposal about how the PPC and the Chief Constable would work together and this combined with the fact that there is no legal definition of the principle of the “operational independence” of the Chief Constable leads to our concern about how this relationship would operate in reality without undermining the fundamental principles of policing.

In addition, we are very concerned that little cognisance appears to have been given to how the PCCs sit within the devolved government in Wales and the responsibilities of ministers in the Welsh Assembly and request that careful consideration and further consultation is sought on this matter.

2. What could be done to ensure that candidates for Commissioner come from a wide range of backgrounds, including from party political and independent standpoints?

The Federation has always been a fierce defender of the political independence of the police service and will do everything to ensure that this fundamental aspect of the constitution is maintained. It is therefore essential that there are checks and balances in place to ensure that any individual given governance over policing in each force does so without fear, favour or prejudice and we hope that any candidate would accept and adhere to this principle.

3. How should Commissioners best work with the wider criminal justice and community safety partners who deliver the broad range of services that keep communities safe?

The current partnership is currently complex, blurred and fragmented. It is difficult to see how the role of PCC could just simply be inserted into this scenario in an effective way. This therefore needs clarification of the role, function and accountability of each organisation and how the PCC would sit within these partnerships.

It is also imperative that the PCCs have a mandate to liaise with all groups rather than just those that share their personal or political ideology.

4. How might Commissioners best engage with their communities – individuals, businesses and voluntary organisations - at the neighbourhood level?

Follow the example of what the police service already does and has been doing very effectively for years – by participating in neighbourhood initiatives, consultative group meetings, schools liaison, and playing an active and visible role in the communities they serve.

5. How can the Commissioner and the greater transparency of local information drive improvements in the most deprived and least safe neighbourhoods in their areas?

There is a danger here that this will fuel the target culture that has persisted in recent years adding to the bureaucratic burden on officers. It is also imperative that PCCS have a mandate to represent all communities and not just those that shout the loudest; otherwise there is a danger of developing a two-tier service.

6. What information would help the public make judgements about their force and Commissioner, including the level of detail and comparability with other areas?

The Federation is concerned that information gathering should not add to the bureaucratic burden on the police service.

It is important that the validity and robustness of this information is maintained so that it cannot be skewed or manipulated to suit a PPCs campaign for re-election.

7. Locally, what are examples of unnecessary bureaucracy within police forces and how can the service get rid of this?

There is little doubt that in recent years increasing pressure from national targets and the tendency towards a statistical approach to measuring productivity has led to greater levels of red tape and a reduction in the amount of time spent on policing. We welcomed the decision of the last Government to rescind the targets they had introduced and are pleased by the current Government's commitment to continue this process by abolishing the confidence target and the Policing Pledge, initiatives which had added unnecessarily to the bureaucratic burden on officers. But the concern remains that local targets still persist and will be exacerbated by additional targets which may result on the back of priorities introduced by PCCs which will be beyond the reach and responsibility of Whitehall. We ask that the Government keep a watchful eye on how this develops, calling PCCs and officers to account if the system becomes a bureaucratic burden.

8. How should forces ensure that information that local people feel is important is made available without creating a burdensome data recording process?

We support the recommendations of the Reducing Bureaucracy Group led by Jan Berry and it would seem sensible to ensure that any data recording processes sit within the framework of those recommendations. We are unsure what additional information local people may require from the police beyond that already supplied through local policing initiatives and connection with community groups where local policing matters can be placed in context, questions can be asked and information can be disclosed to the media where relevant and appropriate.

9. What information should HMIC use to support a more proportionate approach to their 'public facing performance role', while reducing burdens and avoiding de-facto targets?

The prevention of crime and the detection of offenders is the core role of policing and any information gathering by HMIC should concentrate on this area. However, we are unclear what additional information HMIC might need beyond that which they already have access to or currently source from their inspections of policing activity.

We recommend working together with forces to ensure that there is a harmonisation of data capture and an understanding that effective policing is not simply a box-ticking exercise and that a lot of policing functions are qualitative rather than quantitative.

10. How can ACPO change the culture of the police service to move away from compliance with detailed guidance to the use of professional judgement within a clear framework based around outcomes?

Traditionally, successful policing has been built around officer discretion, something which has been eroded by the target regime and detailed guidance which can distance officers from the public. We would welcome the shift in emphasis towards outcomes based on a clear framework. Some senior officers have become over reliant on so called guidance documents which have led to a damaging belief that police officers are 'risk averse'. The fact is that most officers will assess risk and then go on to take that risk, but in order to do so they have to have confidence in the line management system, faults in which the Taylor review and the subsequent 2008 performance regulations sought to address and we therefore advocate that these measures are given time to bed-in.

Whilst there may be scope for processes surrounding officer health and safety to be reviewed this must in no way diminish the protection afforded to officers and staff by health & safety legislation and we cannot support the removal of police officers from the remit of this legislation.

11. How can we share knowledge about policing techniques that cut crime without creating endless guidance?

Clear communication and consistent training on a range of key, nationally-agreed topics will assist with this process as well as good leadership by sergeants, inspectors and superintendents.

12. What policing functions should be delivered between forces acting collaboratively?

Here we present a list of policing areas where efficiencies might be gained by forces collaborating to provide those functions and services. However, in the present financial climate, any efficiencies gained should be ploughed back in order to protect frontline services.

Air Support Units;  
Firearms Units;  
Dog Sections;  
Underwater Search;  
Public Order;  
Counter Terrorism;  
Training (this was collaborative until recently and we would welcome a return to regional collaborative training in certain capabilities);  
Collision Investigation;  
Traffic Management;  
Vehicle Fleet Procurement;  
Uniforms/Equipment;  
IT Support;  
HR/Payroll/Pension administration;  
Media and Communications;  
Control Rooms.

13. What are the principal obstacles to collaboration between forces or with other partners and how they can they be addressed?

This will rely on the ability and readiness for Chief Constables and police authorities to relinquish their control of resources. This needs clarification of governance and operational procedure - an area that can be assisted by central organisations.

14. Are there functions which need greater national co-ordination or which would make sense to organise and run nationally (while still being delivered locally)?

**Pay:**

We repeat our call for retaining the Police Negotiating Board (PNB) which, when allowed to operate as it should, is the best and fairest means of determining police pay and conditions. Our members see themselves as police officers of England & Wales and as such accept that they could be called upon to work anywhere in the country at any time. Regional pay awards would be divisive and lead to a breakdown of this national principle and a far less flexible workforce. The proposal to allow Chief Officers greater local “flexibility” in the payment of officers would be disastrous for industrial relations in the Service, creating greater disparities and unfairness in pay and reducing some forces’ ability to provide an effective service.

There should be less discretion for Chief Officers to pay officers through 'top up' payments such as SPPs which has led to inequality of pay between the sexes. Furthermore, it is imperative in the current climate of spending cuts and rising unemployment that police officers are guaranteed a fair assessment of their pay with a system of arbitration that is binding on the government. The previous government reneged on the pay awarded to officers through arbitration and saw police officers take to the streets in protest. In order to improve the trust and confidence between officers and the Home Department there needs to be a national negotiating structure that guarantees all officers fair pay.

**National Recruitment Standards:**

The public rightly expect that their police officers should be able to function to set standards, including physical capability, oral communication skills and written communication skills such that they can function throughout all parts of the criminal justice system. Inappropriate standards can discriminate unlawfully and candidates from all protected characteristic groups should be ensured of fair treatment through the recruitment process. Over recent years the police service has seen a welcome increase in diversity brought about by more women and more BME officers being successful in the recruitment process, largely due to the development and assessment of objective, job and competency related recruitment standards. The National Recruitment Standards are currently administered by NPIA with oversight by the Police Advisory Board (PAB). National administration ensures economies of scale and a centralised administrative process which reduces costs and bureaucracy for forces. National oversight ensures that all members of the tri-partite are able to bring their concerns about recruitment (diversity, premature leavers, standards of recruits as seen in initial training, etc) and to have those concerns addressed. We consider that this oversight should remain with the PAB.

**National Promotion Standards:**

It is important that there remain national standards for promotion to all ranks. The provision of a national policing service in times of crisis, at important regional and national events or during civil unrest is vital. It therefore needs a command structure that ensures that officers understand, and are able to function, within the requirements of their role and rank.

National promotion standards need to be fair and appropriate. There is a visible lack of women and individuals in the senior ranks in the Service and there needs to be effective national scrutiny of the promotion process to ensure that it does not include unfair barriers to progression for officers from a diversity of backgrounds and to encourage those from protected characteristic groups to apply.

**Training:**

It is vital that police training is a centrally-coordinated and accountable process that delivers to a national and consistent standard. This cannot be achieved locally or regionally, independent of a national directorate or policy governing body. It is crucial that in this tough financial climate police training should be given the level of commensurate funding required to maintain the high standards expected by the justice system and the public.

**Diversity:**

It is disappointing that this matter is not focussed upon in the consultation document as it needs real drive and leadership from the top to make it happen.

More rapid progress needs to be made to improve diversity in the Service. However, forces need to understand matters of equality and diversity and not just concentrate on one strand at a time, or assume that what works for one group will work for everyone. The key to the recruitment and retention of more BME officers is closer engagement with local communities. The government's drive to get local communities more involved in policing will create a link with the Service that will hopefully lead to more people from diverse communities becoming officers in their Service.

However, this strategy will not work in the same way for women. The Service needs to make more part time and flexible working options available if it is to retain the numbers of women it is recruiting

We welcome the government's intention to remove national diversity targets, which have been widely misunderstood and misinterpreted within the Service, and replace them with local accountability which can more readily take account of local demographics. However, there is still a need for national oversight and encouragement to drive the equality and diversity agenda forward.

15. How can the police service take advantage of private sector expertise to improve value for money, for example in operational support, or back office functions shared between several forces, or with other public sector providers?

With sensible and proportionate efficiency savings there should be no compelling reason to advocate greater or widening the use of private sector functions within policing. Better internal management and more effective use of resources and procurement processes will deliver the improvements sought. There can be no compelling argument to bring private sector services to operational or back office functions without a comprehensive assessment of the cost benefits and security implications that could in the longer term actually cost more and deliver a less productive service.

We must not lose sight of the need for those working within the police service to be accountable to the public we serve. We think there is much scope for prioritising wider collaborative working within internal operational structures against a drive or initiative to see private sector engagement as a primary solution. However, if private sector companies are employed robust vetting standards are crucial.

In relation to other public sector providers, we believe that there is scope for closer links with universities and other academic institutions which can assist in researching and refining policing processes.

16. Alongside its focus on organised crime and border security, what functions might a new National Crime Agency deliver on behalf of police forces, and how should it be held to account?

We note the comments about where and how current NPIA functions should be delivered in future but transforming this high-level, critical mass of activity and organisational responsibility requires a very carefully thought through process and we submit a plea that the Federation and the other staff associations are included in that process. The NCA should follow the ethos of the police service in that it should be warranted police officers who perform the public facing roles but this should not be to the detriment of resilience in individual forces, particularly CID teams. The NCA should also be subject to oversight from HMIC and IPCC to ensure full accountability.

We seek urgent clarification from the Government that it will sustain and protect funding for the co-ordination and management of all aspects of police training, leadership and development, including the police promotion system which is currently overseen and centrally quality assured.

17. What arrangements should be in place in future to ensure that there is a sufficient pool of chief officers available, in particular for the most challenging leadership roles in the police service? Is there a role for other providers to provide training?

Policing is a unique activity and when considering direct entry the role of practical experience should not be ignored. For many of the decisions which will be required to be made by leaders within the police, direct experience of policing will be necessary. Some decisions such as when to use armed police officers cannot simply be made by a cadre of professional managers.

We remain opposed to direct entry into the police service. We do not believe that purchasing outside leaders is the answer; rather we should address the problems associated with developing leaders within the service and in the recruitment of high calibre staff at the entry point of the constable rank.

18. How can we rapidly increase the capability within the police service to become more business-like, with police leaders taking on a more prominent role to help drive necessary cultural change in delivering sustainable business process improvement?

There has been a sustained and irresponsible lack of business management training made available within the police service ranks for too many years, with an emphasis on developing senior leaders at the expense of those who are expected to provide front line operational leadership. The Federation has been making the case for better opportunities over many years. This has to be a key priority in delivering change, that of ensuring those officers charged with the greatest responsibility for managing members of staff have the skills, competencies and capability to meet the dynamics of a changing and fast evolving service.



We support the recently formed National College of Police Leadership at Bramshill as an effective means to deliver what is required to deal with these very real concerns. It must become a central part of strategic leadership training.

19. What more can the Government do to support the public to take a more active role in keeping neighbourhoods safe?

The Government should ensure that the law does not impede active intervention by well-intentioned individuals. Currently the majority of the public believes that the law supports the troublemaker rather than the good citizen. We welcome assurance from the Home Secretary that she will change this dynamic.

20. How can the Government encourage more people to volunteer (including as special constables) and provide necessary incentives to encourage them to stay?

Public cooperation is an essential element of British policing and there has long been a tradition of volunteers working with the police and making an important contribution to the service. However we question how heavily the police service should rely on a volunteer work force. The point with volunteers is that they are exactly that – volunteers. Whilst there may be an obligation to turn up for duty they cannot be ordered or compelled to do so. Within the service it is not an unusual occurrence for policing teams that include volunteers to be left depleted when those volunteers do not show up, reducing the availability of those teams and creating a void. We suggest that better terms of service and support might assist with the sense of responsibility and commitment held by the volunteer. Much more emphasis is placed on recruitment but little on retention and a sense of responsibility to undertake the duties that are required of them. This needs to be reviewed and the balance redressed.

21. What more can central Government do to make the criminal justice system more efficient?

The police service is just one part of the CJS and unless you reform the system as a whole and ensure that each element of the system is built to complement each part rather than conflict with each other, then inefficiencies will persist.

The Police Federation also believes that reoffending rates requires greater examination and recommends that a central body takes overall responsibility for this issue.

22. What prescriptions from Government get in the way of effective local partnership working?

Rather than prescriptions preventing partnership working we believe a lack of prescription allows those working with police to often step back and leave the police to take responsibility and lead. This is especially true of local NHS trusts who often appear content to leave the responsibility for those in custody suffering from illness, addiction and mental health issues to the police.

23. What else needs to be done to simplify and improve community safety and criminal justice work locally?

Whilst we can agree that police officers should not be doing the work of social workers, there is an important community element in policing: policing by consent rests on the bedrock of the public feeling that they can turn to the police for assistance when they need to. If the police are only involved in enforcement or confrontation, they will become increasingly remote from the public and it is important that they maintain their close relationship with the communities they serve.

There is also undoubtedly an increased role to be played by partner agencies in some of the policing strands that are most likely to come under pressure following the cuts in budget – domestic violence, vulnerable adult abuse, child protection, substance addiction/abuse and mental health. However, partner agencies must be held accountable for providing a supportive and effective community function. For example, senior officers frequently complain that the NHS appears reluctant to contribute resources to projects which can reduce re-offending such as addiction treatment but failings in this area are more likely to be attributed to the criminal justice sector.

Core policing principles are simple – prevent crime, keep the peace and bring offenders to justice. However the processes officers have to now work within have deprived them of much of the discretion and common sense that is a basic tenet of effective policing. We have seen evidence that the Government is taking real steps towards treating officers as professionals and allowing them to treat the public as individuals rather than ticking boxes.

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