



**NORTH YORKSHIRE  
POLICE FEDERATION**

**ANNUAL REPORT 2010**

**Compiled by: Nigel Day, Joint Branch Board Secretary**

It has been a strange year with a war of words and speculation that has prevailed throughout 2010. There has been much talk about reducing the amount of Public Spending and the cost of Police Pensions.

As outlined in last years report the Force moved early in the year to a new operational structure – Response and Reassurance Directorate, Crime Directorate and Specialist Operations Directorate. In January the Chief Constable endorsed the decision of the Joint Branch Board to revise our model of representation by reducing the size of the board by 3 representatives (1 at each rank) with all the extra work being absorbed by the Chairman, Secretary and Deputy Secretary. We also adopted the Directorate model and brought forward our triennial election so shortening by 4 months the period when our electoral boundaries did not match the new configuration of the Force.

In the year we have had some representatives leaving the board:

- Constable Dave Hunter
- Sergeant Graham Carroll

We wish them well for the future.

As a result of the triennial elections and efforts to fill remaining vacancies we have some new faces on the board:

- Constable Alan Murray
- Constable Sara Webb
- Sergeant Will Eastwood
- Sergeant Tim Smith
- Sergeant Richard Wilson
- Sergeant Jon Webb

We welcome them all to the board.

## **CBB Annual report – 2010**

Following the Triennial elections this year, the constitution of the Constables Branch Board is as follows.

Chairman: Steve Menzies.  
Secretary: Michael Lynch.  
Vice –Chair: Steve Leach.  
Deputy Secretary: Fiona Tetley.  
Trustee: Fiona Tetley.

Other members of the current Board are Sara Webb ( response and reassurance ) , Ian McIntosh ( specialist ops division ) , Alan Murray ( Rpg ) , Margo Burgess , (response and reassurance ) , Nigel Day (JBB Secretary ) and Mark Holland ( response and reassurance)

Retiring members of the Board in 2010 are Dave Hunter.

As well as the Triennial election, 2010 has seen a large procedural change in how we best represent our members. Mirroring the Force's Directorate change, Constables Reps. are no longer geographically based. Instead, members can be represented across previous geographical boundaries and, in theory at least, JNCC attendance is not the exclusive preserve of the nearest Representative.

May 2010 saw the whole CBB travel to Bournemouth as delegates and observers to the annual national Conference. The Conference, the first for some of the Board, was of great interest to all, and useful for networking with regional and national colleagues. The Secretary, Michael Lynch proposed a motion to Conference on the final day.

Local meetings continue to be well attended. Members of the Board have attended meetings comprising of the following; CBB / JBB , welfare committee , Crime directorate , JNCC's across the Force , Health and Safety , Shift Review , No 2 regional meetings ( Chair and Secretary ) , national Chair and Secretary meetings ( Chair and Secretary ) . Fiona Tetley is a trustee of the JBB and clothing committee and Steve Leach sits on the publications sub-committee and the vehicle user group. The CBB attended the annual business meeting in January 2010. The Open Meeting and charity dinner dance were attended by some members of the CBB.

. In the near future, a spreadsheet / outlook calendar of all meetings will be available to ensure 100 per cent attendance.

All national meetings are reported back upon in written form , ensuring the accountability of the attendee , and adding value to the expenditure made by the JBB in that person attending the meeting.

All but the newest members of the CBB have undertaken their initial Reps course. Michael Lynch has completed an Intermediate Discipline course in 2010 at Cleveland Federation Office.

All the CBB members are safety reps with forcewide responsibility too, and attend Health and Safety meetings. Fiona Tetley is made aware of appropriate RIDDOR submissions by Officers and offers suitable advice.

All onward communication from the Board is carried out by the Secretary following a decision to do so in 2010.

In Force topics which have been subjected to the CBB scrutiny and debate include the following:

- \* Mobile Data Terminals and their usage, functionality and suitability.
- \* Overtime
- \* SPP including sickness recording and managing.

- \* Discipline
- \* Contributions to the website, web polls and Federation Magazine.
- \* NSPIS, (its continued unreliability).
- \* On Call allowance.
- \* Uniform.
- \* Open Meeting / Charity Dinner Dance.
- \* National Issues, pay, conditions, pensions and the economic downturn.
- \* Regional Issues, with regular input from the No2 regional rep, Steve Smith.
- \* Local Issues, broken down further on the basis of geographical location or directorate specific issues.

At the time of writing this précis of 2010, the Board is negotiating yet another shift review (for Response and reassurance Officers this time), and awaiting the publication in Spring 2011 of the review of Police Pensions; I suspect 2011 will be busier yet.

Michael G Lynch,  
CBB Secretary

### **SBB Annual Report - 2010**

The SBB has, through out the most of 2010, been 4 representatives short, which reduced to 3 when the structure review of representatives was conducted at the elections to come in line with the Force Directorates. Over the past year the following Sgt's: -

Dave Horn  
Ian Butler  
Garry Ridler  
Debbie Perkin  
Jerry Perrin

Have worked on, or provided representation at, or attended: -

The Open Meeting  
Collating feedback on the Police Reform Paper  
Area JNCC's  
Gender Agenda Meetings  
Region 2 Women's Reserve Meetings  
Clothing Committee  
Welfare Meeting  
Custody Consultation Group  
Vehicle Users Group  
National Roads Policing Seminar  
Chester National SBB Chair and Sec Meeting (in March and October)  
Region 2 Chair and Sec Meeting  
Publication Committee (Organising the Open Meeting, Dinner Dance, Magazine, Internet Site, etc)  
PDA User Group  
Cycle Working Group  
Refurbishment Meetings of York and Selby Police Station  
National Conference Bournemouth  
National CID Forum  
Exec Committee  
Trustee  
Written articles for the Federation Magazine  
3 Sergeants were trained up in Equality and Discipline Matters

Along with giving advice and guidance as required, we have forwarded information, distributed magazines, pamphlets, posters, diaries and numerous other publications and articles, all done with a smile on our face.

Dave Horn  
SBB Secretary

### **IBB Annual report – 2010**

The Inspectors Brach Board currently consists of the following representatives

Chair – Dave Porter (R & R)  
Secretary – Mike Fenton (R & R)  
Dep. Chair – Leo Suret (R & R)  
Dep. Secretary – Nick Wattam (OPS)  
Pete Martin - Crime  
Dave Brown (OPS)  
Bob Mowat (R & R)  
Will Scarlett (R & R)

The board still has one vacancy for a representative for R & R and anyone interested should contact Mike Fenton, Dave Porter or any of the above for more details.

Both Dave Porter and Will Scarlet are trained in discipline matters and can offer advice and assistance to any members who require this service.

Representatives are split into their respective directorates and each representative communicates with an agreed group of members. The first port of call for help and advice should be you directorate rep however if necessary any of the above can offer advice in the interim. Reps attend the local area JNCC's for R & R and the directorate JNCC's for Crime and specialist Ops and any issues can be fed through them into the meetings.

Representatives and the Board have been working on a number of issues which could affect members including the following:

The issue of ON CALL has been discussed at some length as it has the potential to adversely affect the Insp ranks in that whatever the agreed payments are, this will be the only remuneration the officer receives whereas constables and Sgt's will receive their on call payment plus overtime at the prevailing rate. The affect of this will mean that the cheapest option will be to call out an Insp as opposed to either of the other two ranks. This issue was coming to the fore however with the change of government and the ongoing review of terms and conditions (The Windsor Review) this will form part of this review. We wait with interest to see what happens however the National federation has fed their views into the review team.

Another matter the board has been working on is the issue of PACE Reviews conducted over the telephone. Due to the size of the force these are a regular occurrence at some custody suites however the IPCC has produced guidance which suggests that if there were to be an investigation they would look carefully at any telephone reviews and question why they were conducted instead of a face to face review. Dave Porter has conducted some legal research and been in contact with the national secretary to try to gain some clear guidance from the force as to their position. A review of PACE is currently being conducted and the Police Minister is aware of this issue and hopefully this will be addressed however in the mean time this is being addressed with the force .

Will Scarlett is representing the IBB with regard to custody issues and brings a wealth of experience from his time on the Sgts board where he was their lead. In particular the Custody Standard Operating Procedures are causing concern and a number of issues have been raised with the force.

Federation representatives now attend both the Mobile Data User Group and The Mobile Data Project Board to highlight issues and concerns. It has been decided that a member of the IBB will attend the Project Board meetings; the first scheduled meeting they will attend will be in December

The issue of officers undertaking protracted periods of acting / temporary duties without being substantively promoted has been raised. Pete Martin submitted a paper regarding this which was sent to the SLT for their consideration on behalf of all three boards from which we are still awaiting feedback.

The force is currently undertaking numerous reviews and no doubt significant changes will be taking place in the near future including a new shift pattern, the use of A19 provisions, new terms and conditions of employment, changes to remuneration (SPP, CRTP), possible change to the rank structure etc etc etc. Any changes are discussed with the board as and when they become known and concerns are fed back to the SLT.

Mike Fenton  
IBB Secretary

## **JBB Annual Report - 2010**

In January the country was subjected to what then seemed like unprecedented levels of snow and as always police officers rose to the occasion helping their communities and they received praise both locally and nationally from members of the public, ministers and MPs. The chill from this weather was to pale into insignificance to the affects anticipated as the fall out from the recession. It was clear that whoever was to win the election later in the year there would be pain inflicted on the 'public sector' and there was a constant stream of messages delivered through the media to soften up police officers for what was to come.

In February ACPO published the 'Insight Programme' report outlining how the service could look in the future and proposed: 50/50 Workforce Mix of Officers and Police Staff, Trade One Leader for One PC, Leapfrogging of Ranks, and Mandatory Requirements for Entry into the Police, Police Officers Signing up to a Contract of Employment, and Direct Entry from CSO to Constable. In April Peter Neyroud, chief executive of NPIA said *'police employers will need to get the cost of employment down over the next three years as a trade-off for keeping the numbers.'* He made the comments as he outlined the financial challenge facing the service as his agency has been given the task of cutting £1 billion from the £10 billion policing budget.

Sir Norman Bettison, chief constable of West Yorkshire Police, who costs the tax payer £213,000 called for a *'fundamental wage bill correction' in the public sector.* He added: *'I think a freeze of highest earners in the public sector alone would make a significant difference without hitting the pay of the lowest at all.'* A worthy proposal, that strangely seems to have been lost.

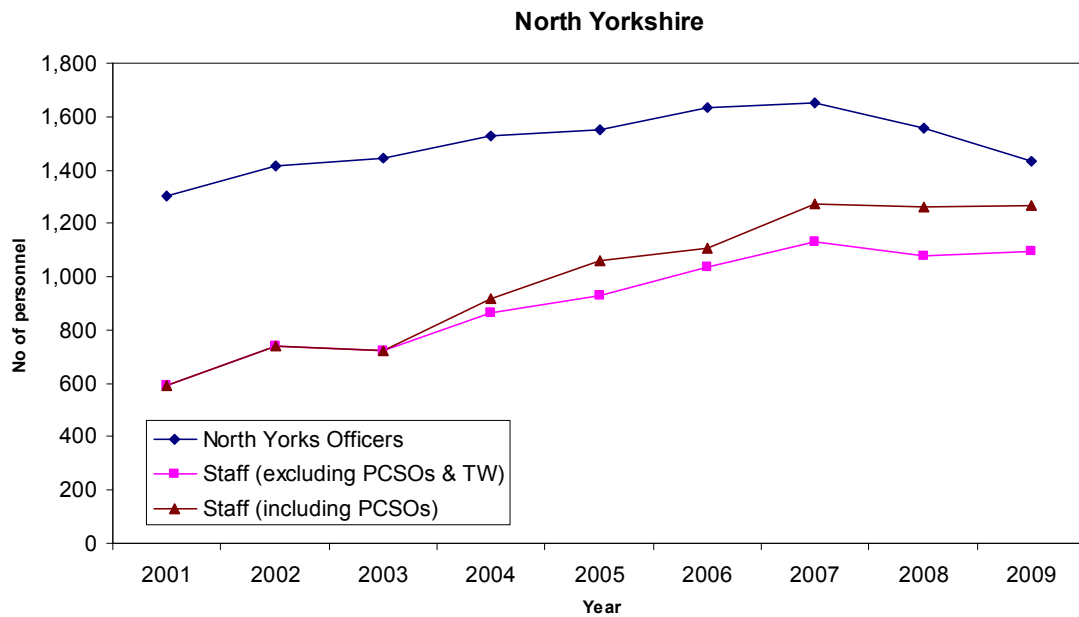
In the run up to the Annual Police Federation Conference held in Bournemouth a national media campaign was run to highlight the findings of research which had been undertaken. In order to prove whether or not this is a better option it is necessary not only to monitor the effect on performance but to compare the actual total staffing costs of officers and staff over a significant period of time. This means taking into account all additional costs e.g. training, overtime and turnover levels. It is a time-consuming process and one which forces are generally reluctant to undertake in sufficient detail.

In North Yorkshire the number of police staff increased by 158% between 2000 and 2009, compared to 12% for police officers during the same period. The increase in police staff was the highest in England and Wales.

Consequently it attracted a lot of media attention and the Chairman issued a press release which I reproduce below:

*“ It is alarming that there is no tangible evidence that even suggests, let alone proves, the value brought by civilianising increasing numbers of police officer posts. At a time of financial restraint a rise in police staff numbers is absolute nonsense when the public want more police officers on the beat and available in emergency situations when needed.*

*Britain has a new government; and a new Parliament. Now is the time to stop this uncoordinated and ill-constructed plan that will destroy the police service in England and Wales; to implement a full independent review and to have the courage to ask the public what they actually want and expect from their police service.”*



An email from North Yorkshire Police Research department who had viewed the research conducted by the Police Federation nationally concluded “I was able to match up their stats with various HO reports.”

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
<b>North Yorks Officers</b>	1,283	1,305	1,417	1,444	1,529	1,553	1,636	1,654	1,560	1,435
Staff (excluding PCSOs & TW)	492	591	743	723	864	928	1,039	1,128	1,079	1,095
Staff (including PCSOs)	492	591	743	723	916	1,058	1,110	1,275	1,259	1,268
PCSOs	n/a	n/a	n/a	0	52	130	71	147	180	173
<b>TOTAL WORKFORCE</b>	<b>1,775</b>	<b>1,896</b>	<b>2,160</b>	<b>2,167</b>	<b>2,445</b>	<b>2,611</b>	<b>2,746</b>	<b>2,929</b>	<b>2,819</b>	<b>2,703</b>
Officers as % of total Workforce	72	69	66	67	63	59	60	56	55	53

Following the election in May and the forming of a Conservative/Liberal Democrat coalition the new Home Secretary, Theresa May addressed the national conference saying *'The government's priority is to cut the budget deficit and get the economy moving again. We need to be honest about what that means for us: the Home Office and the police will have to bear a fair share of the burden.'*

In June the chancellor George Osborne announced a two year pay freeze on pay for all public sector workers earning more than £21,000 from 2011 -12 in his emergency budget. Nick Herbert revealed how much forces would lose from both their police grants and capital grants. The Home Office was told to find £367 million in savings to help cut more than £6 billion from the government's deficit. North Yorkshire Police Authority had been given an agreed grant in February of £49.1 million; this was adjusted to £48 million.

Mr Herbert reiterated Home Office plans to review pay and conditions for police officers.

In August a report compiled by six chief constables was submitted by the ACPO president Sir Hugh Orde to the Home Office without consulting staff associations. ACPO propose scrapping a host of additional payments including CRTP, SPP and the shift allowance for officers working nine-to-five jobs as a way of making immediate cash savings. They have also asked the Home Office to drastically reduce the amount of overtime pay officers receive by cutting the amount paid on public holidays from double to time and a half and only paying the actual hours worked , as opposed to the current four-hour minimum.

North Yorkshire chief constable Grahame Maxwell is known to be one of the six authors of this report.

In October the government announced it would be slashing the annual police budget by £1.2 billion by 2014/15. George Osborne said funding to forces would drop by 4% each year with both the Home Office and Ministry of Justice seeing a 6% cut to their budget. The Home Office confirmed its budget would drop by 20% in real terms by 2014/15.

As Forces looked to save money attention first turned to overtime. Home Secretary Theresa May told the ACPO-APA conference in Manchester: 'Police officers and staff need to be ready along with the rest of the public sector to make sacrifices and accept pay restraint. It cannot be right for example that police overtime has become institutionalised. We may not win popularity contests for asking these difficult questions but it is time for them to be asked.'

The Government has already announced earlier in the year plans to crack down on overtime for detectives as part of a raft of measures to save the police service money. According to the Home Office's joint high-level working group investigators have so far been under the radar.

Dr Mike Chatterton author of *Losing the Detectives* warned investigators were '*heading for a meltdown. The loss of overtime could have an effect on already stretched investigation departments' ability to respond to crime*'. West Midlands Police officers were told not to chase detections at the end of a shift to cut the amount the force pays out in overtime. A Home Office report, *Understanding overtime in the police service*, said the force 'noted a reduction in overtime' partly by instructing officers not to chase detections when their shift was ending.

An NYP message of the day was issued headed Overtime and Toil Expenditure and said: 'Funding cuts announced in the recent budget affecting all public sector organisations together with over half the yearly overtime budget being consumed within the first three months of this year render it necessary to move to a position of no overtime spend save for exceptional operational necessity.'

Spending cuts will not mean a reduction in frontline officer numbers, the Home Secretary insisted after Dr Tim Brain, former ACPO lead on finance warned last week that the number of police officers and staff was under threat, with a worst case scenario seeing up to 60,000 jobs lost over the next five years. When the main political parties launched their election manifestos the Liberal Democrat home affairs spokesman said he stood by the parties pledge to raise police officer numbers by 3,000. Neither Labour nor the Conservatives were committed to safe guarding officer numbers. The Liberal Democrat pledge is presumably as good as their pledge on university tuition fees!

At the Open Meeting in June it was claimed the number of officers on the front line will not fall at North Yorkshire Police despite predicted budget cuts promised chief constable Grahame Maxwell. The Force already had the right number of police officers and that numbers would be maintained. He said: 'I think the right number is around 1,500 for police officers. But the full-time equivalent from PC's is 1,106. That is what I want from PCs, that is what we have now and that number will be maintained. We will do all we can to maintain the numbers we have got. That is going to be difficult because we are expecting budget cuts of anything up to 10%.'

An email from the NYP Director of Finance, Joanna Carter, dated 15/12/10 set out the situation for North Yorkshire:

*Implications of the settlement - high level.*

*We are working on this - hopefully a high level press release done for today.*

*High level this means for us a reduction of £4.3m in direct grant funding for 2011/12 and in 2012/13 there is a further reduction of £5.3m. We have to anticipate the later years and we expect the effect of the additional reductions to mean that by 2014/15 our funding will be over £12m less. These reductions include an element of 'protection' as we are getting a flat rate reduction rather than this being tailored to the funding formula. If Government allocated to us according to a national funding formula our funding would be further reduced - we still have an 'at risk' amount of £5m due to this.*

*On top of the funding reductions included in the amounts above we also have other pressures and reductions. We know that we will lose another £0.5m from specific security grants and we will have to pick up the costs of essential services previously paid for nationally. These add around another £1m to the savings we have to find. On top of this we need to absorb additional costs coming from taxation changes, inflation and costs we are required to meet both for external contracts and officers and staff pay. Overall we believe that the current gap for us is £9m for next year.*

*Currently our plan for next year takes us towards meeting the £9m. For 2012/13 our gap is looking at around £15m so a further saving of around £6m is needed then.*

Despite the Home Secretaries reassurances several Forces were looking to reduce officer numbers by looking at A19 and 30+. In September it was revealed that more than 200 officers in eight forces were to have their jobs re-examined as the 30+ scheme faced nationwide scrutiny. At this time an NYP message of the day stated: 'Eligible officers are advised that the SLT have decided that normal use of the 30+Plus Scheme will be suspended until further notice.'

Following a North Yorkshire Police Authority meeting on Monday 13 December 2010 it was revealed that the authority gave the go-ahead to implement regulation A19, which allows forces to retire officers with more than 30 years' service on the grounds of efficiency. This would see more than 200 officers with more than 30 years service made to hand in their warrant card by 2014. Mark Botham said he was surprised by how quickly the force was looking to implement A19. He said: 'We went from possibly doing a scoping exercise and the chief saying we would only be using it if we ever have to, to suddenly a paper going to the police authority asking for it to be authorised. Why are we rushing this?'

AN NYP message of the day stated: 'Eligible officers are advised that the SLT have decided that normal use of the 30+Plus Scheme will be suspended until further notice.'

Mark Reckless, MP for Rochester and Strood and a member of Kent Police Authority, told Parliament that police forces and authorities should be given the power to make police officers redundant allowing chief constables a greater flexibility with their workforce. Introducing his Police Terms and Conditions of Service (Redundancy) Bill, Mr Reckless argued that spending cuts would otherwise fall 'disproportionately' on civilian staff. Mr Reckless maintained that while he was a 'friend and supporter of the police' it is 'anomalous that police officers have a job for 30 years.'

In October Police minister announced the largest review of police pay and conditions since the 1970's. He said '*Police officers are worried about what will happen in the future. They are worried about their pensions and their jobs and I can completely understand that, but what I want to say is just how much we should value the police.*'

The review will be led by former rail regulator Tom Winsor, supported by Sir Ted Crew, a former chief constable of West Midlands Police. A report recommending short-term changes to pay and conditions will be given to Home Secretary Theresa May by January., while a second report on matters of long-term reform will be completed by May 2011.

In June we were warned that increasing police officer pension contributions, scrapping SPP and cutting overtime are likely to be considered by the government in the upcoming pay and conditions review. General Secretary Ian Rennie said: *'While people are expecting an increase in the contribution rate, which is speculative at the moment.'* Nick Herbert, police minister said: *'We cannot prejudice the outcome of a review into the affordability of public sector pensions, but we will have to ensure that police pensions and all public sector pensions, are sustainable. But we have made it clear accrued rights should be protected.'*

In November the PFEW made its submission to Tom Winsor's Independent Review of Police Officers and Staff Remuneration and Conditions. A supplementary submission was also submitted in December (the full submissions can be read at [www.nypolfed.org.uk](http://www.nypolfed.org.uk))

In December the Staff Side of the Police Negotiating Board made its submission to the Independent Public Service Pensions Commission (the full submissions can be read at [www.nypolfed.org.uk](http://www.nypolfed.org.uk))

### **Shift Review**

On the subject of shifts last years report stated: *At the time the new shift pattern was introduced the Federation negotiated a review after 6 months and again at 12 months. For the official side ACC Cross has taken responsibility and the review and it has been conducted in an open and constructive manner. The review was never going to overturn the main element of the last shift implementation to move non 24/7 officers away from the 5 band shift pattern. Equally it was never expected that it would be the catalyst for a further radical change to existing shift patterns but by consulting officers involved in the roles being considered it has delivered some sensible and pragmatic adjustments to our members shift patterns.*

At the open meeting in June the Chairman's speech included: *We know there is work ongoing with a report time of September this year looking at the demand for those grouped together as response – which includes 24/7 Response, FSU, Dog Section and RPG. We know the driver for this is to try and save £1m. but we urge you and those conducting the review on your behalf, before you alter the shift system again make sure we fully understand the complexity of demand including both internal and external demand. Work with us and look to see if there are any things*

*that can be done before acceding to the long held desire of some of the superintending ranks in this force – to scrap the 5 band shift system.*

On the advice of Mark Botham, NYP visited Merseyside Police to look at the work they have done on demand profiling. NYP carried out its own demand profiling work in preparation for a shift review. While we accepted its findings we raise a note of caution that it only represented the demand for Response Policing and did not represent other departments included in the review. It was also pointed out and agreed that the review could not progress further until the new Policing Plan had been published. The review team looked at in excess of 20 shift patterns including the 4 band pattern already being worked in the FCR's. This was favoured by both the Federation and the Superintendents Association but in the end the pattern chosen by NYP to present to our members was a 9 band pattern.

The JBB took the decision that all federated members should be balloted and for the first time the ballot was conducted using the forces own SNAP survey software. The result of the ballot was as follows:

There were 1028 votes cast which gives us a clear mandate and represents 68.5% of our members. 76.4% of those who voted were constables and 17.6% were sergeants. Officers with less than 10 years service accounted for 55.6% of the vote and officers with over 15 years accounted for 32.4%. And of the 1028 votes cast 74.4% were by those working 24/7.

Of the 68.5% of our members who voted some 88.3% wanted the Joint Branch Board to agree a Variable Shift Pattern on behalf of the membership. For all those balloted Option A was the favoured shift pattern based on our criteria of straight majority. Option A secured 50.09% of votes, Option B 36.96% and some left it blank. For custody 75% were in favour of Option A.

For FSU / Dogs 56.33% were in favour of Option A.

### **On Call**

In the ongoing saga of the On-Call payments, the Official Side proposed a flat rate of £10 per day while the Police Federation had requested three separate levels of payment depending on when the officers were on call. Paul Ginger chairman of the Inspectors Central Committee stated that taking the claim to arbitration could lead to officers being forced to go on call and that the committee could no longer support the claim.

## **Federation Subscriptions**

At the national conference in May delegates voted to increase subscriptions by 93p a week, increasing monthly subscriptions from £17.55 to £21.58 a month on 1 January 2011. The increase is to help fill a budgetary gap and pay for increased court costs brought about by changes to legal aid which means officers are no longer covered.

No rise was agreed in 2009 to allow the financial challenges facing the Police Federation to be properly considered. The latest rise won't come into effect until January 2011, which means that subscriptions haven't increased for two years.

For several years prior to that, subscription increases were limited to the same percentage as the annual pay increase. That left a growing gap between income and expenditure which was filled by the interest on reserves held by the Police Federation. This income stream has since disappeared as interest rates have dipped and reserves have become depleted. The decision to increase subscriptions was only taken after lengthy discussion over a period of more than 12 months. The debate at Conference was heated at times, as delegates wrestled with the need to keep the cost of membership to a minimum whilst maintaining the high standard of support that members rely on when they turn to the Police Federation for help.

Consideration also had to be given to recent changes to legal aid which have increased the cost of representing members. Legal aid for Crown Court costs is now means-tested, and the threshold of £15,000 will exclude police officers from legal aid, leaving the Police Federation to pick up the bill. Even if the case is successful, only legal aid rates can be reclaimed. We will only engage legal representatives who will provide the best service for our members and legal aid rates will not cover their charges.

Currently over 75% of the Police Federation budget, amounting to more than £12 million, is allocated to cover legal costs. This includes representation to cover criminal injury compensation claims, civil matters, gross misconduct and performance matters, defamation, employment tribunals, regulation related disputes, inquests and judicial reviews. It also provides assistance for civil matters which include personal injury and negligence claims for members and their families. To put that in the context of North Yorkshire, in the last 12 months Police Federation funds have been used to recover more than £500,000 through CICA and civil claims for members and their families. We have provided legal representation for officers facing criminal and gross misconduct allegations, as well as several officers facing potential prosecution for road traffic offences following collisions on duty. Seven officers are currently receiving legal support during an IPCC investigation following a death in custody. This support will continue through the investigation to

the inquest. At the time of going to press, we have six employment tribunal cases pending for employment matters related to gender and disability. And, of course, we currently have an application for a Judicial Review lodged at the High Court in respect of the 2009 SPP scheme, the largest challenge to SPP ever mounted nationally.

None of the officers involved in these cases could have foreseen the level of legal support they would need from the Police Federation. Just one case can result in bills for tens of thousands of pounds. Many of you will have seen media coverage of the Metropolitan Police Sergeant who was recently acquitted following his trial for assault arising from the G20 protests. The legal bill for his defence amounted to more than £28,000.

Subscription rates for the Police Federation still compare favourably with unions. The weekly subscription to the Fire Brigades Union is currently £5.25 per week and a Unison member on the same salary as a PC with 4 years service would pay £4.68 per week. Neither undertakes the sort of confrontational roles that result in the many criminal and conduct investigations that our members face.

### **Taser**

At our Open Meeting in June Mark Botham in his speech raised the issue of Taser deployment *'Chief constable Taser has recently been rolled out to trained officers on district. Our members have been told that a decision by SLT has been made that only 11 Tasers can be deployed at any one time throughout the Force (1 per district and 2 for York).* This was amended almost immediately and the deployment of Taser was increased.

A Police Review article in November reported that North Yorkshire Police announced that injuries to officers had fallen 'significantly' since extra Tasers were issued to trained non-firearms officers in May. In July 2010 nine officers were injured while making arrest compared to July 2007 when 25 officers were injured. In the first three months Tasers were drawn at 40 incidents across the county with it being fired on only six occasions. (Police Review)

### **SPP 2009**

It had been an acrimonious few months since the Force took the decision to suspend and review the 2009 SPP scheme at the beginning of December 2009, a decision which provoked outrage amongst our members. In the following weeks there were tense exchanges with the Force until finally, in January, we felt it necessary to publicly state the Federation position. Our communication was not well-received and the three full-time officials were summoned to Headquarters to discuss our remarks with the Senior Leadership Team.

In mid January DCC Adam Briggs spoke publicly about the failure to pay the 2009 SPP and said *'We must ensure the scheme is consistent. Payments will be made as soon as practicable.'* The announcement of a review led to a swathe of appeals which were heard by the Directors in February 2010.

In March NYP officers were still waiting for their SPP payments, ACC Sue Cross told Police Review *'individuals were not deemed eligible for reasons including officers having exceeded time limits for absence or having insufficient service in a given role, which were both qualifying criteria. She added that the force wanted to ensure 'qualifying criteria were applied fairly and consistently'*

19<sup>th</sup> March 2010 - A large number of our members receive the news that they have been expecting, that their appeals against refusal of the 2009 Special Priority Payment have been heard and that they will not be receiving a payment. It is a massive disappointment, particularly since they still have the emails from November telling them that the payment would be in their pay packets in time for Christmas. In the Federation office at Knaresborough the phone calls and emails start to flood in.

14<sup>th</sup> April 2010 - Preliminary discussions have been underway with the Federation solicitors for several months, and we had already asked affected members to send in copies of letters and emails from the Force, copies of the appeals they had submitted, and sickness records for those whose payments had been refused on the grounds of their attendance record. We send out a final email to members to secure as much evidence as possible to see what legal redress may be available. Even at this late stage new concerns about how the scheme had been operated come to light, with more inconsistencies being brought to our attention.

26<sup>th</sup> April 2010 - The task of sorting all the submissions from our members begins. Gradually, over the next few days, the huge pile of papers are organised and indexed. Finally the transformation from a paper mountain to three large lever arch files of documents is complete. An appointment has been set with our solicitors and we are almost ready to go.

5<sup>th</sup> May 2010 - With the solicitor's appointment approaching, our office staff, Penny and Carol, move into action. All the documents now need copying so that we can provide a copy to the solicitor, and retain a copy in our office. The photocopier is in overdrive and the office is filled with the smell of hot paper and ink

10<sup>th</sup> May 2010 - Final checks – some officers haven't submitted all the information we have requested and others have only just told us their appeals have been successful. One last reorganisation with some late evidence included, and the files are complete. Now, just one

problem remains – transporting everything to Manchester. Fortunately, a large wheeled pilot case comes to our rescue and the possibility of a manual handling injury is averted.

11<sup>th</sup> May 2010 - D-Day – In Manchester a lengthy conference takes place with the solicitor, a nationally-recognised specialist in police conditions of service. We work methodically through the documents. A challenge of this size to SPP has never been attempted before but it becomes apparent that there are potential legal grounds for at least some of our members. As a precursor to any judicial review we have to put the case to the Force in correspondence and the solicitor will be seeking authority from Federation HQ to go ahead with this. We aim to get the letter to the Force within 7 days and allow them 21 days to respond. Our hope is that the Force will agree to reopen appeals to look at them properly by reference to the individual facts.”

We gave a commitment to our members that we would do everything possible to challenge the Force over the operation of the 2009 SPP scheme. I'm confident that we have fulfilled that commitment.

The action taken resulted in almost 60 officers being allowed a further appeal in November 2010 over the refusal to grant their 2009 SPP on the grounds of sickness absence. We understand that around 50 have now received either full or pro-rata payments. Indications are that the total paid to our members will in the region of £90,000. We are still negotiating on behalf of more than 30 members whose 2009 SPP was refused on grounds other than sickness.

An NYP message of the day from ACC Cross announced the 2010 Special Priority Scheme and said: 'In developing the 2010 scheme consideration was given to the complexities encountered in the 2009 scheme. As a consequence, the criterion for length of service has been simplified and now requires length of service either as an officer or in rank, and not in role.'

### **PDA issues**

An article in Police Review published 22 January 2010 looked at how the £80 million government grant given to all forces to reduce needless bureaucracy is being spent and posed the question. Is your force in mobile data utopia or technology hell? Data Utopia is highlighted in Strathclyde and Lothian and Borders they have PDA e-notebooks that allow officer to gather in electronic format 18 predictable core police processes including witness statements, crime recording, HORT/1, Intel Reports, VDRS forms, Domvio recording, missing person, fixed penalty notices for road and anti-social behaviour and sudden death reports. Technology hell describes equipment with limited access to force, regional and national databases, a lack of streamlined processes requiring data collected by enthusiastic users has to be re-keyed or duplicated on other force systems.

In North Yorkshire there were complaints about targets being set for the number of transactions performed despite there being issues with transmission coverage, unable to perform PNC checks when driving, officer safety, inadequate monitoring of device down time for repair. Officers were warned that a failure to perform 26 transactions per month would not receive their SPP. Transaction being classed as an intelligence report or PNC check but not an email. We had concerns that inappropriate practises would be employed and that poor quality information would be submitted to reach targets. These concerns were raised both with individual members of SLT and at JNCC. We also sent the following letter signed by all three full time officials:

Sir/Ma'am

At the most recent JNCC we expressed concern about the repeated pressure being placed upon officers to use mobile data devices and the fact that we would seek to work with the force over this issue.

However, it is clear that despite our willingness to do so, there appears to be no let up on management directives about how these devices are to be used. We therefore wish our concerns to be formally recorded. We also enclose an article from Jane's Police Product Review (October/November 2010) which highlights similar concerns in another force

### **Reliability**

It is clear that there are widespread variations across the force area regarding signal coverage and evidence that of a variation in the ability of the devices themselves to hold a signal. An Inspector from Scarborough, who was a guest speaker at the October meeting of our Executive, told us that his shift of officers can stand in the same location in Scarborough police station and only one of them can get a signal.

### **Functionality**

It is clear that the current limited functionality of the devices is a disincentive for officers to use the devices. North Yorkshire Police has not yet provided access to the systems that would improve the ability of officers to carry out tasks whilst out on patrol, such as Storm and Crime Recording. The current facilities for PNC and Niche checks simply offer a different means of carrying out a task which would be carried whilst on patrol anyway. North Yorkshire Police chooses to disregard the one function which does currently allow officers to carry out administrative tasks on the devices whilst out on patrol - email. Email transmissions are not considered to be 'transactions' for the purposes of monitoring. This is completely counter-intuitive, given the stated purpose of mobile data devices. It would be reasonable for North Yorkshire Police to consider the number of email transactions when monitoring PDA usage.

### **Accuracy of PNC Data**

It is clear that the PNC information currently provided by mobile data devices does not meet the operational needs of police officers:

1. Motor vehicles - a mobile data PNC check will not provide details of whether or not the subject vehicle is insured or details of that insurance. In order to confirm if insurance is held and whether the driver is covered by that insurance, officers need to duplicate the PNC check via the control room. It is not unreasonable for patrolling officers to use the method of PNC checks which gives them the fullest and most accurate information when carrying out vehicle checks, without duplication.

2. Wanted/missing checks - officers were advised during their training that there was a delay between markers being placed on/removed from PNC and that information being available through mobile data checks. We are informed that, during training, they were advised to check the currency of any markers via the control room before taking any action, again duplicating the process. If there is information appearing on PNC checks on mobile data terminals which are not accurate and current, it must also be true that there is data which exists on PNC which will not appear via mobile data checks, because they are not accurate and current. It is not unreasonable for patrolling officers to use the method of PNC checks which gives them the most accurate and current information when checking persons...

### **Practicality and Safety**

Many motor vehicle checks are carried out on mobile vehicles while the officer is driving. It is clearly inappropriate for them to attempt to carry out mobile data checks in these circumstances. Even when double-crewed, it is difficult for the passenger to enter the details accurately on the small screen while in a moving vehicle, particularly at night.

Dealing with stationary vehicles or persons still presents difficulties, even disregarding the issues of PNC Data highlighted above. Entering details on the small PDA screen distracts the officer's concentration from the subject. This is not desirable with many of the individuals that police officers come into contact with. If not kept properly under observation, offenders may try to conceal or dispose of evidence, make off from the officer or take the opportunity to assault the officer while their attention is focused on the PDA. It is not unreasonable for patrolling officers to carry out Niche and PNC checks in the manner which allows them to maintain proper observation on the person with whom they are dealing, having proper regard to their own safety.

### **Accuracy of Usage Data**

It is clear from examples brought to our attention and from enquiries we have made that the data on usage is extremely unreliable.

The database appears to take months to recognise that an officer has returned a faulty device and been issued with a replacement. Even where this is correct, it is clear that any data is highly questionable. As an example, one officer was taken to task for having no transactions in a month. When he challenged this it became apparent that, far from having no transactions, he was in the top 15% of users within the force for that month. It is not clear how this inaccuracy came to be. The inaccuracy of the data is leading to managers incorrectly taking officers to task over their usage. We regard that as bullying.

We are also informed that checks can be carried out and held on the notepad of the device. At the end of the shift they can then be 'pushed through' but this only registers as one transaction. We are informed that this was recommended as best practice during training. If this is indeed correct, then the data provided fails to accurately reflect usage by any measure.

### **Compliance with Data Protection Procedure**

We are very concerned at anecdotal reports that, as a result of pressure from management to increase the number of transactions carried out on mobile data devices, officers are carrying out checks which they would not otherwise have done, and where they may have some difficulty in demonstrating a policing purpose. This potentially places them in breach of the Data Protection Procedure, and at risk of conduct proceedings.

## **The Way Forward**

The issues raised in this letter call in to question whether mobile data provision, as it currently exists in North Yorkshire, is fit for purpose. For these reasons, North Yorkshire Joint Branch Board cannot support the approach being taken by North Yorkshire Police regarding the usage of PDAs. We have committed to working with the force on this issue and have identified representatives who will attend the relevant User Group and Mobile Data Board. They are the appropriate forums to examine the concerns we are raising, and ensure that the issue of PDA usage progresses in a constructive manner. Whilst this process is ongoing, it is our view that it is wholly inappropriate for the force to be pursuing an approach where our members are threatened with disciplinary action or withdrawal of certain allowances. We would welcome an indication that the Senior Leadership Team are similarly committed to ensuring that the issues raised are properly addressed, and that there will be a cessation of management directives whilst this work is undertaken.

We now have a representative on the Mobile Data User Group and 'in the LOOP' (1/12/10) carried the following article:

*Are you making the most of your mobile data device?*

*The mobile data project was rolled out in the summer of 2009 and over 500 of you now have mobile data devices. You already have access to a number of Policing functions such as integrated searches of PNC, Niche and Voters, the ability to submit Intelligence and access to your Outlook e-mail and calendar.*

*However, one additional function that you requested was access to STORM – which is coming soon! You'll be able to view a list of 'My Incidents' that you can drill into for more detail at the click of a button.*

*Please go to the Mobile Data sub-site for more information about this and other new functionality coming soon. The sub-site also has videos of the new functions and helpful reference guides for existing functions.*

*An interactive and simple to use e-learning package will be made available through NCALT via the intranet to walk users through the new STORM functionality.*

## **Regional Working**

In January Mark Whyman formerly ACC in South Yorkshire was appointed as temporary DCC for the three Yorkshire forces and Humberside Police (YATH)

In May Deloitte's published a report that had been commissioned by YATH. The executive summary states: Yorkshire and the Humberside is leading the way in joint working. The four police authorities and forces of Yorkshire and Humberside have a pioneering vision and are committed to work together through to 2020. The regional strategy, published in October 2009, challenged the police forces of Yorkshire and the Humber to save 25% from a cost base of c. £1.147 billion over 10 years. The aim is to exploit every opportunity for collaborating at a regional level and gain the maximum benefit from joint-working arrangements. Indeed the presumption is now that services should be delivered collaboratively unless the evidence suggests that it is less effective

and efficient to do so. In summary, through regional collaboration we believe a cost-base of £1.147 billion across the four forces can be reduced by c.9% to £1.049 billion, over a five year period, before volume and inflation effects.

Following a regional meeting on 21 June, T/DCC Whyman attempted to address a number of issues raised at that meeting. The issues raised were travel costs; travel time; return to force arrangements; postings; tenure; continuity of maternity rights; diversity; flexible working and considerations around vetting.

1. Travel Costs - I am prepared to offer excess travel costs for the additional mileage between the officers last usual place of duty and their current regional posts. This will be paid at the South Yorkshire rate which is currently 40 pence. Initially we were considering a time limit, however mindful of the fact that duration of secondments is in itself limited, I would propose that I review this in 2 years time to assess the financial impact, and reserve the right to withdraw mileage payments should it not be financially viable at that time. Adequate warning of any possible reduction or cessation of payments will be given, allowing officers to respond as they see fit. Mileage payments appear to be a significant issue for officers and staff, who incur additional costs through applying for secondment on the region and whose decision to apply or otherwise has hinged on whether it will cost them money to undertake their regional role. I have taken the principle that compensation ought to be provided, however the 2 year review is due to the current financial austerity that will affect us all.

2. Travel Time - No travel time will be granted for home to place of work travel. Officers will of course be entitled to travel time in accordance with police regulations for example, in relation to recall to duty and rest day working.

3. Return to Force - I appreciate staff want certainty in the future; however it is difficult to be completely precise about the future personnel changes. My offer is that HR departments will make best endeavours to post staff to their previous posting, at BCU or department level. A decision within those departments or BCU's will then prevail as to where the officer is located to. Should that not be possible, consultation with the individual will take place in order that their views can be taken into account in any decision.

4. Duration of Secondment - All officers will be seconded to Regional Teams on successful appointment. There is an exception for most specialist posts that they will serve between 2 and the maximum of 5 years, and this will be made clear in any selection process. This should be managed appropriately by local managers rather than being an inflexible rule with counting

methods and discounts applying, in other words I will leave it to manager's discretion as to when it is appropriate for secondments to be ended. The individual also has discretion to ask for their secondment to be ended also. Any secondment can be ended should organisational requirements dictate that it is necessary.

5. Continuity of Maternity Rights - All staff will be given continuity of their maternity rights in line with previous employment and in accordance with employment law and good practice.

6. Diversity - All policies and concerns will be equality impact assessed by a trained professional, and we will build this in to our processes. I would encourage your support in improving the diversity of representation in particular in the specialist teams that we operate, and I would look to discuss this as a standing agenda item on our bi-monthly meetings (see later).

7. Flexible Working - South Yorkshire has a commendable flexible working policy, and I would look for this to be applied to all posts within the region, subject to management agreement. Flexible working arrangements will be reviewed every 12 months by the officer's manager as part of the PDR process to ensure that individual and organisational needs are being matched.

8. Security and Vetting - – It is recognised that many of the posts within the region require a higher level of vetting checks than may otherwise apply. Security and the confidence of partners are absolutely key to our success, so vetting will remain a requirement for identified posts. Should an individual be unsuccessful at vetting, the emphasis will be on managing risk, however South Yorkshire policies will apply and I do not propose to make any policy direction to what are individual, confidential and unique circumstances. I would hope that you would feel that concerns around vetting could be discussed with me and I will aim to address these whilst maintaining the security and confidence in the regions delivery.

9. Attendance Criteria - The South Yorkshire Police attendance criteria are recognised to be more stringent than those of the other 3 forces, whilst officers remain deployed to the region and including between posts within the region, the South Yorkshire attendance criteria will apply. Should an officer apply for a post in one of the other three forces, the attendance criteria for that force will apply. In respect of reward days applied currently by Humberside, these will be banked and can be taken on return to the Humberside force. There is no capacity for reward leave to be taken whilst deployed to the region.

*“North Yorkshire Police Federation are fully aware that the organisation has decided to operate the regional policing services, by way of a lead force model, this may result in officers being placed under the provisions of policies and protocols that may differ from their home force. North Yorkshire Police Federation , along with colleagues from the other Police Federation Joint Branch Boards in the region, have made representations that there should be a no detriment provision for all officers who volunteer to join the regional teams.*

*Following those representations by the Police Federation DCC Mr Whyman has decided that he needs to progress the situation and he has now moved to issuing a formal offer, having taken cognisance of Police Federation representation in the region.*

*North Yorkshire Police Federation , along with colleagues from the other Police Federation Joint Branch Boards in the region, still have a number of concerns about regional policing and how that may impact upon their members, but they are somewhat reassured as all officers on the regional teams are volunteers and they can leave the regional teams at any time, therefore no one officer is having detrimental terms forced upon them.*

*North Yorkshire Police Federation, along with colleagues from the other Police Federation Joint Branch Boards in the region, would not accept officers being posted to the regional teams or them being denied the right to return to force at any time, should they request to do so for any reason.*

*North Yorkshire Police Federation are committed to working with the Yorkshire & Humber Regional Project team, along with colleagues from the other Police Federation Joint Branch Boards in the region, and other staff associations and union to ensure, so far as is reasonably practicable, that the current economic climate does not impact adversely on our members engaged on regional working.”*

### **AirwaveMax Report**

The NPIA commissioned a report on Airwave in North Yorkshire. This report forms part of a larger piece of work to determine how Airwave is being used by the police service. The report focuses on how Airwave is used in the North Yorkshire Police area and is also being used as standalone review for use by the force to consider ways of improving their use of the system. The report was prepared by the NPIA using call data records, interviews with staff and observation of working processes.

North Yorkshire was one of the first forces to adopt Airwave and it has been in use in the force for seven years. The force has two Control Rooms and a number of large command units.

The review findings include:

- the main operational talkgroups are very busy and regularly congested
- method of patching talkgroups is inefficient and expensive
- there is potential for patching/combining talkgroups during quiet periods
- very low use of point to point (third lowest in the country)
- poor radio discipline
- very low use of telephony both incoming and outgoing
- low use of automated status messages (50% of national average)
- confusion regarding use of 'urgent call back'
- low use of automatic location systems (AVLS and APLS) combined with poor user confidence
- high dependency on mobile phones both force issue and officers own
- users only able to operate basic functions
- very low use of Gateway terminals combined with most users unable to operate equipment

On the positive side the force has recently changed the ISSI numbers on the system to align them with collar numbers and this has been welcomed by users and point to point use is increasing. Users speak highly of the clarity and coverage of the system although perhaps not surprisingly in a force the geographic size of North Yorkshire there are concerns regarding coverage in some rural areas.

The review identifies seventeen areas for development and nine areas where further research could be beneficial. By instituting a business change project and implementing a number of measures there is the potential to reduce the force Airwave bill for traffic units by around 33%. At the same time reduce the congestion in the talkgroups and provide users with a much improved communication model which makes better use of the facilities available. It is also likely that the bill for calling mobile phones can be reduced substantially.

Improvements in status updating and in the automatic location system will result in better resource deployment and response times to incidents will be reduced. A key part of this business change process must involve training as the lack of knowledge in how to use essential equipment should be of major concern to the force as it restricts operational flexibility and raises a user safety issue. The legal and risk to the organisations reputation is high.

## **Misconduct**

In the controversial ACPO report co authored by Grahame Maxwell, UPP/UAP came in for criticism: *ACPO claimed that the UPP is very rarely used to address unsatisfactory performance due to the fact that it is highly bureaucratic and there is a need to make the procedure simpler and swifter to address poor individual performance.*

*The Federation pointed out that the performance regulations were only enacted in December 2008, the system works along the same rules as most people in employment: first warning, second warning, and dismissal.*

In August details were released by the Home Office of police officer and police staff dismissals and suspensions between 2007 and 2009 in response to a parliamentary question. Norfolk and Northamptonshire were shown to have the highest numbers. In Norfolk there had been 91 dismissals and 26 suspensions and in Northamptonshire there had been 23 dismissals and 48 suspensions. By contrast in North Yorkshire for the same period there had been 27 dismissals and no suspensions.

In 2010 advice and Federation representation has been given to 86 officers in receipt of misconduct notices. Access to legal advice has been provided to 14 officers either because the conduct was assessed as Gross Misconduct or they were subject of an IPCC investigation.

Advice and legal assistance has also been provided to 9 officers under investigation for road traffic offences following on-duty road traffic collisions.

## **Pensions**

The office dealt with 14 new pension cases during the year in addition to continuing to deal with some of the 25 cases from 2009. In total 11 cases were resolved in 2010.

We have continued to keep members updated in relation to the Hutton review of public sector pensions via our website.

On 13<sup>th</sup> December 2010 North Yorkshire Police Authority took a decision to allow the Chief Constable to compulsorily retire officers who have attained maximum pensionable service under Regulation A19, Police Pension Regulations 1987.

Officers attaining 30 years service (actual not FTE)

Caveat: Notional Pension start dates to be confirmed with GMP as these affect calculations. Any savings accrued would need to cover unfunded posts first prior to savings

Rank	2010/11	2011/12		2012/13		2013/14		2014/15		Total
	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	
PC	12	6	14	15	18	7	11	11	11	105
PS	12	2	2	10	7	6	5	7	7	58
Insp	2	3	3	4	6	5	4	1	5	33
Cinsp	3	1	0	2	0	0	0	1	0	7
Supt	0	0	0	3	1	0	0	0	0	4
Csupt	0	0	0	1	1	0	1	0	0	3
<b>Total</b>	<b>29</b>	<b>12</b>	<b>19</b>	<b>35</b>	<b>33</b>	<b>18</b>	<b>21</b>	<b>20</b>	<b>23</b>	<b>210</b>

We are grateful for the advice and assistance of the JCC and in particular Paul McKeever.

As a result of representations made by Mark Botham on behalf of our members we have secured better governance arrangements and excellent media coverage.

What the Police Authority has agreed is:

1. To agree that with effect from 1st April 2011 and subject to 6 monthly reviews the Chief Constable will personally determine on the grounds of the efficiency and effectiveness of the force whether he needs to implement the agreed delegated authority around compulsory retirement of officers with 30 years pensionable service,
2. The police authority will review any operation of A19 on a quarterly basis through the Performance and Scrutiny Board,
3. 12 months from any implementation the police authority Policy and Planning Board will review the operation of the scheme whether it is working and whether it is necessary to continue to use it.

We along with the Superintendent's Association will now work with the force on the detailed policy which will underpin the decision taken today should the Chief Constable determine that it is part of his toolbox that he needs to use.

**Health & Safety**

Our safety representatives on areas continue to engage with local management on matters affecting the health, safety and welfare of our members and to try and prevent injuries occurring, whilst at the same time learning the lessons when they do occur. In addition we continue to use safety representatives with a lead responsibility to ensure that there is a point of expertise for reps and also to enable us to measure consistency across the force. Lead members are NOT be expected to take total responsibility for their nominated areas, all safety reps still have day to day responsibility for these issues.

Use of Force training	Mark Botham, Ian McIntosh
PSU Training	Mark Botham, Steve Leach
Working Time Regulations	Mark Botham, Mark Holland
Stress Related Issues	Mark Botham, Ian McIntosh

Custody Issues	Mike Stubbs, Mark Botham
PPE/ Work Equipment (inc vehicles)	Fiona Tetley
Airwave (inc communications)	Nigel Day, Mick Lynch
Estates (inc transformation)	Mark Botham, Nigel Day
Officer numbers & resilience	Mike Stubbs, Mark Holland
Olympics	Mark Botham

On 26 May 2010 a near miss report was submitted regarding Asbestos on the former Terry's Factory site in York. These premises have been used for a number of years as a training site for the Force. In early June this incident was brought to the attention of Mark Botham, Health & Safety Lead. In order to ensure that the Federation acted in the best interests of the members he requested legal advice in order to ensure he was doing the right thing for all the officers potentially involved. At the same time he had regular dialogue with managers in force including the DCC and the Force Health and Safety Advisor.

In June it was reported that Lord Young was working towards a review of health and safety legislation. Mr Reed said the Police Federation is "very interested" to find out the nature of the review "We're still waiting to hear about any terms of reference for this review and the nature of the review; will it be a consultation or will it simply be a desktop review where they sit down and review legislation without actually consulting?"

Excluding Police from health and safety could increase the number of claims for compensation made by members of the police service, the vice-chairman of the Police Federation has warned. Responding to claims made by Tory peer Lord Young in The Times, that police should be excluded from health and safety legislation, Simon Reed told Police Professional that while he did not believe the "compensation culture" affected the police service any more than any other sector, excluding police officers from health and safety law could make it more of a problem.

"We all know we now live in a litigious society and I think people take the opportunity when it arises to make claims. Now whether that's any different to the police service than anywhere else, probably not; I think it's just respect for the modern society we live in. But would that not get worse if there was no legislation? If you were to exempt us would that not just compound the situation?" Mr Reed asked. Lord Young said he believes that emergency services staff including police are "paid for doing a job that involves risk" and that legislation should not be "an excuse for inaction".

“We’ve got our bravery awards in July; I think they clearly demonstrate how officers will frequently put themselves at risk to protect the public,” he added. He said that police needed to be protected by health and safety legislation as it also stood to protect the public and that even if officers were exempt, support staff would not be. “I think the legislation is there not just to protect the police but to protect the public as well. It’s not about us not doing something because it’s not safe for us; I think that’s the last consideration a police officer ever makes. “I think a myth has grown that the service is risk-averse. We’ve got ourselves tied up in certain processes, but I think the actual patrol function is done in the knowledge they do it to protect the public and not protect themselves at the expense of the public.”

Mr Reed continued: “There is a common law duty of care that applies to everyone, and as almost half of police employees are police staff, it would be impossible to exempt the entire service from legislation.”

### Equality & Diversity

The Equality Act 2010 brings together, harmonises and in some respects extends the current equality law. It aims to make it more consistent, clearer and easier to follow in order to make society fairer. As a public sector organisation your responsibilities remain largely the same but there are some differences that you need to be aware of. These changes are summarised in the following table.

#### What’s new for the public sector – an overview

Key Characteristic covered in existing legislation – no changes	No change
Characteristic covered in existing legislation – but some changes	Changes
Characteristic not covered in existing legislation – now covered	New
Characteristic not covered in existing legislation – still not covered	No protection

Disability	Gender reassignment	Pregnancy and maternity	Race	Religion or belief	Sex	Sexual orientation	
Direct discrimination	Changes	No change	No change	No change	No change	No change	No change
Discrimination by association	New	New	No change	No change	No change	New	No change
Discrimination by perception	New	New	No change	No change	No change	New	No change
Indirect discrimination	New	New	No change	No change	No change	No change	No change
Harassment	Changes	Changes	No protection*	Changes	No protection*	Changes	No protection*
Victimisation	Changes	Changes	Changes	Changes	Changes	Changes	Changes
Positive action	Changes	Changes	Changes	Changes	Changes	Changes	Changes

During the year there has been an increasing amount of work regarding what had been previously designated as DDA (Disability Discrimination Act) prior to the above act. Support has been given also to several officers seeking flexible working on returning from maternity leave or during restructuring departments. An officer is receiving legal advice regarding the retention and carry forward of annual leave accrued during long term sickness absence. An officer was supported to an Employment Tribunal for Racial Discrimination scheduled to last 5 days but concluded after 2 days when a settlement was reached. Another officer was supported to Judicial Mediation so avoiding an ET. Three officers are being supported to Employment Tribunal for Sexual discrimination that will take place in 2011.

### **Publications and Events**

Our website [www.nypolfed.org.uk](http://www.nypolfed.org.uk) continues to be source of vital information for all our members and provides a point of contact at any time, on duty, off duty, maternity leave or long term sick. It contains advice / guidance on a host of topics including misconduct, injury on duty, equality and diversity, health & safety. It also contains details of our Member Services schemes – Group Insurance and Health Scheme. There are details of the various surgeries held at our offices, offers from service providers for motor insurance, free wills, financial matters, legal matters and discount offers. The monthly polls are well subscribed and they have on occasions been duplicated by other boards in No.2 region to provide a regional response to some issues.

The Federation Express magazine is published 4 times a year and again provides vital information on policing issues both in Force and from a national perspective.

The pocket diary continues to be a popular publication. This year it has been extensively revised and now includes the Police Regulations – Quick Reference Guide.

The Open Meeting was held again at the Park Inn, York on Thursday 17 June 2010 The focus of the chairman's speech was about sustainable North Yorkshire (the full speech can be found at [www.nypolfed.org.uk](http://www.nypolfed.org.uk)) and focused on the following areas:

- SPP
- Revised JBB
- Towards 2012
- Taser
- New Police Station
- Training
- Officer Numbers
- Shift Deviations
- Relocation Policy
- Red Circle Days
- PDR
- Vehicle Fleet

The chairman was joined on the platform by CC Grahame Maxwell, North Yorkshire Police Authority Chair, Jane Kenyon and PFEW Chairman, Paul McKeever

The annual charity dinner dance was held on Saturday 11 September 2010 at the Park Inn, York. The nominated charity this year was the Yorkshire Air Ambulance. The YAA is an independent charity providing a life saving rapid response emergency service to 5 million people across Yorkshire. To keep providing this life saving service the charity needs to raise £7,200 per day to keep both of air ambulances maintained and in the air. On the night we raised £1,445.00

### **Member Services**

In November we launched the LEALTA reward card as an additional service to our members with discount cards being issued free to subscribing members who are also members of the Group Insurance Scheme and the Health Scheme. Discount Cards are also available to other members who are not members of both schemes at a fee and discounts also available to members free via our website.

The key facet of the membership is a card which enables you as a member of staff to present it in local independent retailers, of which there are over 22,000 across the UK, to achieve a minimum of 10% discount on products and services the business provides. Discounts are available across a variety of categories including restaurants, beauty salons, gyms, clothes shops, jewellers, garages, cafes, takeaways, sandwich shops, theme parks and many, many more!

## Claims Analysis

Through the year we have assisted our members with CICA claims, civil and insurance claims, misconduct and other legal services. The following chart gives some details of the volume of work undertaken on behalf of our members.

### Claims Analysis

#### Claims Opened 01/01/10 – 31/12/10

Description	CBB	SBB	IBB	Other	Total
CICA	8	1			9
Civil	12	1		1	14
Dual	1	1			2
Legal Advice	15	5	1	4	25
Disc	66	13	2		81
<b>Total</b>	<b>102</b>	<b>21</b>	<b>3</b>	<b>5</b>	<b>131</b>

#### Claims Closed 01/01/10 – 31/12/10

Description	CBB	SBB	IBB	Other	Total
CICA	3			1	4
Civil	15	9	1	3	28
<b>Total</b>	<b>18</b>	<b>9</b>	<b>1</b>	<b>4</b>	<b>32</b>

#### Compensation Awards 01/01/10 – 31/12/10

Description	CBB	SBB	IBB	Other	Total
CICA	2			2	4

<b>Civil</b>	<b>15</b>	<b>5</b>	<b>2</b>	<b>23</b>
<b>Total</b>	<b>17</b>	<b>5</b>	<b>3</b>	<b>26</b>

**Claims Settled  
01/01/10 – 31/12/10**

<b>Group Ins</b>	<b>P/A</b>	<b>Travel</b>	<b>Sick Pay</b>	<b>Total</b>
	<b>13</b>	<b>74</b>	<b>15</b>	<b>102</b>