

**POLICE AND CRIME COMMISSIONER FOR
WEST MERCIA**



RECORD OF DECISION

TITLE: Police Staff – Revised Pay Award

Ref: PCC/D/2022/42

EXECUTIVE SUMMARY

The Police Staff Pay Award agreement for 22/23 contained a re-opener clause in the event of the Police Officer award exceeding the earlier staff award (2.1%). The eventual officer award of £1,900 equated to circa 5% and triggered this clause.

The agreement reached has failed to fully consider higher graded posts and creates a situation where there is a potential to interpret the agreement as imposing a back dated pay cut to a small number of roles in West Mercia Police, through no fault of the individuals concerned.

Following review of legal advice and national guidance it is proposed that West Mercia Police adopts an alternative interpretation to avoid these issues. The same approach is supported by a number of other forces and the Police Staff Council.

PROPOSAL

It is proposed that the Police and Crime Commissioner supports a total investment of £5,000 to freeze the relevant salary points across 2022/23 and 2023/24.

**APPROVAL OF
West Mercia Police and Crime Commissioner**

I hereby approve the above proposal.

Signed

PART 1 – NON-CONFIDENTIAL/EXEMPT FACTS AND FIGURES

SUPPORTING REPORT

The Police Staff Pay Award agreement for 2022/23 contained a re-opener clause (as below) in the event of the Police Officer award exceeding the earlier staff award (2.1%)

in the event that a PRRB annual award is agreed from 1 September 2022 in excess of a 3% award, as part of a single year settlement, the Employers' Side is prepared to re-open pay negotiations on the 17-month police staff pay award to ensure that police staff do not suffer any detriment to their police officer colleagues.

The officer award of £1,900 equated to circa 5% and triggered this clause

£1,900 has been added to all pay points as they stood at 1.9.21, less any payments from the original 2.1% paid from 1.4.22 to 31.8.22. This calculates the salary payable from 1.9.22

However, the above calculation creates a decrease for higher salaries (above £65,000), as the previous 2.1% award equates to a greater increase than the eventual figure of £1,900. 22 individuals are affected within the West Mercia force

Having sought relevant advice the Chief Constable has adopted and presented a clear position that enforcing a back dated pay cut to affected staff is not her preference and would not be fair to those affected.

To that end, a proposal has been put forward whereby a freeze would be imposed on affected salary points. The impact would be removed from September 2023, on the assumption that there will be further pay award. This would negate any potential repayment requirement for the small number of staff affected.

The proposal would incur additional costs totalling £5,000 (£3,000 in 2022/23, and £2,000 in 2023/24)

The Police Staff Council has provided updated guidance in support of the proposal, stating:

"The small number of staff who fall into this category should retain the value of the 2.1% pay increase awarded with effect from 1 April 2022 and suffer no abatement in relation to the award of the £1900 with effect from 1 September 2022" (PSC joint circular 128, 12th December 2022)

Legal advice has been reviewed by the PCC's Monitoring Officer, who has in turn provided advice to the Police and Crime Commissioner

STRATEGIC CONSIDERATIONS

This decision supports the following element(s) of the Safer West Mercia Plan:

- Putting Victims and Survivors First Building a More Secure West Mercia
 Reforming West Mercia Reassuring West Mercia's Communities

The decision supports this/ these objective(s) through the following:

- The decision supports the principle of ensuring that all individuals and communities are dealt with fairly, equally and respectfully.

BENEFITS AND THEIR REALISATION

The decision provides clarity to all parties and ensures adherence to national guidance.

AUTHOR

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Date: 12th December 2022

FINANCIAL AND TREASURER COMMENTS

The impact on the budget of the 2022/23 pay award has already been calculated by the Force, creating an additional budget pressure which is being managed.

The proposal does not create a significant financial impact and will continued to be managed through budget monitoring and controlling expenditure.

Treasurer

Signature



Date

13/12/22

LEGAL CONSIDERATIONS

By virtue of schedule 11, paragraph 14 of the Police Reform and Social Responsibility Act 2011 the Police and Crime Commissioner may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of commissioner. That includes: entering into contracts and other agreements (whether legally binding or not) and acquiring and disposing of property (including land).

PUBLIC ACCESS TO INFORMATION

Information in this form is subject to the Freedom of Information Act 2000 (FOI Act) and other legislation. Part 1 of this form will be made available on the West Mercia

Commissioner's website Any facts and advice that should not be made automatically available on request are not included in Part 1 but instead in a separate Part 2 report

OFFICER APPROVAL

Chief Executive Officer

Signature 

Date 13th December 2022