



Police and Justice Conference

Preliminary Agenda

The Southport Convention Centre

6th – 8th October 2016

(Motions contained in this agenda will be debated on 6th October)

2016 Police & Justice Service Group Conference

UNISON PRELIMINARY AGENDA

Negotiating and Bargaining

Professional and Occupational Issues

1. Policing on the cheap – Exploiting the unemployed – *Police Staff Scotland*
2. Volunteers – Policing on the cheap – *Northern Regional Police and Justice Committee*
3. Powers for community support volunteers and police support volunteers – *Police staff council – England and Wales*

Pay, Terms & Conditions

4. Primacy of the NNC in future bargaining arrangements – *North West Regional Probation and CAFCASS*
5. Stand-by rules take advantage of members – *Suffolk Police Sector UNISON*

Equalities

6. Black worker representation in police and justice workforces – *National Black Members' Committee*
7. Survey of branches and members – disability related matters – *Hampshire and Isle of Wight Police and Justice*
8. Budget cuts and the effect on equalities training – *National Lesbian, Gay, Bisexual and Transgender Committee*
9. Improving Workplace Equality and Diversity in the National Probation Service and Community Rehabilitation Companies – *National Disabled Members' Committee*

Health and Safety

10. Health and Safety in the probation service – *National Women's Committee*

Health and Wellbeing

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Organising and Recruitment

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Campaigning and Promoting UNISON against Privatisation and Outsourcing

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Negotiating and Bargaining

Professional and Occupational Issues

1. Policing on the cheap – exploiting the unemployed

Conference notes that Renfrewshire Council has announced an initiative to “offer 11-month, full-time ‘traineeships’” whereby the unemployed can be trained up as special constables but paid the National Living Wage. The local commander appears to support this “innovative” initiative.

The Scottish Police Federation describe this as a “cynical attempt to deliver policing on the cheap” and have questioned the legality of this intention.

In Scotland we have observed police officers ‘backfilling’ for redundant police staff and this appears to be an attempt to seek out a cheaper alternative which will further undermine the role of police staff to satisfy the cost cutting agenda. Conference calls on the Service Group Executive to oppose this practice.

Police Staff Scotland (UPSS)

2. Volunteers – Policing on the Cheap

Conference welcomes and commends the work done by the Service Group Executive over recent years to oppose volunteers as a replacement for the committed, experienced, well trained and accountable police staff lost due to the brutal budget cuts imposed since 2010.

While the introduction of volunteers has not been consistent throughout all forces, what is evident is the Home Secretary’s belief that volunteers should not only be used as a staff replacement but they should also be given more powers than existing police staff.

Conference recognises some Chief Constables will see this as a cost cutting opportunity resulting in the loss of yet more police staff jobs regardless of the gamble this would be with the safety of the public.

Conference therefore calls upon the Service Group Executive to:

- (i) Continue to highlight the threat of volunteers and oppose the introduction of powers to police staff volunteers.
- (ii) Work with the College of Policing to try and limit the scope of volunteers with the introduction of recognised roles and standards.
- (iii) Work with the Labour Police Crime Commissioners to lobby the Home Office on the serious risks to public confidence in the police if work that requires trained and accountable staff is handed over to volunteers.

Northern Region Police and Justice Committee

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3. Powers for Community Support Volunteers and Police Support Volunteers

Conference notes with concern the proposals in the 2016 Policing and Crime Bill to award significant police powers to community support volunteers and police support volunteers, by:

- a) creating two new designated volunteer roles - Community support volunteer (volunteer PCSO) and Police support volunteer;
- b) creating a reserve list of police powers to be exercised only by police constables, including the following powers: arrest, stop and search, custody officer, counter terrorism powers, powers relating to official secrets and the Regulation of Investigatory Powers Act 2000 (RIPA);
- c) allowing chief officers to award all other current police officer powers to community support volunteers and police support volunteers;

Conference is totally opposed to these proposals for the following reasons:

- i) As UNISON's 2014 report 'Home Guard of Police Support Volunteers to fill in for Police Cuts' makes clear, a bewildering range of police functions has been given to well meaning amateurs at a time of massive cuts to the police staff workforce. This has happened without any public debate and there are real questions over the use of police support volunteers and the public interest.
- ii) Most importantly, there is a current consensus between the Home Office, NPCC, the College of Policing and the police staff trade unions that police support volunteers should bring 'additionality' to the police workforce, but should under no circumstances replace, or substitute for, paid police staff. The above proposals would subvert and destroy this fragile consensus that exists in relation to which police staff roles are appropriate for volunteers.
- iii) On 5 March 2014, the Professional Committee of the College of Policing rejected a proposal to support the creation of a volunteer PCSO role.
- iv) There is no evidence that police support volunteers would be prepared to submit to the necessary lengthy training, without pay obviously, that would be required in order to allow them to safely assume police powers.
- v) The cost of training a special constable up to be able to undertake independent patrol is in the region of £14,000 per individual. Whilst the cost of training a police support volunteer to deploy with powers may not be as high, the Bill does not recognise the substantial costs which forces would face in designating police support volunteers with powers.
- vi) It would not be possible to deploy volunteers with powers at short notice, as is the case with police staff currently, simply because the engagement of the volunteer is not governed by a contract of employment. Neither is it possible to roster volunteers effectively within shift systems for the same reason.
- vii) The experience of volunteers in many police forces is that they can sometimes be unreliable, simply because they are not required to be anywhere at any time by

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virtue of working without a contract. The idea of expecting such volunteers to discharge police powers is worrying for an emergency service.

- viii) Police support volunteers are to become subject to the Independent Police Complaints Commission (IPCC) investigation under proposals in the Bill, however, it is very unclear what hold the IPCC could have over an individual who had no contractual relationship with the force that he or she was working in. There is clearly no accountability to the general public in this respect and this will bring the proposal to give volunteers powers into complete disrepute.
- ix) If the Home Office simply wants to allow financial investigators from private industry to act as volunteers with forces, or the National Crime Agency, these volunteers should simply be sworn in as special constables, which is what already happens in the City of London Police.

Overall, the proposals in the Bill to award police support volunteers all the powers which might in future be available to police staff is fundamentally flawed and dangerous for the reasons set out above.

The general public will not be fooled into thinking that, in the context on on-going severe cuts to the Home Office grant for police forces, this is anything other than a very thinly disguised attempt to replace directly employed, properly trained and accredited police staff with well-meaning (in most cases) amateurs. It really is policing on the cheap and the idea should be abandoned immediately.

Conference therefore instructs the Service Group Executive to:

- 1) Continue to oppose the award of police powers to community support volunteers and police support volunteers;
- 2) Work with branches and regions to oppose the award of any such powers at a local level.

Police Staff Council - England and Wales

Pay, Terms and Conditions

4. Primacy of the National Negotiating Council in future bargaining arrangements

Conference notes that 'Transforming Rehabilitation' has resulted in numerous different employers becoming involved in the rehabilitation agenda.

The increased number of employer representatives and objectives will inevitably lead to frictions and conflicts of interest between interested parties in future negotiations. Notwithstanding the changing employer landscape, Conference instructs the Service Group Executive to do all in its power to retain the primacy of the National Negotiations Council (NNC) in future bargaining arrangements.

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The recent formation of pan employer representative councils for negotiation purposes, while a welcome development in lay representative involvement, should not be in a position to undermine existing NNC bargaining arrangements and Terms and Conditions.

Conference calls upon the Service Group Executive to campaign for the right of pan employer bodies to seek to improve Terms and Conditions wherever possible subject to the overarching authority of the existing national bargaining arrangements.

North West Region Probation and CAFCASS

5. Stand-by Rules Take Advantage of Members

Conference recognises the difficulties that Forces are having in maintaining 24 hour operational cover as a direct consequence of police budget cuts. Many departments have experienced redundancies coupled with an increase in the use of stand-by as a way to provide night-time cover when unsocial enhancements have been withdrawn.

Colleagues such as Crime Scene Investigators (CSI's) can be expected to work a full shift and then assume a stand-by role only to be called into duty and work throughout the night. The impact on police staff trying to undertake a professional service to the public is further complicated as the expectation exists to report on time for the following days shift. The situation creates a serious health and safety risk to our members who after being called out feel it necessary to return to the workplace having not had the adequate 11 hours of rest under their statutory entitlement under the Working Time Directive. To comply with their contracts of averaging a 37 hour week, police staff are having to take TOIL or hours from their annual leave allocation to make up their time when they're unable to arrive on time for their next shift and are not reaping the benefit of the paid overtime accrued as a result of the call out. Managers are pressurising staff to take TOIL etc. rather than having to pay short notice of change of start time additional payments and the subsequent knock on effect on subsequent shifts.

Conference calls on the Service Group Executive to:

- 1) Survey members to see how widespread the problem is, the impact on member wellbeing and the implications on pay and loss of accrued TOIL and annual leave;
- 2) Campaign for the return of 24 hour cover in all areas of business that the survey shows to be problematic;
- 3) Contact branches seeking negotiated best practice policies that can be shared;
- 4) Work with the Police Staff Council to see if corrective additions to the Police Staff Council Conditions of Service Handbook could be considered for negotiation.

Suffolk Police Sector Unison

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Equalities

6. Black worker representation in police and justice workforces

According to police force recruitment statistics widely published in January 2016 a white applicant to the police force has a better chance of getting a job than a Black applicant in more than 2/3rds of UK forces. Further, Theresa May, Home Secretary stated that 'diversity profiles' showed no force had a Black representation reflecting the local population. In April the Home Affairs Committee held an evidence session on police diversity investigating unrepresentative workforces. The figures have portrayed the need for action and greater scrutiny of police chiefs who should be held accountable for failing to ensure that their forces reflect the communities that they serve.

Based on the findings in police forces conference believes that there is a need to investigate the representation of Black staff more broadly in the police and justice sector including those working in support roles and in probation. There is strong evidence to suggest that representative workforces that can relate to diverse communities deliver better services. This is particularly important in light of research that continues to show Black people overrepresented in the criminal justice system. While Black people only make up 14% of the population in England and Wales they make up over 25% of the prison population raising questions on the fairness of administrative process, court systems, prisons and rehabilitation.

Where underrepresentation of Black workers is persistent it can often indicate discriminatory processes and practices relating to the recruitment and selection process. Conference recognises the benefits of being able to draw from a wider pool of talent as a positive step in ensuring confidence in the police from underrepresented communities.

In other service groups such as local government and health where there has been persistent under representation of Black people in workforces and at senior levels positive frameworks such as the Workforce race equality standard and the Local government equality framework have been developed. These frameworks have focused on workforce staff experience and broad composition which includes employment and promotion opportunities as well as experiences relating to discrimination, fairness and dignity at work.

Conference therefore calls on the police and justice service group executive to seek to work with the National Black members committee to:

- 1) undertake a mapping exercise identifying the representation of Black workers in employment and in senior positions amongst employers in the service group;
- 2) survey Black members in police and probation to get information on their experiences in the workplace and to help inform what needs to change and what initiatives need to be developed;
- 3) work across employers in the service group to seek to develop initiatives or frameworks that seek to increase the employment, promotion and fair treatment of Black workers;

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- 4) continue to work with the National Black Police Association and Association of Black Probation Officer (ABPO) to improve equality, further the interests of Black staff working for police and probation services in England, Scotland and Wales and to enhance work within the criminal justice system in respect of Black communities more widely.

National Black Members' Committee

7. Survey of branches and members - disability related matters

Conference, in years past much welcomed legislation has been introduced to protect the rights of people with disabilities, including protections relating to work.

Despite that, it is possible that these supportive words don't always translate to the workplace, resulting in our colleagues who are disabled being treated inappropriately or less favourably.

Others who witness such behaviours may be deterred from declaring their own health or disability issues.

Whilst we recognise that people of all ages can have disabilities we will, in the future, have an increasingly older workforce because of the changes to pensions regulations and other financial pressures, and these people may well be diagnosed with conditions covered by the Equality Act 2010.

Those of our colleagues who are employed in frontline roles, for example the PCSO or Detention Officer could find that their disability renders them unable to fulfil the full duties of their role, leaving them at risk of being dismissed on the grounds of capability .

The Windsor review included provision for police officers who find themselves unable to fulfil the role of Constable, albeit with financial penalties, but there is no such protection for police staff.

This motion calls upon the Service Group Executive to survey members and branches to find out:

- 1) about the experiences of disabled staff in forces;
- 2) any good practice;
- 3) what work needs to be done to eradicate problems and to improve equality;
- 4) and to collate and publish the findings of the survey by September 2017

Hampshire and Isle of Wight Police and Justice

8. Budget cuts and the effect on equalities training

Conference notes that in-service equality training for police and justice staff has many important functions. It helps make the workplace a safe place for all, gives staff the chance to have more equal access to career development and opportunities; and improves service delivery. For example, it can help staff to see beyond societal stereotypes and norms, combating prejudiced attitudes towards

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colleagues and assisting them in meeting the needs of the diversity of children and adults they work with.

Conference further notes the increasingly challenging environment in which our members work to protect and support communities, with xenophobia and anti-immigrant rhetoric an increasingly common currency in politics.

Conference is concerned about the impact of multi-million pound budget reductions across our service group on staffing levels and on training for the remaining staff. Such training as remains is increasingly cheaper online modules, offering little or no opportunity for learning by discussion. This comes at a time when public spending cuts are biting hard in all areas, and much specialist community support is disappearing.

Conference welcomes the research commissioned by UNISON and being carried out of this summer by NatCen Social Research into the effect of public spending on lesbian, gay, bisexual and transgender (LGBT) people and services. This research is not just for LGBT people and not just for UNISON members. It aims to collect information from all who observe what is happening. The findings will inform UNISON's campaigns.

Conference calls on the police and justice service group executive, in liaison with the national LGBT committee, to:

- 1) Seek information from across the sectors of the police and justice service group on the effect of budget cuts on equality training;
- 2) Promote the NatCen research into public spending cuts and LGBT people and services, encouraging police and justice members to make submissions to the online survey
- 3) Once the findings of the NatCen research are published, publicise them across the service group and consider the implications for the police and justice.

National Lesbian, Gay, Bisexual and Transgender Committee

9. Improving workplace equality and diversity in the National Probation Service and Community Rehabilitation Companies

Conference, Disabled members are concerned about monitoring, or the lack of it, within the National Probation Service (NPS) and Community Rehabilitation Companies (CRCs).

In the 2016 report "Equality Analysis of NPS Operating Model: Service Users and Staff" shows that staff declaration rates for disabled staff (and many other protected characteristic) in the NPS are at 42% which is well below the 60% threshold on which meaningful analysis can be provided.

Conference, this is unacceptable. The collection of diversity information is essential, it helps organisations to identify where they need to focus their resources on strengthening diversity, measure progress and build a successful and diverse workforce.

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Disabled workers face barriers even in getting a job and once in work can face barriers in carrying their role or getting promotion, without effective monitoring these barriers will not be identified and there will be no change to the workforce make up.

Conference calls on the Police and Justice Service Group Executive to work with the National Disabled Members Committee to:

- 1) Raise the concerns about workforce monitoring within NPS and CRCs;
- 2) Seek to improve response rates amongst our members and promote workplace monitoring to our members;
- 3) Seek to work with NPS and CRCs to improve workforce monitoring generally amongst their workforces.

National Disabled Members Committee

Health and Safety

10. Health and Safety in the probation service

Conference notes with concern that the new contracts in the Probation Service agreed by the Ministry of Justice do not take account of many health and safety and data protection issues.

Members working in the service report that:

- a) the layout of the workspace leads to interviews with clients being conducted in open-plan offices, with no privacy;
- b) reception areas have been removed, consequently unauthorised people can access the work area, creating disturbance and potentially creating dangerous situations for workers and clients;
- c) there is no security in the event of an aggressive client, intruder or interviewee;
- d) little consideration is given to the safety requirements for lone workers – again potentially increasing the risk to both the staff and client;
- e) the introduction of mobile working has not involved appropriate risk assessment and adjustments as necessary, leading to staff suffering shoulder and back injuries from transporting case files.

Conference calls upon the Service Group Executive to:

- 1) raise these concerns with all appropriate bodies, and to seek to ensure that these health and safety and confidentiality considerations are properly addressed;

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- 2) issue guidance to branches on conducting risk assessments, the rights of workers in the Probation Service and the responsibilities of employers to ensure the safety of their staff.

National Women's Committee

Health and Wellbeing

11. Flexible Working in Operational Roles

Over the last 4 years we have seen a wholesale reduction in police staff work forces across the country

At the time of the general election in 2015, police staff budgets have been cut by 20%. The impact of this funding reduction has fallen disproportionately on police staff.

Police staff, rather than police officers, have borne the brunt of police funding cuts

Between March 2010 and September 2013 total police staff numbers in England and Wales have declined by 18.73%.

- a) A remarkable variation exists in the cuts to the police staff workforce in different forces;
- b) 18 forces have cut their police staff numbers by more than the average reduction of 18.73% and 24 have cut by less than this figure;
- c) 71% of police staff numbers have been cut in Lincolnshire and Cleveland as a result of the transfer of police staff to the private sector;
- d) Northamptonshire has the highest level of police staff cuts, which do not involve privatisation, at 35%;
- e) At the other extreme, there has been an actual increase in police staff of 1.97% in Leicestershire.

These cuts have had a dramatic impact on the remaining staff and in particular those staff in operational roles who request flexible working.

It has become common place to see a disproportionate impact on those staff who perform operational duties being refused flexible working over those staff who perform non- operational roles.

This in-turn has forced highly skilled operational police staff to take up lower paid roles where their skills and expertise have simply gone to waste at a huge cost to the force and the individual staff member.

We are concerned that if this trend continues staff who require flexible working for caring responsibilities will be sidelined into lower paid roles with fewer opportunities for career progression which will ultimately lead to the down skilling of a section of police staff.

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A high proportion of flexible working applications are made by our female members of staff, and we believe this could result in an unequal balance for female members of staff in higher graded operational roles.

Conference calls on the Service Group Executive to:

- 1) conduct a survey across all forces to obtain accurate data on this issue;
- 2) work with the college of policing through the equality and diversity forum to raise our concerns;
- 3) work with the Association of Police and Crime Commissioners and the National Police Chiefs Council to highlight this issue and address it at a national level to formulate a strategy to address this growing issue.

West Midlands Police Staff Branch

12. An inflexible police service

The College of Policing guidance on flexible working states that “Policing is a demand led, 24/7 service where its people are key to its successful delivery. By providing flexible working arrangements for staff, organisations are shown to have a more motivated and productive workforce.... it is about gaining a balance that provides an opportunity for people to give their best at work and at home.”

However, in practice the opportunity for police staff to work flexibly, and to “give their best” is severely restricted by inflexible management, who refuse to consider changing existing working patterns, claiming that to do so would be time consuming; that flexible and part-time working would exacerbate workload problems, and would have too great an impact on other staff. For staff with caring responsibilities, such inflexibility can ultimately lead to them having to resign from the force.

Underlying the reluctance of managers to allow flexible working is the ongoing issue of increased workload with decreased resources. Cuts and savings have been made in an attempt to avoid compulsory redundancies, but in many cases posts are being 'disestablished' with workers taking voluntary redundancy or voluntary early retirement and the workload being absorbed by colleagues. Flexibility is often the first casualty of staff cuts, as there is little room for manoeuvre with limited resources.

Inevitably this causes greater stress within the workplace and there is little resilience left amongst workers to cover when other colleagues are off sick, on leave or on maternity/paternity leave etc.

Conference believes that, whilst the issue of workload and resources needs to be addressed as a priority, the continued reluctance and refusal to consider flexible working, despite the College of Policing guidance, can and should be able to be resolved independently.

Conference therefore calls upon the Service Group Executive to work with the national women's committee to:

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- 1) Raise these concerns with all appropriate bodies, including the College of Policing, to seek to ensure that managers have a greater understanding of both their obligations and the benefits of flexible working, for both employers and staff;
- 2) Issue further guidance to branches on the existing rights of workers and how to negotiate flexible working arrangements;
- 3) Raise awareness of the College of Policing guidance.

National Women's Committee

Organising and Recruitment

13. Recruiting and organising LGBT members in police and justice

Conference notes the sustained attack on trade unions and trade union members carried out by the Tory government through what is now the 2016 Trade Union Act. Conference welcomes UNISON's strong response during the passage of the Bill and affirms that our response now must be to increase our strength, recruiting more members and encouraging members to become activists.

Conference welcomes the track-record of the police and justice service group in promoting self-organisation as a core part of our organising strategy. Self-organisation brings members into UNISON and is often a starting point for new activists. It gives a platform to build a trained and active membership in our police and justice branches and a place to identify and challenge workplace discrimination, bringing issues to the attention of police and justice negotiators.

Conference welcomes the national training programme for branch lesbian, gay, bisexual and transgender (LGBT) officers and contacts, which runs in February each year. An important part of the role of the branch LGBT officer is to support LGBT self-organisation within the branch. While we continue to aim for active LGBT groups in every branch, conference acknowledges that this is not yet a reality across police and justice. Where there is only one or a small number of activists, conference welcomes the practice of members from branches in a local area coming together to support each other and plan appropriate activities in a 'cluster' self-organised group. This has been successfully trialled by Black members in two police and justice branches in eastern region.

Conference calls on the police and justice service group executive, in liaison with the national LGBT committee, to:

1. Promote the benefits of self-organisation in police and justice branches;
2. Publicise the national training for branch LGBT officers and contacts, which next takes place on 7 February 2017;
3. Publicise initiatives and opportunities for branches in a geographical area to come together and support 'cluster' self-organised groups;

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4. Circulate up to date LGBT materials, including organising and bargaining materials, to police and justice branches.

National Lesbian, Gay, Bisexual and Transgender Committee

14. Staff care = staff retention

Conference is concerned to note the impact that the previous government's 'Transforming Rehabilitation (TR) agenda' had had on a previously successful and effective Probation Service. As well as a significant dramatic loss of jobs in the Community Rehabilitation Companies (CRCs) we have also seen the imposition of untested payment by results models of working, and as such previously 'good' or 'excellent' trusts are now failing in their delivery to supervise offenders and properly protect the public.

The speed at which these changes have been imposed has meant that many staff have felt unsupported and deskilled in their roles, many continue to leave as a result of these changes.

Conference will be concerned to note that the E3 programme in the NPS will also mean significant changes and we do not want to see the same thing happen to our colleagues in the National Probation Service.

Conference calls on the Service Group Executive to:

- 1) Highlight the impact that these changes have had on staff retention, staff morale and on service delivery with the view to lobbying employers in both the CRC and NPS to ensure that better support is available to staff throughout on-going changes.
- 2) To ensure that branches are well supported in dealing with significant changes, loss of members, changes in communications and the high levels of stress that members are enduring throughout this period.
- 3) Continue to highlight the impact of these changes to Labour Link in order to reassess TR when we finally have a change of government.

Eastern Regional Police and Justice Committee

Campaigning and Promoting UNISON against Privatisation and Outsourcing

15. Blue light proposals - a threat to police staff jobs

Conference is concerned that the Government proposals on emergency service collaboration is a threat to the further erosion of Police Staff roles. The initiative seeks to collaborate all 'blue lights' through the sharing of facilities, control rooms and support services and poses a further threat to Police Staff jobs. The work has started in many Forces where Senior Fire Brigade Personnel are currently identifying roles that Police Staff are doing that can be moved to the Fire Brigade and vice versa.

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Home Office statistics show that police budgets have been decimated through six years of austerity led cuts resulting in the reduction of Police Staff jobs by more than 20 percent and the latest threat will most certainly result in the loss of more Police Staff jobs. Additionally, once a service is transferred out of Force or a local Authority, control is lost making it vulnerable to predatory private companies as a prime opportunity for privatisation.

UNISON must be progressive in forging relationships with sister trade unions working in an effort to minimise the impact on police staff jobs and the erosion of our hard fought terms and conditions.

Conference calls on the Service Group Executive to:

- 1) seek to establish organising protocols with trade unions working in the fire sector and establish collaborative forums where trade unions are working together on common issues for the benefit of all;
- 2) work to establish relationships with sister trade unions on a national, regional and local level that will protect UNISON members working within the sector and prevent a two tier workforce;
- 3) oppose all attempts to privatise within the new working arrangements;
- 4) work with Labour Link to prevent further collaboration and seek to reverse the proposed arrangements.

Eastern Regional Police and Justice Committee

16. Crime Recording

Conference, the message from the Government is that crime is falling - we who work within policing and criminal justice believe that the Government message is not true.

We know that certain crimes are no longer investigated, merely recorded for insurance purposes.

We suspect that many crimes go unreported and therefore unrecorded, footfall in custody centres has fallen, criminal Justice units are receiving fewer cases to deal with and this trend will undoubtedly lead to further job losses.

Conference believes that the Government message is misleading and calls upon the Service Group Executive to:

- 1) seek to gather information about the recording and investigation of crimes from police forces;
- 2) use the information obtained from police forces to publicise the reality about crime recording.

Hampshire and Isle of Wight Police and Justice

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17. Dispel the Myths around Protected Police Budgets

Conference notes that in his November 2015 Spending Review, Chancellor George Osborne stated “Now is not the time for further Police cuts, now is the time to back our Police and give them the tools to do the job” (BBC News 25 November 2015).

Yet in April 2016, the South Yorkshire Police outline policing plan showed that to balance the budget, 850 officers and staff jobs would have to go.

In May 2016, it was widely reported that Kent police would have to lose up to 150 staff “backroom” posts, again to balance the budget.

In Scotland, Nicola Sturgeon promised “Scotland’s Policing Budget will be protected and Officers will receive an additional £100 Million to combat terrorism”, a statement echoed by her Justice Secretary, Michael Mathieson at the UNISON Police Staff Scotland Seminar in March 2016 and the Association of Scottish Police Superintendents Conference in May 2016.

Yet the Audit Scotland reports that Police Scotland faces an £85million funding gap for 2016 and the Scottish Police Authority, at its Board meeting on the 31st May 2106 reports that “There remains an ongoing financial challenge which must be met”, whilst the published budget settlement shows a drop in budget settlement compared to the previous year.

The Question facing us nationally is 'how much more do we have to do to publicise and dispel these austerity myths?'

The simple fact is that in real terms, the Police Financial Budget Settlement is decreasing across the UK.

Service is declining, public confidence is falling. The service provided is very much reactive and not proactive. All of the good work carried out in previous years is fast being destroyed on the back of political rhetoric.

Conference therefore calls on the Service Group Executive to:

- 1) Develop a locally targeted but nationally coordinated campaign to highlight and illuminate these issues to the UK and Scottish Governments to ensure an open debate is had about the realities of Police Budget Settlements.
- 2) Capitalise on this to illustrate that the majority of these cuts fall on the shoulders of our members who provide a value for money service ensuring best value policing.
- 3) Lobby English & Welsh Police Crime Commissioners and The Scottish Police Authority to highlight that the service needs review to ensure best value by providing a balanced workforce with staff fulfilling all non-policing functions at greatly reduced cost compared to police officers.

Scottish Police and Justice Committee

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Internal

18. Police & Justice Constitution

This Conference agrees to update the Police & Justice Constitution to reflect that Conference in 2015 did not support a proposal to introduce direct elections for sector committees.

Conference therefore agrees the following amendments to the current Constitution

In Section 3 Sector Committee, 3.1 Delete

“recognising that currently, in accordance with Rule 3.7.3, any sector committee established shall be indirectly elected according to the scheme of representation determined by the Service Group for the sector in question.”

In Section 3.2 Police Staff Sector Committee (England and Wales)

Paragraph 1, delete “either” and insert “indirectly by regional police staff sector committees.”

Delete

“3.2.1 Indirectly elected by regional police staff sector committees (current arrangements)

or

3.2.2 Directly by members of the sector in each region. (This option would require a rule change to allow direct elections to National Sector Committees.)”

In Section 3.4 Police Staff Sector Committee (Scotland)

Delete all existing text under the title and insert:

“The Police Staff Sector Committee (Scotland) will have 14 members. In addition, the Secretary and Chair of the Regional Service Group will be members.”

Police and Justice Service Group Executive

19. Sector Committees for the National Probation Service and the Community Rehabilitation Companies

Conference notes that:

- 1) The existing national negotiating machinery for the Probation Service is now under review following the split of the Service into the National Probation Service and the 21 Community Rehabilitation Companies (CRCs);
- 2) The National Probation Service (NPS) is a civil service employer covering England and Wales with a workforce of 9,400 staff;

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- 3) UNISON members transferred from their former Probation Trusts to the NPS and CRCs in June 2014 as part of the Government's Transforming Rehabilitation reforms;
- 4) UNISON is recognised by the NPS and each CRC for the purpose of collective bargaining;
- 5) Since the transfer of staff, the collective bargaining machinery for the NPS has been under review by the NPS and its recognised trade unions;
- 6) The NPS and the unions are now in the process of setting up specific bargaining machinery for the NPS only;
- 7) Eight private companies now own and run the 21 Community Rehabilitation Companies;
- 8) These private companies are setting up local, or cross-CRC, consultation and bargaining machinery with the recognised trade unions;
- 9) The probation unions are in the process of negotiating the future of the National Negotiating Council (NNC) which remains the single table bargaining machinery covering both NPS and the CRCs;

Conference believes that it is important that UNISON now recognises the independent status of NPS as a national employer with employer level bargaining arrangements, and the separate bargaining machinery now emerging in the Community Rehabilitation Companies.

In order to protect our NPS and CRC members' terms and conditions and to ensure that UNISON is able to play a full role in the emerging NPS and CRC level bargaining machinery, Conference instructs the Service Group Executive to:

- a) Abolish the existing National Probation Sector Committee and in its place -
- b) Establish a National Probation Service Sector Committee
- c) Establish a Community Rehabilitation Company Sector Committee
- d) Amend the Service Group Constitution as follows:

In section 3 'Sector Committees':

In section 3.1: Delete 'Probation Sector Committee' and replace with 'National Probation Service Sector Committee' and 'Community Rehabilitation Company Sector Committee'

Delete section '3.3 National Probation Sector Committee' and insert new sub-sections as follows:

3.3 National Probation Service Sector Committee

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'The National Probation Service Sector Committee will consist of two representatives per region, with 1 general seat and 1 female seat. Members will be indirectly elected by each Regional Police and Justice Committee for a 2 year term of office. The Chair of the Sector Committee will be elected by the members of the Sector Committee at its first meeting for a two year term of office.

The UNISON representatives on the NPS negotiating machinery and the Probation Service National Negotiating Council will be elected by and from the National Probation Service Sector Committee at its first meeting for a two year term of office.'

3.4 Community Rehabilitation Company Sector Committee

The Community Rehabilitation Company Sector Committee will consist of two representatives per region, with 1 general seat and 1 female seat. Members will be indirectly elected by each Regional Police and Justice Committee for a 2 year term of office. The Chair of the Sector Committee will be elected by the members of the Sector Committee at its first meeting for a two year term of office.

The UNISON representatives on the Probation Service National Negotiating Council will be elected by and from the Community Rehabilitation Company Sector Committee at its first meeting for a two year term of office.'

Renumber successive sub-sections in section 3.

Probation Committee

20. AMENDMENT TO 'POLICE AND JUSTICE CONFERENCE SCHEME'

The foundation stones of the union are formed by a recognition that Equalities are fundamental to everything we do. This is without question the guiding light of our democracy and must continue to be upheld.

However, Conference notes that there are particular and unique issues for Police and Justice branches that are not apparent in other sectors of the union. For example, it is a fact that members within in the Police and Justice Sector enjoy a level of pay at least 80p above the Living wage level set by the Union. It is also a fact that very few if any of the branches that make up our sector have members or can recruit members from that group of workers who would fall within the "Low paid Woman" rules, for attendance at Conference. Why is this? The simple answer is that, we do not have those people in the Police and Justice Sector who would qualify for membership of our branches.

This fact has a detrimental effect on the ability of branches to send Activists to the Police and Justice Conference and dilutes the democracy within the Conference and within the Sector itself. Democracy must be about participation and when guidelines designed to ensure that proportionality is recognised damage the ability to be democratic, then the guidelines need to be adapted to suit the current working environment within the service group.

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Conference notes that Rule D 1.4 refers to the issue of maintaining Proportionality and Rule D.3.4.5 provides that a service group may have a “scheme” by which they elect delegates to their conference.

Scheme changes such as this have been applied with other UNISON conferences such as the Lesbian, Gay, Bisexual and Transgender (LGBT) conference.

Conference therefore calls upon the Police and Justice Service Group Executive to take to amend the Police And Justice Conference scheme in accordance with Rule 3.4.5 and absolve any branch, who is able to demonstrate that they cannot meet the criteria for the above reasons, from the rule concerning “Low Paid Women” when attending conference and meetings, to include an undertaking that:

- 1) Proportionality is maintained in branch delegations where possible.
- 2) Where a branch does not have any Low Paid Women members, another member of the branch may take the seat, within the rules of proportionality.

South East Regional Police and Justice Committee

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Police and Justice Conference 2016 – Preliminary Agenda

The following motion was ruled out of order because it was considered an issue for National Delegate Conference:

MERGER OF THE FIRE AND RESCUE AND POLICE SERVICES

*Police Staff Council – England and Wales
(SOC 0010)*

Conference notes with concern the proposals in the 2016 Policing and Crime Bill to merge the Fire and Rescue Service and the Police Service in England. The Bill proposes to give Police and Crime Commissioners the power to bring forward proposals to:

1. Abolish the existing fire and rescue authorities within their force area
2. Take over responsibility for running the fire and rescue service from the fire and rescue authorities
3. Create a single workforce of police and fire and rescue employees
4. Seek the authority of the Home Secretary for merging the fire and police services if this is opposed by the local authorities concerned.

Conference believes that emergency services collaboration should remain a matter for local democratic decision making and that centralising such decisions with the Home Secretary would be bad for local democracy and bad for the services which would be forced to amalgamate under such circumstances. Conference also believes that the main aim behind the proposals is to save money by merging services, so allowing PCCs to cut more jobs in both the fire and police services, and to potentially attack the terms and conditions of fire and rescue and police staff in any harmonisation programme that follows merger.

Conference therefore instructs the Service Group Executive to:

- a) Campaign to oppose the abolition of fire and rescue authorities
- b) Liaise with the Local Government Service Group in relation to the campaign
- c) Work with sister trade unions also opposed to the merger of fire and rescue and the police service
- d) Engage with PCCs opposed to the merger of fire and rescue and police services
- e) Develop an action plan for branches faced with the forced merger of fire and rescue and police services

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The following motion was ruled out of order because it was considered beyond the remit of conference:

Motion Working with Civil Service Trade Unions

*North West Region Probation and CAFCASS
(SOC0020)*

Conference instructs the National Probation Committee to liaise with sister Civil Service Trade Unions to ensure that inferior Terms and Conditions are not forced upon NPS members based on a NOMs agenda. The recent suggested imposition of changes to Terms and Conditions under the guise of 'harmonisation' is unacceptable. Terms and Conditions should always be subject to informed consultation, to that end the National Probation Committee and or the National Divisional Convenors body are instructed to:

- a) Liaise with sister unions in the Civil Service to exchange information on existing NNC agreements and Civil Service Terms and Conditions at both national and departmental level.
- b) Ensure that wherever possible members are advised of potential changes to Terms and Conditions well in advance of any indicative ballots or surveys being undertaken.
- c) Wherever possible incorporate existing favourable local arrangements in any national agreements made with NPS.
- d) Attempt to negotiate improvements on existing Terms and Conditions already enjoyed by Civil Servants across Government Departments within any future NPS agreements

The following motions were ruled out of order because they conflict with Rule K:

BROKEN PROBATION SERVICE

*Yorkshire and Humberside Regional Police and Justice Committee
(SOC 0002)*

Not printed on the advice of the legal officer

Motion Integrity, Fairness, and Respect – not just words on a page

*Police Staff Scotland
(SOC 0003)*

Not printed on the advice of the legal officer

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Motion Shared Service – Implications for Police Staff

North West Regional Police and Justice Committee

(SOC 0015 & 0016)

Conference notes the ever increasing moves across the Public Sector to create shared service provision following political pressure from this Government and to address savings forced upon the public sector including police, despite the recent so called “protection” from budget cuts in the public sector.

Police Staff are in the front line of the creation of large scale shared service provision and the implications for our members include the following:

- 1) relocation to new work places often with 2 choices to either move or face redundancy;
- 2) the loss of identity and current focus on policing duties as larger organisations look to change the service within the community and cater for a wider agenda;
- 3) threats to continuous service calculations particularly for redundancy purposes are taking place and affecting members as funding streams move from national to regional structures;
- 4) the failure by forces to realise, calculate and be transparent on threats to future job security as police staff move from employer to employer albeit within the public sector.

Conference, the North West region is experiencing increasing issues of concern for members as they face uncertainty around Devolution and what that will mean to services. Some specific examples of the world of shared services are:

- a) Lancashire Council shared services in HR with Lancashire Police
- b) GMP shared service for HR/payroll with Trafford Council
- c) A proposed creation of a Single Shared Service centre at Cheshire Police HQ between Cheshire Fire and Cheshire Police.
- d) Prospective provision of a Forensics service across England and Wales (a tri force provision involving Cheshire, Merseyside and North Wales forces)
- e) Potential creations of a Volunteer Hub across 4 councils and Lancashire Police.
- f) Regional Serious Crime provision – TITAN, COVERT, OVERT

Conference, in the light of the above, calls upon the Police and Justice Service Group to:

- i) Clarify the legal position and entitlements on contracts and employment matters for members facing forced redundancy, TUPE, secondment or relocation to a Shared Service.

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- ii) Campaign to oppose the creation of a Shared Service where there is no substantial saving to be made but more to reinforce a political ideology.
- iii) Produce guidance to branches on how to maximise involvement and impact in negotiations that involve different public services in light of Regional devolution.

Motion Continued Service

*North West Region Probation and CAFCASS
(SOC 0022)*

Conference rejects the NPS employer position that only service since June 2014 within the Civil Service can be used to calculate Voluntary Early Departure settlements. All service accrued within the former Probation Trusts should be included in any future agreements based on length of service or compensation arrangements. Conference believes such a principle accords with the staff transfer arrangements made at the point of transition in 2014. The National Probation Committee is instructed to convey this view in the strongest possible terms to the employer and if necessary explore the possibility of legal action and/or judicial review to defend this principle and report back to members at the earliest opportunity on progress of this action.

Motion Keeping 'Check-Off' in check

*North West Region Probation and CAFCASS
(SOC 0024)*

The Police and Justice Sector is the only UNISON sector to have Check-off removed and we acknowledge the considerable work done and cost incurred by regions and branches with Probation member during the switch campaign, but at the same time, acknowledge that we lost members due to the removal of Check-off

This Conference sends congratulations to the Public and Commercial Services following their successful challenge of the Department of Work and Pensions removal of Check off.

We further welcome the judgement of Elisabeth Laing who agreed with the union that DWP staff had a contractual right to have their subscriptions paid by check-off and it should not have been scrapped without agreement.

The judgement opens the way for the PCS union, which has been forced to spend considerable time and resources re-recruiting tens of thousands of members to pay by direct debit, to claim damages for loss of income. The union is also considering further legal challenges against other government departments that have removed check-off.

It has always been clear that the political decision to remove check-off was unnecessary and vindictive, and the PCS have comprehensively been proved right. This is not just a defeat for DWP, it is a victory for all unions over a major injustice.

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And it is scandalous that taxpayers again face huge legal bills because Tory ministers have an obsession with trying to undermine trade unions in the workplace.

Previous Cabinet Office minister Francis Maude called on civil service employers to end the check-off system in what the union has always argued was an unnecessary and vindictive attempt to undermine its finances and break its organisation.

DWP, the largest civil service department, unilaterally ended the arrangement over one year ago alongside similar moves by others, including HM Revenue and Customs, Home Office, Ministry of Justice and Ministry of Defence.

Plans to ban check-off in the rest of the public sector had been included in the Tory's latest anti-trade union bill but were dropped before it became law, in a concession that came just days before the union's High Court claim was heard.

In 2013, the Department for Communities and Local Government was landed with a legal bill of around £100,000 after the union successfully challenged its attempt to end check-off.

Following that ruling, then chief secretary to the Treasury Danny Alexander wrote to cabinet colleagues and permanent secretaries in July 2014 to say there was "no fiscal case" for removing check-off. He warned: "I want to make it clear that any department that pursues this policy is doing so at their own legal risk, leaving their department exposed to potential legal costs which they will be expected to meet in full."

The view of the Police & Justice sector has been unwavering in its opposition to the removal of Check-off and undertakes to do the following

- 1) Seek Legal Council View of the likelihood of success in bringing a claim against the MOJ.
- 2) Identify the cost of the Switch Campaign
- 3) Initiate discussion with the MOJ to recover those costs
- 4) Seek to reach agreement with the MOJ (NPS) to re introduce Check-Off

The following motion was ruled out because it is beyond the remit of conference and insufficiently clear for the conference agenda:

Motion E3 Operating Model

*North West Region Probation and CAF/CASS
(SOC 0021& 0023)*

Conference is concerned that the recent implementation of the E3 Operating Model into NPS may lead to members being downgraded and penalised financially through no fault of their own. Conference calls on the National Probation Committee to

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negotiate 'mark time' pay arrangements for any member displaced by changes to business operating models. Such 'mark time ' pay arrangements (including all allowances payable at the time displacement occurs) to remain in force until such time as an individual's pay is exceeded by the maximum of the pay scale into which that individual has been redeployed.