

<b>DECISION NO: PCCG-2013-010</b>	
<b><u>OFFICE OF POLICE &amp; CRIME COMMISSIONER</u></b>	
<b>TITLE:</b>	<b>Use of Regulation A19</b>
<b>DATE:</b>	<b>25<sup>th</sup> January 2013</b>
<b>TIMING:</b>	<b>31<sup>st</sup> January 2013</b>
<b>PURPOSE:</b>	<b>For Information</b>
<b>1.</b>	<b><u>RECOMMENDATION</u></b>
1.1	To inform the Commissioner that the Chief Constable has suspended the use of A19 from 1 <sup>st</sup> February 2013, subject to a 6 monthly review by the Deputy Chief Constable.
<b>2.</b>	<b><u>INTRODUCTION &amp; BACKGROUND</u></b>
2.1	In February 2012, Gwent Police Authority took the decision to invoke Regulation A19 of the Police Pensions Regulations. Regulation A19 requires officers of Sergeant to Chief Superintendent rank who have reached 30 years pensionable service, to retire.
2.2	At the meeting with the Police Authority it was agreed to reassess the decision on an annual basis. Since that time Police Authorities have been abolished and Police and Crime Commissioners are now in place. The decision to use A19 has now passed to the Chief Constable.
2.3	To date 16 Officers have been required to retire under regulation A19 with a further 10 retiring of their own accord.
2.4	We currently have three officers who have legally challenged the decision and we await the judicial review of this challenge nationally.
<b>3.</b>	<b><u>ISSUES FOR CONSIDERATION</u></b>
3.1	<p>Advantages</p> <p>Some of the advantages of the implementation of A19 have been:</p> <ul style="list-style-type: none"> <li>• <b>142</b> Constables and <b>52</b> Sergeants are qualified for promotion and A19 has allowed us to promote 10 Sergeants, 3 Superintendents and 4 Chief Inspectors in the last year, which would otherwise not have been possible.</li> <li>• We still need some certainty that we can reduce from <b>1398</b> police officers to <b>1329</b> by 2015 (69 Officers) if we are to achieve the financial savings set out in the Comprehensive Spending Review. The use of A19 has given us greater certainty in managing police officers numbers.</li> <li>• Additional training and financial support from Careers Wales has been given to officers' who have been the subject of regulation A19, eighteen have taken this opportunity.</li> </ul>

3.2	<p><b>Disadvantages</b></p> <p>Some disadvantages have become apparent from exit interviews with retiring officers, discussions with the Police and Crime Commissioner, Staff Associations and Chief Officers which have identified the following issues:</p> <ul style="list-style-type: none"> <li>• There has been, and will potentially continue to be, a detrimental impact on staff morale in some quarters when they see some of our most respected and experienced officers being required to retire.</li> <li>• It is unlikely that we will be in a position to promote any Sergeants or Inspectors in the coming year based on the revised staff ratio proposals.</li> <li>• A19 only impacts on a small number of staff (20 officers would be subject to the use of regulation A19 in the coming year).</li> <li>• We could face further legal challenge from officers in respect of our use of A19.</li> </ul>
4.	<p><b><u>NEXT STEPS</u></b></p>
4.1	<p>The following should be informed of the decision</p> <ul style="list-style-type: none"> <li>• Commissioner.</li> <li>• Staff Associations.</li> <li>• Officers and Staff.</li> <li>• Media/Public.</li> </ul>
5.	<p><b><u>FINANCIAL CONSIDERATIONS</u></b></p>
5.1	<p>The lack of certainty of Police Officer (Supervisory) retirements does place a financial risk of approximately £1m in the coming year if Officers decide not to retire.</p>
6.	<p><b><u>PERSONNEL CONSIDERATIONS</u></b></p>
6.1	<p>Staffing implications will be resolved in accordance with the Force Policies and Procedures with specific regard to the Organisational Change Procedure.</p>
7.	<p><b><u>LEGAL IMPLICATIONS</u></b></p>
7.1	<p>Advice has been sought from Joint Legal Service in considering this matter in light of legal challenges currently facing the Force</p>
8.	<p><b><u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u></b></p>
8.1	<p>This project/proposal has been considered against the general duty to promote equality, as stipulated under the Single Equality Scheme and has been assessed not to discriminate against any particular group.</p>
8.2	<p>In preparing this report, consideration has been given to requirements of the Articles contained in the European Convention on Human Rights and the Human Rights Act 1998.</p>

<b>9.</b>	<b><u>RISK</u></b>
9.1	A financial risk register is maintained for all Staying Ahead Programmes and the overall programme exists within the strategic Force risk register.
9.2	Project risks are monitored by each individual scheme and reported as part of the governance structure.
<b>10.</b>	<b><u>PUBLIC INTEREST</u></b>
10.1	The retention of Officers beyond 30 years service has been a source of comment in the local media.
<b>11.</b>	<b><u>AUTHOR</u></b>
11.1	Jeff Farrar – Deputy Chief Constable
<b>12.</b>	<b><u>ANNEXES</u></b>
12.1	N/A

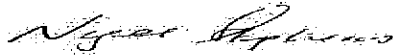
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**Office of the Chief Constable**

I confirm that this report has been discussed and approved at a formal Chief Officers' meeting.

It is now forwarded to the OPCC for **information**.

**Signature:**



**Date: 29 January 2013**

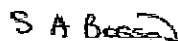
	Tick to confirm (if applicable)
<b>Financial</b> The Treasurer has been consulted on this proposal.	✓
<b>OPCC (insert name)</b> The Chief Executive has reviewed the request and is satisfied that it is correct and consistent with the PCC's plans and priorities.	✓
<b>Legal</b> The legal team have been consulted on this proposal.	N/A
<b>Equalities</b> The Equalities Officer has been consulted on this proposal.	N/A

**Chief Executive/ Deputy Chief Executive:**

I have been consulted about the proposal and can confirm that financial, legal, equalities etc... advice has been taken into account in the preparation of this report.

I am satisfied that this is an appropriate report to be submitted to the Police and Crime Commissioner for Gwent.

**Signature:**



**Date: 30/01/13**

**Police and Crime Commissioner for Gwent**

I confirm that I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct.

The above request has my approval.

**Signature:**

*Pa Johnston*

**Date:**

*31/1/13*

*✓*