



Scottish Police Federation

5 Woodside Place Glasgow G3 7QF

JCC Circular 50 of 2016

Ref: CS/AMacD/LS

19 September 2016

Attachments: Exec Summary of Insp WT & Wellbeing Survey (TforJ) 2015
Commentary by ICC Chair, Andy Malcolm

Dear Colleague

Time for Justice 2015 – Information

I refer to the above and attach for your information a copy of the Executive Summary of the Scottish Police Inspectors Working Time and Wellbeing Survey (Time for Justice) 2015.

I also append for your information additional commentary by the Chair of the Inspectors Central Committee, Andrew Malcolm.

I would appreciate if Area Secretaries could ensure that this circular is sent to all Area Representatives for further circulation within Divisions/Departments.

Yours sincerely

Calum Steele
General Secretary

Managing the Increasing Workloads of the Inspecting Ranks in Scotland: Findings from a survey of Inspectors undertaken by Scotland IBB 2015

June 2016

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Executive Summary

Based on the results of the 2015 survey, and comparison with the findings from the *Time for Justice* survey in 2011, this Report highlights continued inadequate reporting and monitoring of working time and persistent non-disclosure of overworking and ill-health. Inspectors in Scotland are still working excessively long hours, mostly while on duty and with most of these hours going unrecorded. Overworked Inspectors find it difficult to cope at work, to maintain a work-life balance that sustains family relationships and outside interests, and some are deprived of sufficient quality of sleep to maintain good health and wellbeing while doing their job well.

The November 2015 survey has reinforced the exigency of earlier recommendations – a proper system of duty recording, insisting that Inspectors record their hours and the Force monitor these hours – as a first stage in working to break down the ‘can do’ culture that leads to presenteeism, leavism and a reluctant but unquestioning acceptance of excessive workloads. Recommendations for Police Scotland include:

- ❖ provide a user-friendly and flexible hours recording system to facilitate the accurate recording of working hours to comply with Working Time Regulations (WTRs)
- ❖ promote and support a ‘Practice accurate recording of hours week’ to challenge poor recording habits and stress test SCoPE
- ❖ monitor records to certify that Inspectors are not routinely overworking
- ❖ review the job tasks in the Inspectors’ role to ensure that they can be completed within rostered hours
- ❖ improve consultation and communications over organisational change
- ❖ rethink support for Inspectors (by senior ranks/line management in particular)
- ❖ undertake a sleep audit and regular reviews of individual workload and wellbeing

Continued restructuring of operations has raised concerns among the Inspecting ranks in relation to the widening of their remit and responsibility and the inadequacy of resources to meet service demands. The dominant view is that many of the difficulties experienced could have been avoided with better consultation in advance and that there is an on-going refusal to

listen to concerns. Inspectors feel that their views are ignored and they believe that their hard work and commitment is not fully recognised. This appears to have negative impacts on loyalty and organisational commitment.

Four areas of particular concern are highlighted (in summary form) in this Executive Summary, with further details and other key findings from the survey reported in the main body of the report. Here we focus on: (i) non-recording of hours of work, (ii) extended and excessive working time; (iii) non-disclosure of ill health, sickness and overworking; and (iv) organisational commitment and wellbeing at work.

(i) Non-recording of hours of work

Non-compliance with the WTR continues with 90% of Inspectors reporting that they work hours that are not recorded and are therefore not monitored by the employer (contrary to WTR Regulation 9). Well over half of respondents (58%) indicate that they work above the WTR maximum of 48 hours per week over an extended period (contrary to WTR Regulation 4). This is 10 percentage points higher than in the 2011 survey. The inability to take rest breaks represents a further potential breach of the WTR (Regulation 12) with 68% reporting that they ‘almost never’ take a rest break and a further 13% only ‘occasionally’ taking a break.

Inspectors’ pay is based on a shorter working week than the WTR maximum, specifically 40 hours a week with 3-4 hours overtime when required, as per Home Office Circular 21/97, which reads:

The changes to conditions for the members of the ranks of Inspector and Chief Inspector introduced with effect from 1st September 1994 should not have altered, nor were they intended to alter, the average hours worked each week in posts filled by members of those ranks.

There is increasing recognition among Inspectors that long hours are less a reflection of their ‘poor (time) management skills’ and more of a job description and workload that can no longer be accomplished in 40-43 hours a week, hence the need for a role review. Consequently, there is less shame attached to, and greater readiness to acknowledge, that regular, often extended, periods of unpaid overtime working is needed to ‘get the job done’. It is well established that workers for whom additional hours are neither freely chosen nor fairly remunerated are most at risk of ‘occupational burnout’.

Disincentives remain to the accurate recording of actual hours of work and these include the duty management system SCoPE which is not enabled to allow individuals to record their actual hours of work themselves but instead relies upon email requests to the Logistics Team to update their hours record. The process is disagreeable and time-consuming and, in the absence of any compensation (either financial or in TOIL), not worth the effort. Only 14% of Inspectors ‘mostly’ or ‘often’ record their actual hours of work on SCOPE.

In *Exploring the Myths*, the Met IBB published the following advice to its members in relation to the recording of hours:

All officers have an obligation to accurately record their hours worked whether that be less than 8 hours or more than 8 hours. MPS has a duty of care to all employees and these hours can and must be recorded accurately.

Officers should not be carrying out work whilst off duty. If they are working they are on duty and the total hours worked should be recorded.

Police Regulations and MPS policy clearly state that officers should record their hours worked.

If you receive calls at home related to your role that require you to take some positive action, whether that is give advice, make a decision or make a telephone call for example, those hours should be shown as hours worked under Police Regulations and MPS policy. By taking action in any way you are liable for the decisions that you make and therefore acting in your capacity as an employee. This poor practice might also affect your ability to access Federation funds for legal assistance should any decision you take 'off duty' be subject to scrutiny.¹

Police Scotland's practice regarding the recording of hours, as described by respondents, is not compliant with Regulation 9 of the WTR. Accurate recording and monitoring of employees' hours is a requirement because it is a pre-requisite to compliance with Regulation 4 of the WTR, which sets the average maximum of 48 hours measured over 17 week.

There are wider benefits of a practice of honest and accurate recording of working time. It would provide a regular focus for a (routine) check on workload. It would signal that the employer recognises its duty of care and its legal obligations to its officers in relation to workload. It may also go some way to alleviating Inspectors' fears that if they take a day off work due to ill-health it will reflect badly on their performance or their ability to cope and bring out into the open concerns around ill health and performance risk (e.g. poor decision-making).

(ii) Extended and excessive working time

Average weekly hours worked over a 3-month period is 49.7 hours. This level of working is above the 40-hour roster, above the overtime allowance (3-4 hours) in the 1994 agreement and above the WTR maximum (48 hours measured over 17 weeks). In fact, 58% of Inspectors reported working above the WTR maximum on average over the last three months. The explanation for such long hours was summarised in one of the free text comments in the November 2015 survey: *the volume of work is incredible.*²

Rest breaks are covered by the WTR and Police Regulations, which require that any employee working a shift in excess of 6 hours receive a rest break which is uninterrupted and away from the work station (for 20 minutes according to WTRs and 45 minutes according to Police Regulations). Only 10% of respondents reported taking a rest break 'often' or 'almost all the time'.

Additional unpaid hours worked by Inspectors in the form of 'overtime' and rest breaks worked are equivalent to 392 additional full-time Inspector posts (when measured relative to the 40 hour roster) and to 247 posts when measured relative to the 44 hours in the 1994 agreement. This amounts to around a third and a fifth of the current Inspector workforce respectively.

It is work demand that drives long hours. The results presented in this Report indicate that the current level of overworking is not sustainable for Inspectors. Assuming that additional posts will not be forthcoming, strategic managers need to focus on managing demand downwards. In the words of an Inspector:

¹ Met IB (2010) *Exploring the Myths: A line in the Sand*, pp.19-20.

² All quotes from the survey are reported in *italics*.

Policing needs a review about what is important and what is less so and to be honest with the public. We cannot do everything so why do we act as if we can?

(iii) Non-disclosure of ill health, sickness and overworking

The practice of working on sick days and taking annual leave to cover sickness is widespread. Inspectors with problems that arise from their work, or impact on their work, report that they are strongly discouraged from disclosing these at work. There is an underlying macho culture that creates pride in 'never being sick' but there is also an expectation of a punitive management response to what is often perceived as 'personal weakness' (sickness absence, request for help, admission of overworking) and that reporting any weakness on their part will destroy future career prospects. This is just one illustration of the lack of support from senior officers that Inspectors experience in their daily work routines. Fear of disclosure is inconsistent with a just safety culture. Police Scotland might want to consider including a wellbeing review alongside an Inspectors' Role Review as a means of breaking through the deadlock over non-disclosure of overworking and ill health.

(iv) Organisational commitment and wellbeing at work

The Inspecting ranks in Scotland, as elsewhere, display high levels of organisational commitment to the service and the profession of policing. This has been tested under the new PSoS operating model, with on-going real cuts in resources, and it appears that Inspectors' commitment no longer extends to senior management. Loss of trust in senior management has been heightened by the experience of continual operational restructuring and lack of consultation and review. Organisational change is found to be a critical risk factor undermining wellbeing at work, through its adverse impact on workload, job satisfaction and health. This is how one respondent described the current experience of police work for Inspectors in Scotland:

I have only 1 year in the rank of Inspector and have found it an extremely challenging year. Having been in a Support role for 7 years prior to being promoted I was shocked to see how few officers there actually are at the start of a shift to respond to on-going incidents. The demands on front line officers are incredible and although lip-service is paid to it by Senior Management, I do not believe that they fully understand. There are usually two Inspectors covering the Division on any given shift, however, if one is off (annual leave) or sick then you are covering yourself and on a busy back shift you could potentially have in excess of 130 calls to oversee across the division. On top of that there will be several missing people to have an overview of and ensure relevant enquiry is being carried out. Custody, hospital and personnel issues to deal with, often there will be major events on-going and CAPS to deal with. At the end of a busy shift when I have been on my own I am exhausted and will often go home and worry that I have missed something and am going to be pulled up for not having dealt with something properly.

Support from supervisors and colleagues and reciprocity in terms of the relationship between Inspectors and PSoS can go some way to offset these adverse effects on wellbeing, but these mediating factors can themselves be eroded during organisational change.



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5 Woodside Place Glasgow G3 7QF

Inspectors Central Committee Circular

Ref: AM/HM

Date: 19 September 2016

Dear Colleague,

Time for Justice 2015

Please find attached the Executive Summary of the Scottish Police Inspectors Working Time and Wellbeing Survey (Time for Justice) 2015 for your information.

The Survey has reinforced the findings of the 2011 Survey, the Staff Survey and other research which highlight the excessive hour's culture being operated within Police Scotland to meet the expectations of the Service and reduction in supervisory numbers. There are growing concerns regarding the Service's expectations of supervisors and its desire for cost savings, including rank reduction, which are increasing the pressure and working time of managers, particularly within the Inspecting ranks.

Prior to the supervisory review commissioned by the Force in 2016, this study estimated that the sum of additional unpaid and, often unrecorded, hours completed by Inspectors was equivalent to 392 additional full time posts. The majority of respondents reported often working in excess of the 48 hours legal limit set by the Working Time Regulations. The Service's desire to reduce costs without examination of capacity creates concerns that their numerically based plans will increase fatigue and absence levels at a time where key resources are stretched beyond breaking point.

The report has suggested areas for the service to examine including

- establishing a user friendly recording system for duty management to ensure accurate recording of Working Time
- promote and support a practice of accurate recording of Working Time
- monitor records to ensure Inspectors are not routinely overworking
- review the job tasks and expectations within the Inspector's role to ensure that these can be achieved within rostered hours
- improve consultation and communication over organisational change
- re-think management culture and support for Inspectors

- undertake a sleep audit and regular reviews of individual workload and wellbeing

There are significant concerns regarding the expansion of the remit and responsibilities of Inspecting ranks, its sustainability and the adverse impact on the individual in an effort to meet the demands of the Service.

The Service claims to have a desire to care and support staff whilst the culture and perception amongst respondents was that absence, recording of hours or highlighting concerns regarding capacity or pressure of work are either ignored by managers or seen as a failure of the individual or personal weakness. Elements of current policy operate as a barrier to development and are creating a culture of mistrust which are affecting job satisfaction and health.

As a result of this research and evidence being presented to both the Service, the Scottish Government and the Scottish Police Consultative Forum, representatives of the Scottish Police Federation were invited to discuss solutions and methods of engagement. We are now in regular consultation with the Service over the issues highlighted within this Survey and others as it is vital that solutions are found and current culture changed to improve the health and wellbeing of staff, an essential element in both service delivery and the creation of a sustainable policing model.

The initial work has focused on the Service's 10 Quick Wins program and other ongoing work within the 2026 Project. It is also hoped to have a workshop with the academics who undertook the survey at the Scottish Police Federation Conference in March 2017.

I will continue to update you with the progress of ongoing discussions and developments. In the interim, I would urge you all to record your Working Time on SCOPE via the overtime system and highlight to managers concerns around capacity, fatigue and pressure.

On your behalf, I would also like to formally thank Andrea MacDonald for all the hard work she has undertaken as Chair of the Inspectors Central Committee, particularly her desire to expose the negative impact on staff of current policies and practices, the lack of management support and hidden culture of excessive hours and overwork for Inspecting ranks. I am proud and privileged to be replacing her and aspire to continue her hard work.

Andrew Malcolm
Chair
Inspectors Central Committee
Scottish Police Federation