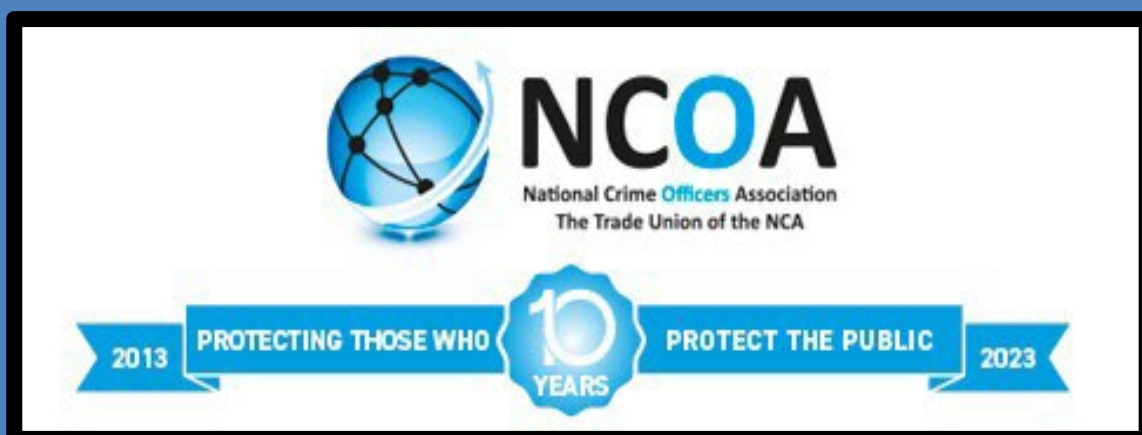


Evidence to the National Crime Agency Remuneration Review Body

- 9th Submission -



Pay Award
August 2023 - July 2024

20th September 2023

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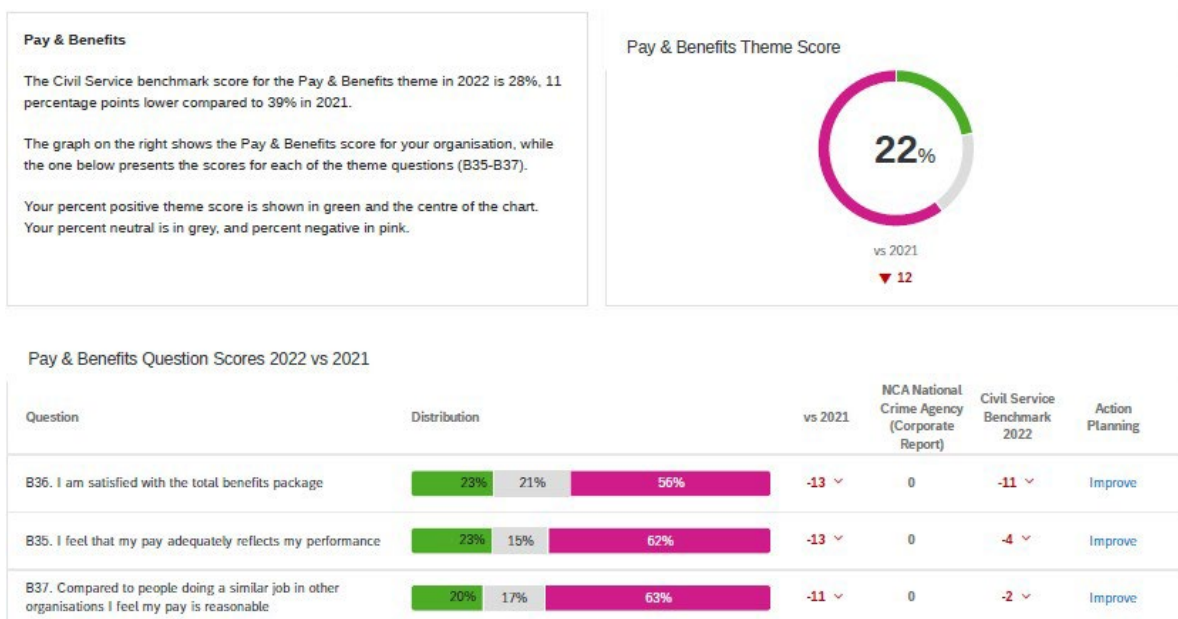
Section 1 - Summary

1.1 Following the debacle of the 2022/23 pay round, the many NCA Officers the NCOA represent, felt it inevitable that the 2023/24 round would also be delayed. At the conclusion of the process (salaries reflecting an increase), the 2022/23 pay award for NCA Officers had been delayed by 207 days.

1.2 Recommendations made by the NCA Remuneration Review Body (NCARRB) aimed at supporting NCA officers through the cost-of-living crisis, were delivered so late that they had limited impact. In fact, some NCOA members found that as a direct result of the delay, their outgoings outstripped income, and they were in financial hardship. The Agency failed to deliver interim measures to support these officers through what was a challenging winter and as a result, the NCOA launched its own hardship fund - which received applications from Grades 2-6.

1.3 The results of the 2022 Civil Service People Survey provides a clear indication of the strength of feeling that NCA officers have on their Pay and Benefits system. Officers completed this survey whilst the 2022/23 pay round remained unresolved but, with the knowledge that the award would be an improvement on the 2021 'pay freeze'. Significantly, only 20% of respondents felt that their pay was equitable to other organisations, a 12% drop on the previous year.

Chart 1 - Results from 2022 NCA People Survey regarding NCA Pay and Benefits



1.4 The massively delayed process of 2022 led the NCOA to conduct an indicative survey of members on their willingness to engage in various forms of industrial action (and other pro-active activity which falls short of industrial

action). Unsurprisingly, the results mirrored the strength of feeling highlighted in the People Survey. The differentiated nature of the NCA workforce between powered and non-powered officers meant that whilst the threshold for taking strike action would be unlikely to be met in any industrial action ballot, it was clear that had our 'powered' members been able to strike, they would have. The findings of the survey did though see NCOA members withdraw their goodwill from February 2022 to demonstrate their strength of feeling at the failed pay process.

1.5 It is our belief that the impact this had on the Agency and its efforts to deliver on its priorities was used by the NCA as leverage in its engagement with HM Government to eventually deliver the 2022/23 pay award - albeit 7 months late.

1.6 This is our 9th submission to the NCARRB. It is no longer sustainable for the Agency to continue to promise that Pay Reform is, 'just around the corner'. It is unclear whether a process which started in 2017 is anywhere close to being concluded. Worryingly, if the Agency now considers Spot Rates to be a failed experiment (it appears they do), the question arises as to whether pay reform has actually even started. This year, the NCOA will make a set of recommendations which not only deal with the immediate cost-of-living pressures our members are facing, but also encourage changes which will actually bring about pay reform.

1.7 In its most recent strategy for 2023-2028, the Agency made the following commitment,

'The Agency will work closely with Government to implement a reformed pay and attraction model that is fair, affordable and reflects the Agency's status as a leading law enforcement agency with a distinct and highly specialised mission. By 2025, the Agency aims to have implemented a pay and attraction model that is capability based and more closely linked to development of skills, knowledge, and experience. A modern pay framework will ensure that officers can progress, help the Agency to use additional funding to fill critical skill gaps and compensate for non-traditional working patterns that a career in law enforcement can bring.'

1.8 It is clear from this statement, that if the Agency only seek to address cost-of-living pressures in 2023/24, then it is likely this self-imposed deadline for pay reform will be missed.

1.9 The Home Secretary's remit and commissioning letter to the NCARRB was eventually published on the 15th August 2023. At this time, this letter contains comments which strongly suggest that a further pay flex case may be needed following the NCARRB process, to ensure that any recommendations can also applied to those without delegated powers,

'The Pay of NCA officers without powers remains a matter for the NCA to decide, taking into account of the Civil Service Pay Guidance.

1.10 This is concerning to us given the subsequent clarity within the same letter,

'The Civil Service Pay Remit guidance for 2023/24 which allows for departments to make an average pay award of up to 4.5%, with flexibility to make awards up to an additional 0.5% to be targeted at lower pay bands'.

1.11 This is wholly unsatisfactory and falls well below the 7% award already delivered across both the Police Officer & Police Civil Staff group - which must act as a benchmark for any considerations re NCA pay at this time.

1.12 Furthermore, should this caveat mean that an additional administrative hurdle is required to deliver the errant 2023 award, this will be of considerable disappointment to NCOA members, despite their experience thus far, preparing them for further delays to the 2023/24 pay award.

1.13 The late publication of the remit letter and the delayed start to the 2023/24 NCA pay process, means that this year, all parties can provide their evidence with knowledge of pay awards already in place for comparable public sector bodies. The expectation amongst NCOA members is that rather than continuing to lag behind comparator police pay, progress is made to deal with NCA pay erosion by way of a substantial consolidated pay award for all members, coupled with the £1500 non-consolidated payment they were promised by the NCA Executive Leadership as part of this year's pay award.

1.14 In direct response to this current 2023-24 NCA pay process, the NCOA consultative ballot ran between the 24th July and the 4th August 2023. In this process, NCOA members were asked to provide personal input on the impact of the current cost-of-living crisis and whether or not they wished to demonstrate their dissatisfaction at the employer's consistent failure to deliver an annual pay award on time.

1.15 The results were unambiguous, with NCOA members delivering an unequivocal position on the withdrawal of goodwill by over 90% of those who responded (those with and without delegated powers supported this action). The withdrawal of goodwill by NCOA members started on the 25th August 2023. If delays to the 2023/24 pay award persist, further action cannot be ruled out with 53% of those who responded (from those do not hold powers) indicating that they would be willing to take industrial action.

1.16 Aligned to the recent NCOA consultative ballot, members were asked for free text comments on pay matters. Some of those very many comments

from NCOA members are included in this submission to ensure that NCA officers, often junior in rank but who are committed to the NCA and its mission to 'Protect the Public'- have a voice. The collateral impact causing low morale that repeatedly delayed pay awards and apparent lack of a coherent plan from the NCA's Executive Leadership was a consistent theme. Member comments included,

'The NCA's management towards pay from the first day I joined almost a decade ago has been shambolic, but particularly so in the last 2-3 years. There is no coherent plan to address issues other than to release multiple comms from senior leaders that they are 'trying' but the action, or rather lack of it is far more telling. Staff are demotivated as a result, and I believe dozens if not hundreds of staff have left due to this issue. Additionally, the dwindling numbers of qualified skilled staff is pretty much a direct consequence of poor pay and poor leadership in addressing the pay issues.'

'The arguments surrounding pay have been the same since my inception into the Agency in 2019. The burden from the cost-of-living and rising costs of rent and childcare is forcing good officers who care about their role and public duty to leave the public sector to sustain their livelihoods. The agency will continue to lose brilliant minds if they don't take serious consideration into wages we should rightly be paid. I cannot afford to 'hope for the best' any longer and will take whatever actions I can within the legal restrictions set to secure a decent earning.'

Section 2 - Immediate measures required to deal with the cost-of-living pressures

2.1 The Agency has been unable to increase the size of its workforce in the past 3 years, with recruitment barely matching attrition. It is no longer appropriate to keep cutting the pay of NCA officers both in real terms and relative to both public sector comparators and the private sector, without consequences for recruitment, retention, and morale. The most recent data from the Office of National Statistics calculates that the cost-of-living continues to rise consistently around 7%. Food and energy prices have also been rising markedly over the past year. In the UK, prices of consumer goods and services rose by 9.6% in the year to October 2022, this was the fastest rate in four decades.

2.2 Whilst the delayed pay award of £1900 for 2022/23 was received positively by some NCOA members who were struggling to cope with the cost-of-living crisis, it in no way compensated for a 10 year pay freeze, caps and sub-inflation pay awards resulting in real term pay cuts for NCOA members since the formation of the NCA. It is accepted by the Agency that it must at least match Police pay. Police Officers and Police Staff have already received a 7% pay award for 2023/24. Simply matching this though will not address the anomalies that have been caused by pay restraint in the NCA, whilst many police officers have retained pay progression *and* increases to pay and allowances. There is now a significant and widening gap between NCA and Police Pay. The erosion of NCA pay must now be addressed if the Agency is to be able to recruit and retain experienced mid-career law enforcement professionals.

Recommendation 1 - A minimum 10% consolidated pay uplift for all NCA Staff in Grades 1-6

2.3 With regards to the cost-of-living pressures, NCOA members made the following comments,

'My pay is preventing me from doing anything except survive'.

'The terrible pay in comparison to the police is turning the agency into a farce, with the ability to only attract and retain very young people who use the agency as a training opportunity and a platform to other jobs and retirees who want to come back as an additional income. This is surely affecting diversity across the agency, particularly in operational teams'.

'Given the 7% announced for Police, I am now in a position as a G4 where I'm earning less than a Constable. This is not a sustainable model'.

2.4 On the 2nd June 2023, NCA officers were sent an email from Simon Case, Cabinet Secretary and Head of the Civil Service informing them that they were due to receive a £1500 non-consolidated payment in recognition of their public service as well as the cost-of-living pressures during the 2022/23 pay year. On the same day, the NCA Director General contacted NCA staff to confirm an Agency intention to make this payment in August 2023. This non-consolidated payment of £1500 would be separate from the 2023/24 pay award.

2.5 Subsequent information sent to NCA officers that the payment could not be made in August 2023 and would at best, be aligned in timing to the conclusion of the already delayed 2023/24 pay award process - was extremely disappointing news; especially given that there was a general expectation by our members that the 2023/24 pay award was likely to be delayed for an extended period of time.

2.6 The payment had also quickly morphed to a hopeful one rather than a guaranteed payment which the Agency would present to the NCARRB as part of their pay submission for officers with powers for ratification.

2.7 Whilst the Agency has certainly provided *notice of intent* within its draft pay submission to pay the additional £1500 all staff - it does not appear to be seeking permission to pay it - it *will* pay it and therefore does not require the NCARRB to provide authority to make the payment. A payment which is a non-consolidated cost-of-living award secured by central government.

2.8 Further reference to this important payment within the Home Secretary's remit letter of the 15th August, provides further clarity,

'The NCA has elected to defer any payment pending NCARRB's report'.

2.9 This is contradictory to Agency assertions provided to staff that they were prevented from paying it - until the outcome of the NCARRB process at the earliest. Given the purpose of the payment and the grades it would help most, it is unfathomable why the Agency has delayed this payment for *any* officer.

2.10 Feedback from NCOA members on this issue included,

'The process needs to start earlier so that pay can be awarded on time in August pay. The withdrawal of the promised £1500 cost-of-living payment was very tough. The DG saying, we were getting it and now not is awful. I thought my winter heating bills were paid now? Why do I have to get worse off every year yet have to take on more responsibility?'

'In response to the delayed/cancelled £1500 payment, the agency has not showed enough remorse for the withdrawal of the payment. There's been no recognition of the fact that for some people that £1500 was a new boiler, or

a much-needed car repair that will have already been spent based on the promise by the DG and Simon Case. Why hasn't the agency recognised this?'

'Other civil servants were awarded £1500 to help. This would have helped us if given asap. Now that has been delayed along with our pay and I am fighting a daily struggle living in a single household with the cost-of-living rising beyond my means.'

2.11 The Agency have already confirmed that the overall cost of this payment for all delegated grades is in the region of £9.2 million and is affordable from the existing NCA budget.

2.12 To help address escalating gender and ethnicity pay gaps, all staff should receive the full payment - irrespective of any alternative working arrangements.

Recommendation 2 - In addition to a cost-of-living pay award, all NCA Staff in Grades 1-6 to receive a £1500 non-consolidated payment

2.13 The Agency relies heavily on officers' goodwill to fulfil many of its functions. There is no contractual obligation for officers who joined prior to August 2019 to commit to be available to deliver on-call responsibilities. The current rate of on-call has remained stagnant since the NCA was formed and the rate and operating procedures associated with it were carried over from the Serious Organised Crime Agency.

2.14 The current on-call payment is no longer considered sufficiently financially attractive to entice some NCOA members to commit to being on an on-call rota. The current rate of on-call needs to rise in line with inflation over the last decade.

Recommendation 3 - NCA On-Call allowance to increase to £35 per period and be available to all Grades 1-6

Section 3 - Urgent NCA Pay Reform measures

3.1 10 years since its formation, the Agency still has a differentiated pay mechanism. Whilst 40% of staff (predominantly in Grades 4 & 5) are on the Spot Rate framework, the majority of NCA staff remain on the Standard pay framework. There is also further disparity within that framework reflecting when officers joined the Agency - and what salary point they may have 'brought across' at the point of transfer to the NCA.

3.2 For the 60% of NCA staff on the standard pay framework, there is no ability to move up the pay scales by way of progression. Whilst Spot Rates are not the pay panacea which the Agency initially promoted, (the 40hr working week has never been supported by the NCOA, NCA Staff or even the pay review body), the progression afforded by Spot Rates has been seen an attractive mechanism for some. The frustration this causes, is clearly articulated by our members who state,

'Almost all pay related issues can be solved with the implementation of pay progression. The NCA has no means to reward and encourage experienced officers to remain in post. This retention issue leaves the agency short of experts and suitable mentors for new talent.'

'We have been hampered by many years of minimal pay increases. I also feel there is little point in a pay scale if you cannot progress.'

3.3 Whilst Spot Rates have been in place since 2018, ongoing recruitment to roles on the Standard Pay Framework, (where most recruits join at the grade minimum) has now caused a ticking 'time-bomb' of discontent amongst NCOA members. The data provided by the Agency clearly shows that the majority of NCA staff on the Standard Pay Framework are at the grade minimum. Should this year's NCA pay award only deal with cost-of-living pressures and there is no pay progression, these staff will yet again remain at a merely *revised* grade minimum.

3.4 The ability for some recruits to salary match their current salary when they join the NCA, causes resentment amongst NCOA members who see less experienced officers join on a higher salary, creating pay 'leap frogging'. The experience of NCOA members is articulated as follows,

'The lack of increases within the pay scales, to account for gained experience and performance is unlike anything I've ever seen. Strong performers with 10years experience receive the same pay as someone in training. Everyone employed is at the bottom of the pay range and remains there. I find this unbelievable (and didn't know this was how it was, when I joined a couple of years ago).'

'Incremental pay scales should be introduced as new entry officers are being paid more than long serving officers.'

3.5 With 35% of NCA staff at grade minimum, a significant number of officers are positioned on pay scales which are well below comparators and an inability to transition up the pay scales either by time served or proven competency in role.

3.6 Of additional concern is that with proportionally more female staff at grade minimum, the Gender Pay Gap (GPG) continues to widen - even though the Agency has brought in some mitigation measures. This includes equitable exceeded payments for those on Alternative Working Arrangements, following earlier GPG challenges raised by the NCOA.

3.7. Whilst the Agency has yet to publish its Ethnicity Pay Gap data, it is expected this will mirror similar inequalities to the GPG, as staff from an Ethnic Minority background are also more likely to be at the pay grade minimum of the standard pay range. Whilst pay progression alone cannot resolve these critical pay gaps, (both groups are statistically more likely to be at the most junior grades - including Grade 6 where this is no spot rate framework, and a low distribution of 'Exceeded' PDS bonus payments); it would start to address the built-in inequalities of the current differentiated pay frameworks.

3.8 Agency data shows that NCA Staff on a Spot Rate are less likely to leave and, in most cases, more easily recruited. Whilst the move to a 40hr working week remains a contentious issue it means that the Agency pay scales are not aligned with policing comparators who have paid meal breaks. It would be foolhardy to completely dispense with Spot Rates in favour of a completely fresh pay mechanism. Instead, a move to a pay progression mechanism developed from the principles of Spot Rates - should be made available to all NCA Staff no matter their grade, role or whether they have powers or not. This remains both the most practical and expedient solution to the current unsatisfactory position.

3.9 As a matter of urgency though, the Agency should address outstanding issues with the current Spot Rate (SR) mechanism which include:

- An extension of SR for Grade 6 roles,
- Opening up the accessibility and ability to securing the 'Expert' spot rate across more SR existing roles beyond the Armed Operations Unit (where this is merely used as a salary compensation payment given that numerous other work areas are confirming individuals as 'experts' within the '9 Box Grid' reporting tool.
- Developing an attractive SR profile for G3's who have been financially

unable to accept a significant and unattractive pay drop to move to Spot Rates - an issue which the Agency was challenged to resolve 3yrs ago. (There are currently only 7 officers at G3 on Spot Rates).

3.10 If the Agency is unable to self-fund a move to a pay progression mechanism for 2034/24 with the assimilation of current NCA Staff onto it at an appropriate position, HM Government clearly need to provide the additional and much needed funding. Without it, the Agency will not keep pace with other public sector bodies and private sector organisations where pay progression is the norm.

3.11 In the first instance, the Agency has to ask for what funding it needs to deliver true, Agency-wide, pay reform - rather than merely what it can afford to do within existing budgets. Sadly, we and our members have little expectation that the Agency will be brave enough to ask for what it needs to deliver pay reform, before a real unstoppable crisis emerges for which there is no quick fix or spin to gloss over it.

3.12 The need to move to a single pay progression mechanism for the whole Agency can no longer be ignored, which is confirmed by our NCOA members,

'A pay reform programme was introduced by the agency approximately 7 years ago. The agency has now indicated that they hope this programme will be completed by 2025, thus almost 10 years after it begun and equivalent of at least a ¼ of someone's professional career. There is no DG or SLT accountability for pay, this should change. This farce of a reform cannot continue in its current meandering state.'

'With no pay progression in the role there isn't anything that stops me leaving the agency and working in the private sector once I have my qualifications there is no financial incentive to stay.'

Recommendation 4 - Introduction of a contractual pay progression mechanism across delegated grades that builds on the current Spot Rate framework - with the assimilation of current NCA Staff onto it

3.13 With the looming closure of the NCA site at Spring Gardens, in both its 7th and 8th submission to the NCARRB for the 2021/22 and 2022/23 pay award years, the NCOA presented its proposal of a Bullseye model for Geographical Allowances in the London and South East. Whilst the HM Treasury 'pay pause' prevented the NCARRB for considering the NCOA proposals for 2021/22, in 2022/23 rather than supporting this logical proposal, the NCARRB (ambiguously in our opinion) endorsed the NCA plan to introduce a new NCA South East Allowance. The logic behind this allowance remains perplexing for

many NCOA members as it is only targeted at the Stevenage and Chelmsford sites, which are locations closer to central London than other already established NCA sites.

3.14 With the level of the South East Allowance set lower than the current NCA London Weighting Allowance, whilst Staff at Chelmsford and Stevenage are now financially better off, an internal market between sites remains. This sees both Chelmsford and Stevenage as financially less attractive sites for new recruits and promotees to roles at those locations.

3.15 The situation is exacerbated given that many NCA officers at Stevenage remain on the 'full' NCA London Weighting Allowance. The NCARRB could now resolve the confusion this hybrid allowance has caused when it recommended increasing the level of the South East Allowance - without actually ever endorsing its introduction, by now supporting the NCOA Bullseye proposal as part of this wider set of recommendations for urgent pay reform.

3.16 The Agency has now announced that with the closure of Spring Gardens headquarters, it will be moving to Stratford and co-locating with the Financial Services Authority. With delays to the 2023/24 pay process, this 9th NCARRB cycle represents the last chance to provide absolute clarity on what the NCA's long-term plans for geographical allowances are, prior to this significant move.

3.17 The Agency have already assessed that some officers will choose to leave rather than move to Stratford. It is therefore disappointing that the Agency chose not to support the NCOA proposal to extend relocation support from 3 to 5 years.

3.18 Whilst the long term NCA estates strategy remains unclear, it seems likely that further site closures remain a possibility and that a 'South East' crime academy remains on its radar. The introduction of the NCA South East Allowance has caused additional confusion.

3.19 It remains the case that the logical and future proof NCOA proposal of a Bullseye model for geographical allowances provides a transparent and fair way for resources to be allocated, whilst addressing some of the geographical recruitment and retention pressures faced by the NCA.

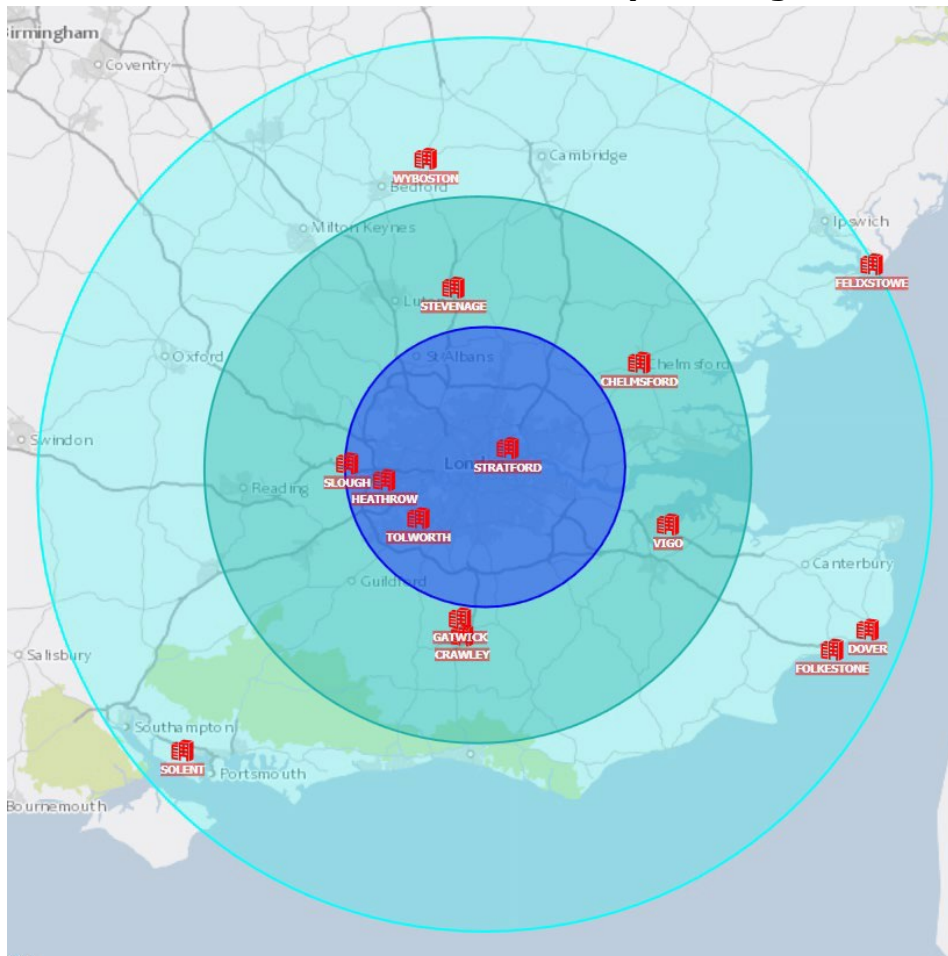
3.20 In 2023, Police Officers who work in Central London received a 7% uplift to their London Weighting Allowance and can now receive £5,338 per annum. The landscape regarding London weighting became more challenging when the Metropolitan Police Service (MPS) recently awarded its officers an additional £1000.

3.21 The current NCA London Weighting award of £3,595 is therefore not

attractive to Police officers considering joining the NCA, especially when officers from the MPS, British Transport Police (BTP) and City of London Police (CoLP) are in receipt of TFL services for free and subsidised travel on other rail services.

3.22 Our proposal would see the inner 'Bullseye' including all sites up to 25miles from Central London. Officers at these sites would receive £5338 consolidated + £1000 non-consolidated pay award to align themselves with the MPS. Those sites in the middle zone (including Stevenage and Chelmsford) would receive a geographical allowance of £3954, calculated as the current NCA allowance plus 10% cost-of-living uplift. The NCOA outer zone which are sites in the South East but more than 50 miles from Central London would receive an allowance of £2000 to bring them in line with the current South East Regional Police allowance.

Chart 2 - NCOA 'Bullseye' zonal model for payment of Geographical Allowances in London and the South East (including Stratford site)



Recommendation 5 - To replace the current NCA London Weighting Allowance and NCA South East Allowance with NCOA Zonal model for payment of Geographical Allowances in London and the South East (to include additional £1000 non-consolidated payment within central zone to mirror MPS)

3.23 The NCOA have consistently made the case for NCA Officers based in Belfast to receive a Northern Ireland geographical allowance in line with the Northern Ireland Transitional Allowance (NITA) received by Officers in the Police Service of Northern Ireland. Currently this allowance is £3,666. In its 2021 report the NCARRB made the following comment regarding Northern Ireland allowances,

'As in previous years, we remain of the view that it is appropriate for the payment of local allowances to be driven by the overall security assessment. Therefore, we note the arrangements currently in place and continue to invite the NCA to keep them under review.'

3.24 In March 2023, after 12 years with little change, the overall security assessment for Northern Ireland was raised from 'Substantial' to 'Severe'. The NCOA propose that as the threshold set by the NCARRB has been breached, all NCA Officers based in Belfast should now receive a geographical allowance equivalent to NITA. This allowance would replace the current Parliamentary Crime Task Force (PCTF) allowance received by a minority of NCA officers.

Recommendation 6 - NCA Officers based in Belfast to receive a geographical allowance aligned to the NITA received by PSNI Officers. Going forward this allowance would track any changes made to NITA

3.25 In our 7th and 8th submissions to the NCARRB, the NCOA proposed a redesign of the Non-Consolidated Pay Budget. Whilst the Agency went on to conduct a review of Recruitment and Retention Allowances (RRA's). We are pleased to report that the review delivered a refined governance process to prevent the repeat of the debacle of 2020 where there was a considerable underspend. The process also sought to provide greater overall transparency around the allocation process for RRA's.

3.26 However, the Agency still has no strategy for a process by which teams can exit from receiving RRA's – which were intended as a specific solution to a short-term recruitment & retention problem. The RRA effectively bought the Agency time to identify a long-term solution, which is why the RRA's were introduced as an annually reviewable and 'temporary measure'.

3.27 At the point of renewal, any team re-assessed as no longer meeting the requirement for an RRA, is now allocated a 'soft landing payment', to help with any hardship suffered as a result of losing this valuable pay element. Whilst these interim payments are a pragmatic solution which mitigates the loss of the allowance, it does not resolve the fundamental issue that the Agency has an increasing number of 'hard to fill roles' which the allocation of an RRA cannot resolve.

3.28 With no process for removing an RRA, no pay progression mechanism to deal with the inequalities in the standard pay mechanism and financial hardship caused by pay delays, it is unsurprising that this year (2023), the Agency received a 30% increase in applications for RRA's. This increase in applications has resulted (at best) in the level of payment remaining stagnant but, in some cases, reducing.

3.29 There is an increasing disconnect between the defined NCA 'hard to fill roles', and the allocation of RRA. Given that this year, a third of the workforce were considered for RRA's, exposes the reality of a pay crisis engulfing the Agency.

3.30 RRA's have clearly drifted from their original purpose and are now paid as a salary compensation mechanism used by pro-active Senior Leaders to compensate those who are not on the SR pay mechanism. The case to review the whole non-consolidated budget is compelling so that when aligned with other pay reform proposals, it can be properly targeted at hard to fill roles.

3.31 Any much-needed redesign of the Non-Consolidated Budget would also deal with an anomalous legacy allowance - Special Duty Payment (SDP). This allowance has in the main remained unchanged since 2006, having been inherited from SOCA and the National Crime Squad before that. Teams such as; Targeted Interception (TI), continue to receive an SDP, although with an increased number of applications (akin to the RRA process), at a reduced level. This has created a challenge for the Agency as TI is a department which relies heavily of the goodwill of officers - alongside on-call, which is not a contractual requirement for most.

3.32 The predicament the Agency now faces was wholly predictable as this use of an SDP was clearly a payment made in lieu of working unsociable hours without working shifts (as defined by the NCA), and as it was renewable annually, was always allocated with some jeopardy for the recipients.

Recommendation 7 - Redesign the Non-Consolidated Pay Budget so that payments are targeted at the NCA's hard to fill roles

3.33 The NCOA have consistently made the case for unsociable hours to be recompensed with a consolidated allowance at a level benchmarked against payments made elsewhere in law enforcement. In its 2021 report, the NCARRB said,

'The NCOA advised us that it had also made the case for officers such as those in the Targeted Interception Team who worked unsociable hours but not shifts, to receive a non-consolidated, unsociable hours allowance. The NCOA

considered that these proposals would have negated the need to use RRA's or Special Duty Bonus Payments in the NCA Control Centre or Targeted Interception Team to deal with recruitment and retention pressures found there.'

In addition, the NCARRB made the following request,

'We would also like to receive the other parties' views on the NCOA's proposal for an unsociable hours allowance.'

3.34 By failing to consider this very logical NCOA proposal, the Agency are now having to take emergency measures to deal with the critical situation in TI and have opted to allocate TI officers with the NCA shift allowance currently set at 20%. It will though be very clear to all, that these officers are not currently working shifts as defined by the Agency's own operating procedures.

3.35 Officers in the Control Centre continue to receive an RRA as well as their 20% shift allowance. As far back as our 6th submission to the NCARRB in 2020, the NCOA made a compelling and affordable case based upon the NCA's own independent commissioned evidence to uplift the shift allowance to 30%. It remains the case that a Shift Allowance uplift to 30% would negate the need to deal with the additional and recurring recruitment and retention pressures in the Control Centre by paying an RRA.

3.36 It is apparent that the positive step taken by the NCA to bring in Hybrid Working for most of its officers has meant that the Agency needs to pay a premium to those officers who are not only unable to spend part of their working week at home but, also those working non-core hours. As this NCOA member reports,

'Staff who work shifts are paid substantially less shift allowance than comparable roles in other government departments and also police forces. Shift allowances needs to be reviewed urgently to be more competitive and reflect the fact that we have to work in the office and cannot work from home, that we work weekends and shifts'.

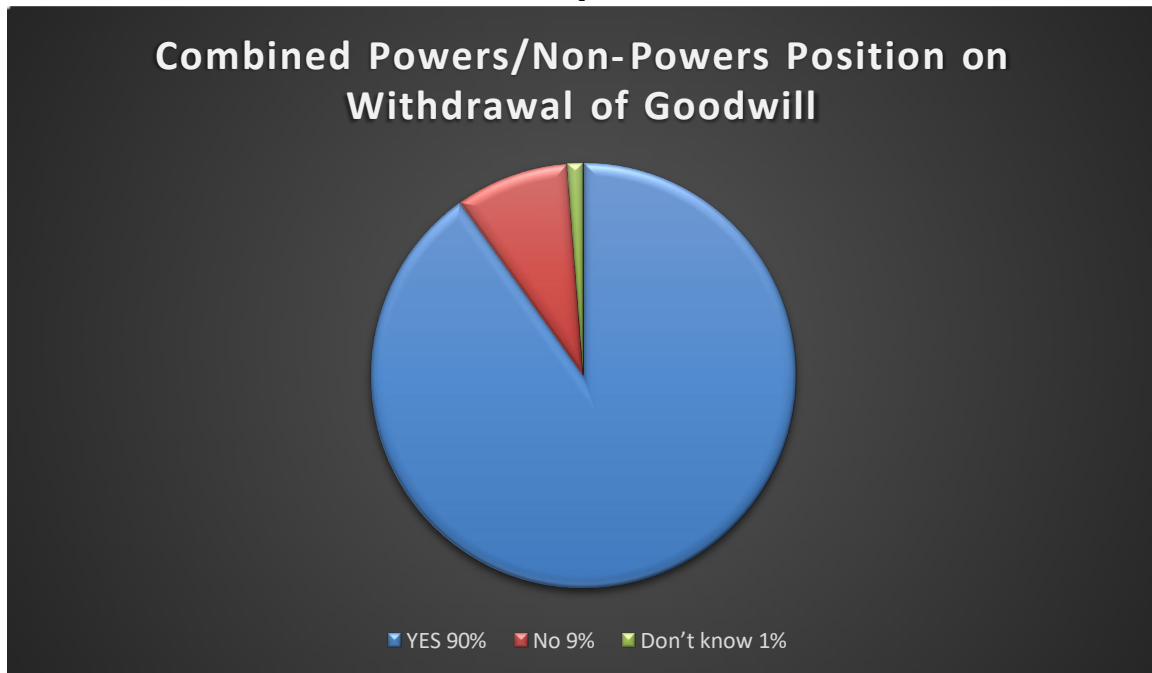
3.37 To remain competitive, the NCA should adopt a 'building block' approach to shift pay, whereby officers receive between 10-30% consolidated payments, dependent on the level of inconvenience. Such systems are already working effectively elsewhere in other law enforcement agencies.

Recommendation 8 - Redesign the NCA Shift pay system and adopt a 'building blocks' approach whereby consolidated payments are made between 10-30% dependent on the level of inconvenience and disruption linked to the role

Section 4 - Withdrawal of Goodwill

4.1 In this 9th submission to the NCARRB, the NCOA provides its evidence against a backdrop of its members having withdrawn goodwill. The Agency, in its own assessment recognises that this action may impact on operational activity. However uncomfortable this may be, the withdrawal of goodwill is taking place following a consultative ballot where over 90% supported it irrespective of whether officers had delegated operational powers.

Chart 3 - Withdrawal of Goodwill by NCOA members



4.2 Whilst a delayed pay award for 2023/24 was always likely as a result of the previous considerable delay to the 2022/23 award, the failure to deliver on a promise to make a £1500 payment to staff, was the catalyst for the strength of feeling amongst NCOA members.

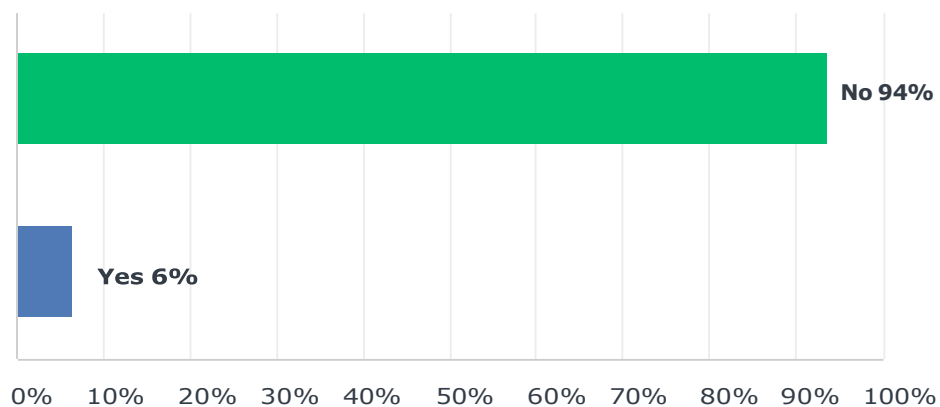
4.3 Many non-powered members and therefore not within the remit of the NCARRB, could not understand the rationale for the delay. This group includes all of the lowest paid in the Agency at Grade 6. The views of this group are captured by this member,

'I cannot understand how the Agency has made such a mess of our pay award yet again, making matters even worse with the debacle concerning the £1500 cost-of-living payment. Non-powered officers are fully entitled to the payment and should be receiving it in their August pay. Why is that not happening? It should be immediately whilst the agency 'fights' for the same to be paid to powered officers.'

4.4 The failure to make the cost-of-living payment has had a negative impact on the financial security of many NCOA members. NCOA hardship payments first introduced as a result of the delayed 2022/23 pay award, were renewed as a result of the delays to the 2023/24 award which could have been mitigated by the Agency honouring the £1500 non-consolidated payments.

4.5 As far as we are aware, the Agency has failed to deliver any hardship measures itself, besides an ability to sell leave or Honoraria type payments only associated with exceptional work. When asked, NCOA members did not consider that the Agency were doing enough.

Chart 4 - Do you consider that the Agency is helping its staff to cope with the current cost-of-living crisis?



4.6 These results were augmented with NCOA member comments such as,

'In response to the delayed /cancelled £1500 payment, the agency has not showed enough remorse for the withdrawal of the payment. There's been no recognition of the fact that for some people that £1500 was a new boiler, or much needed car repair that will have already been spent based on the promise by the DG and Simon Case. Why hasn't the agency recognised this?'

'Offering £1500 then taking it away has caused my colleagues unnecessary financial hardship. Some booked holidays, some committed the money for maintaining properties only to find they wouldn't get it. Extremely poor from the leadership.'

'It is absolutely appalling that a £1500 cost-of-living crisis payment was dangled in front of NCA officers noses and then has been effectively disregarded. It is even more appalling that the August 2023 pay award is now also being delayed. Officers are struggling to pay for food, bills and even to just keep their homes.'

'Other civil servants were awarded £1500 to help. This would have helped us if given asap. Now that has been delayed along with our pay and I am finding

it a daily struggle living in a single household with the cost-of-living rising beyond my means.'

4.7 The delay to the 2023/24 pay award and explanations from the Agency regarding the impact of different systems for powered and non-powered officers belies the reality that this is now the 9th pay review process. The only constant in the employer's approach has been their increasing inability to deliver its submissions on time.

4.8 The impact of the two systems has long been known to all parties, who, besides the tardiness of the employer to engage with the NCARRB on time, have all met reasonable and predictable timescales to deliver a timely pay award. Had the Agency and Home Office worked to deliver a solution during the years of pay restraint, the delays to the 2022/23 and the knock-on impact on the 2023/24 pay award could have been prevented.

4.9 The withdrawal of goodwill by NCOA members reflects the feeling of many that their goodwill has not been reciprocated by their employer. The other results from our recent indicative ballot are as follows:

Chart 5 - Do you consider that the legal restrictions which prevent officers with delegated powers from taking industrial action, restricts the ability to secure meaningful pay awards?

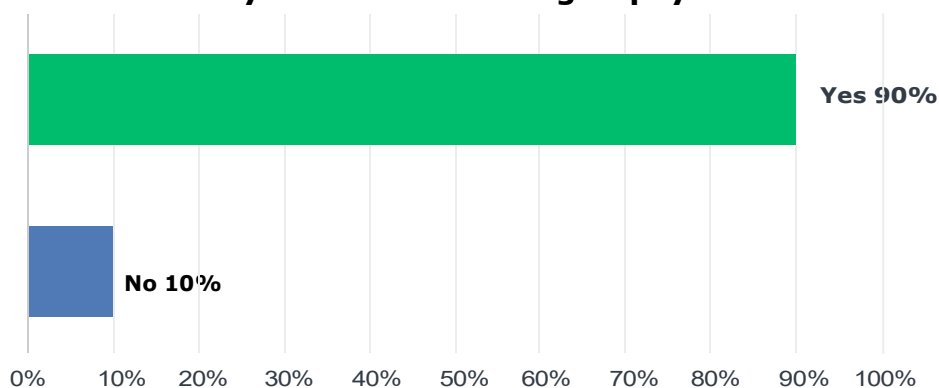


Chart 6 - Do you believe, in light of the legal restrictions limiting Industrial Action, that NCA officers should receive additional financial compensation through their pay?

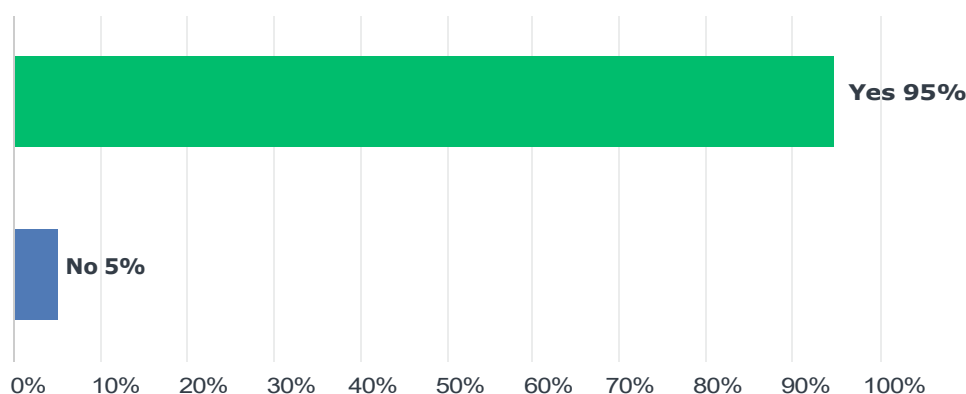
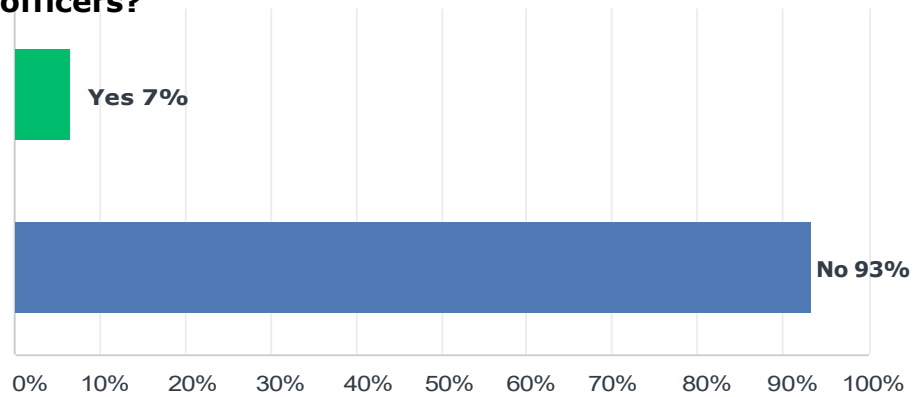


Chart 7 - Do you consider that the Agency is doing everything it should, in order to secure a meaningful pay award for its officers?



4.10 Further member comments clearly articulate the strength of feeling re what have now become perpetual pay delays which only affect NCA staff,

'Knowing that there are timelines of which pay reviews should be submitted and continued lack of proactive action by both the NCA and Home Office to meet them is extremely disappointing. Everyone can see that delays are going to happen and that the agency stance is to just accept them without due consideration to their employees pay packet is very short coming.'

'I feel the NCA is not committed to fighting to ensure all its officers receive rightful pay increases and cost-of-living payments. All other civil service departments receive pay awards on time and hit their deadlines. Officers feel undervalued'

'I have zero faith in the senior management to run this organisation effectively. Pay is a fundamental element to motivation of staff, and they just cannot get it right and do not learn from previous failures.'

Section 5 - NCOA Pay Proposals 2023/24

5.1 This NCOA submission to the NCARRB is made having been provided with an embargoed copy of the NCA draft submission on the 29th August 2023. Throughout this submission, reference is made to data which mirrors data included within the Agency's own report to the NCARRB.

5.2 The NCOA has long been seeking a review of the processes by which NCA officers' pay is decided. It is abundantly clear to all parties that the majority of NCA officers are currently, and likely to remain non-powered. It is also abundantly clear there is no binary distinction between powered officers and non-powered officers being aligned to policing comparators - the situation is far more complex. For this reason, if the independent NCARRB is the most appropriate process by which NCA pay (Grades 6-1) is decided, then it must be for all officers.

5.3 Whilst the individuals involved may have changed, the collective corporate knowledge held by contributors to this pay process in the last decade, acknowledges that in the practical application of NCA pay - there is actually a single 'pay envelope'. This has been created by a self-funding principle which the NCA appears wedded to.

5.4 The initial withdrawal of goodwill by NCOA members came from a clear frustration that they were victims of academic arguments amongst HM Government officials from differing departments, which delayed the 2022/23 pay award. This cannot be repeated in 2023, especially as the NCARRB will recognise the Agency and the NCOA as its largest Trade Union, are this year seeking broadly similar outcomes.

5.5 The Agency describes *'the biggest risk to the NCA and its mission is our ability to attract, retain and develop our highly skilled workforce'*. Yet it is a stuttering and partial pay reform which has left the majority of NCA officers without any pay progression. In turn, this is undermining the good work of the Agency and its desire to develop career pathways.

5.6 Whilst making cost-of-living awards might help address the immediate financial pressures on officers in the short term, it will not help increase the size of the Agency towards its aspirational headcount of 6000 officers. In its own submission, the Agency reports that as of the 31st August 2022 it had 5400 permanent officers; our data shows there were 5434 on the 1st January 2022 and 5413 on the 1st January 2023. This is after a period of sustained and aggressive recruitment.

5.7 Role critical vacancies in the Agency are being filled by contractors who cost an additional £20,000, over and above the costs associated with a

permanent NCA employee. The current Agency model of continual recruitment campaigns at an estimated cost of £3000 per campaign and £300 per post, is barely covering an attrition rate above that in policing, and rising to 30% for some hard to fill roles. This is no longer sustainable.

5.8 If the Agency needs to seek additional funding from HM Government to implement pay progression in line with our Recommendation 4 – it should do so.

5.9 It is no surprise that the failure of the Agency to deliver the £1500 non-consolidated cost of living payments as an interim measure whilst the delayed 2023/24 pay process was dealt with, resulted in the withdrawal of goodwill by NCOA members. The NCA and Home Office should now ensure that their NCARRB submissions are made in line with the revised timetable so that NCA officers receive a pay award in 2023.

NCOA Pay & Allowance Proposals 2023-2024

| | |
|---|--|
| 1 | A minimum 10% consolidated pay uplift for all NCA staff in Grades 1-6 |
| 2 | In addition to a cost-of-living pay award, all NCA Staff in Grades 1-6 receive a £1500 non-consolidated payment |
| 3 | NCA On-call Allowance to increase to £35 per 12hr period and be available to all Grades 1-6 |
| 4 | Introduction of a contractual pay progression mechanism across delegated grades that builds on the current Spot Rate framework - with the assimilation of current NCA Staff onto it |
| 5 | Replace the current NCA London Weighting Allowance and NCA South East Allowance with the NCOA Zonal model for payment of Geographical Allowances in London and the South East (to include additional £1000 non-consolidated payment within central zone to mirror MPS) |
| 6 | NCA Officers based in Belfast to receive a geographical allowance aligned to (and thereafter, 'tracking') the NITA received by PSNI Officers |
| 7 | Redesign the Non-Consolidated Pay Budget so that payments are targeted at the NCA's hard to fill roles |
| 8 | Redesign the NCA Shift pay system and adopt a building blocks approach whereby consolidated payments are made between 10-30% dependent on the level of inconvenience and disruption linked to the role |

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