

Meeting	SPA Resources Committee
Date	9 February 2021
Location	Video Conference
Title of Paper	Modified Duties Short Life Working Group Update
Presented By	Peter Blair, Head of Strategic Workforce Planning
Recommendation to Members	For Discussion
Appendix Attached	No

PURPOSE

This paper aims to provide an update on the improvements in managing officers on modified duties to improve deployment options and also to signpost work under the Strategic Workforce Plan that will be undertaken in this area.

Members are invited to discuss the content of this paper.

1. BACKGROUND

- 1.1 At this time of increased operational and budgetary pressure, it is vital that the Force proactively focuses on increasing capacity and strengthening operational resilience. This involves challenging any practice or procedure that impacts on our ability to deliver a sustainable operating model.
- 1.2 The process currently in place within Police Scotland relating to the management of modified duties has now been reviewed to ensure best value is achieved and that obligations to our officers and staff are fulfilled.
- 1.3 To that end, a Modified Duties project team have introduced some modifications to the current processes to address identified shortcomings and generate additional benefits.
- 1.4 The recently published Strategic Workforce Plan also identifies modified duties as an area that needs review and as such recommends that a workstream is developed which considers the wider strategic implications of modified duties on the workforce. The work of the Modified Duties project team to date will be subsumed into this.

2. FURTHER DETAIL ON THE REPORT TOPIC

- 2.1 Modified Duties
- 2.2 The provision of modified duties enables officers who have a disability, or who are recovering from an illness or injury, to remain at work, or to facilitate a return to work rather than continuing with a period of sickness absence.
- 2.3 These tend to fall into 4 categories: Short term rehabilitation (less than 12 weeks), long term rehabilitation (more than 12 weeks), permanent restrictions (unable to carry out the full functions of a constable) and ill health retained (considered for ill health retirement but retained in service).
- 2.4 Regardless of which of the 4 categories an individual falls into, each requires either a change in the way a role is carried out or a move of the individual to a different role that can accommodate the required modifications. This requires to be done in such a way as to support the health and wellbeing of the individual, while limiting the impact on service delivery and maintaining the values of Police Scotland.

- 2.5 It is important for the Force to understand from an operational resilience perspective, how any officers on modified duties can still be deployed for major events or emergencies, with their modification requirements taken into consideration.
- 2.6 The work undertaken by the project team to date has sought to address these issues. The project recommended a central review of individual cases after modifications have been in place for 20 weeks, with a view to understanding the ongoing need for modified duties, the modifications required, and to assess the most suitable role for that individual that meets both their needs and those of the Force. It has also introduced additional functionality to SCoPE that allows for Resource Deployment Units to review the deployability options of any individual on modified duties, allowing deployment at events or emergencies wherever possible.
- 2.7 As a result of findings from the Strategic Workforce plan, further work is now due to commence under the Modified Duties Workstream referred to in the plan. This will consider the following implications of modified duties on Police Scotland:
- The accuracy of the current data, including undertaking data cleanse activities where necessary
 - The levels of modified duties that can be tolerated before core business is unreasonably impacted
 - The impact of middle office review and skill mix review on those roles regularly carried out by officers with modified duties
 - The levels of Occupational Health provision required to address the support needs of officers on modified duties
 - The robustness of processes and procedures to efficiently manage and support officers on modified duties
 - Ill Health Retirement policy and the triggers that indicate continuing modifications are unsustainable or unreasonable
 - The affordability of any change in Ill Health retirement policy should there be a wish to reduce the number of officers with a permanent restriction.
- 2.8 A taskforce is currently being established to take this work forward and this will be monitored through the Strategic Workforce Plan quarterly updates as outlined in the plan.
- 2.9 The introduction of the work already undertaken by the Modified Duties Project Team is unlikely to reduce the number of officers who

are on Modified Duties. However, the revised process will allow Police Scotland to better maximise operational capacity ensuring a better match between skills, capabilities and resource requirement.

3. FINANCIAL IMPLICATIONS

- 3.1 There is a potential for an increase to the number of ill health retirements, and the subsequent costs associated with this.

4. PERSONNEL IMPLICATIONS

- 4.1 Likely impact on our ability to achieve a sustainable operating model if these actions are not progressed.

5. LEGAL IMPLICATIONS

- 5.1 It is considered that continuing with the current approach will impact on our ability to meet our employer obligations under the terms of the Equality Act 2010, and may result in litigation against Police Scotland.

6. REPUTATIONAL IMPLICATIONS

- 6.1 Failure to review officers on modified duties and deploy them in roles that do not take account of their skill set and development opportunities or maximise operational officer deployment could have implications for the reputation of the organisation

7. SOCIAL IMPLICATIONS

- 7.1 Providing a centralised governance structure to consider the deployment of officers on modified duties will provide an improvement in identifying roles that take cognisance of officers' capabilities and wellbeing, enhance their working life and continue to provide operational resilience

8. COMMUNITY IMPACT

- 8.1 By aligning officers on modified duties to roles which align with their capabilities and skillset, there is the opportunity to improve service delivery to local communities.

9. EQUALITIES IMPLICATIONS

- 9.1 As some officers on modified duties may be considered under the Equality Act 2010, the centralised governance of officers on modified duties supports consideration of the organisational duties under the Equality Act 2010 where adjustments can be considered, as appropriate, at an organisational level.

10. ENVIRONMENT IMPLICATIONS

10.1 There are no environmental implications associated with this paper.

RECOMMENDATIONS

Members are invited to discuss the content of this report.