

# Chief Constables' Council

## Title: Job-Related Fitness Test - Research Results

19 July 2023 / Agenda Item: Regional

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### 1. INTRODUCTION/PURPOSE

1.1. This paper provides an update by the NPCC Workforce Coordination Committee (WCC) on the recent work to re-assess the Job-Related Fitness Test (JRFT) and seeks the decision from Chief Constables' Council (CCC) to progress with the preferred options outlined within this document.

This paper will provide an update on:

- The results of the work that has been carried out to date
- The consultation on the outcome of this work
- The impact of the results on the current JRFT standard
- The preferred options and rationale.

### 2. BACKGROUND

2.1. The current JRFT standard for existing officers and new recruits is 5:4 on the 15m Multi Shuttle Fitness Test (MSFT) and this standard has been in place for new recruits since 2004. It is the current mechanism for the in-service annual fitness tests which were implemented following endorsement of the Winsor Recommendations (2012).

2.2. It has previously been agreed by CCC that the JRFT would be directly linked to and be a pre-requisite pass to the aerobic demands of Personal Safety Training (PST) as established by research conducted in 2004 (Brewer et al.).



- 2.3. Following the NPCC/College of Policing and Police Federation of England and Wales Officer and Staff Safety Review (OSSR) in 2020, work was commissioned to develop a new Public and Personal Safety Training (PPST) curriculum to replace PST. This new curriculum went live in April 2023 and means that there is now a national standard and consistency of training for all police officers and staff in PPST.
- 2.4. Based on the new PPST national standard and that it is currently a direct link to the JRFT, it was necessary to establish the aerobic demand of the new PPST. Prior to commencing work to establish the aerobic demand of the new PPST curriculum a mandate was sought from Chiefs' Council in July 2021. This established that:
- The JRFT would be annual (in service)
  - The JRFT would be linked to PPST
  - Failure to complete the JRFT could result in the use of UPP Regulations but Chiefs expressed a desire for this to be the last resort following appropriate support.
  - The JRFT should be economic and easy to administer
- 2.5. There was also a strong desire from Chief's council that any work to establish the JRFT standard must also consider the current equalities issues particularly in relation to gender, age and disability.
- 2.6. Via a procurement process to commence this research, Prof Brewer was appointed to complete the required process. Repeating the methodology previously used to establish the Police Fitness standards in 2004, a total of 125 sets of viable data were obtained from Police officers (22 female, 92 male) undertaking both the 15m MSFT and the new PPST curriculum piloted in Avon and Somerset Police. Monitoring took place during 7 two-day PPST courses. Peak heart rate and sustained heart rate for 2- and 4-minute periods were compared between the MSFT and the PPST. The final report was subsequently peer reviewed by the SME of the working group, the College of Policing, and an independent sports science academic.
- 2.7. The results of this have identified that:
- To align the minimum standard to the aerobic demands of the new PPST, the JRFT standard would need to reduce by 11% if based on peak heart rate,
  - Or by 15% if based on the median value of the two sustained heart rate periods.
  - An 11% reduction will result in a minimum standard that is 2 shuttles on level 4 of the 15M MSFT (4:2). A 15% reduction will result in a minimum standard that is the completion of all shuttles on level 3 of the 15m MSFT (3:8).
  - The advice given is that we should use the median value – so a 15% reduction and that would mean the new standard is completion of all shuttles at level 3.
- 2.8. The new PPST curriculum has an 'interventionist' style of Scenario Based Training (SBT), focusing on decision making, de-escalation and communication rather than the previous style of tactics delivery. Scenarios are often stopped to allow for coaching and correction to be undertaken by the training officers. This results in lower workload intensities, particularly over the sustained 2- and 4-minute periods.
- 2.9. There is concern within the WCC about the results of the JRFT research and the possible potential reduction. The question to therefore now be posed is whether PPST is now not the appropriate benchmark for the JRFT.

Concerns raised included the impact on external perception of the new standard by the public.

### **3. PROPOSALS**

- 3.1. In light of the above, informed by wider consultation within the NPCC Fitness Testing Working Group and with staff associations, the WCC recommend the following.

- 3.1.1 **Retain the current fitness standard (5:4 15m MSFT, CTPWT equivalent) for recruitment** - It is felt we could justify a higher fitness standard required for new recruits given the additional demands of the PPST for new recruits – more than 2 days and far more intensive. Observations of the PPST is that it reflects technical ability and the research conducted to assess the aerobic demand was based on serving officers with an underlying level of training which new recruits will not have. It is unclear as to the impact of changing the fitness standard will have on the safety of new recruits, or how any impact may subsequently be mitigated. As such, until a greater understanding of the impact of the change to the in-service test is understood, it is desirable to minimise the risk to these officers.
- 3.1.2 **Apply the aerobic demand of the PPST as the new JRFT standard for in service testing when force move onto the PPST curriculum – This means that the new JRFT for forces would be all shuttles at Level 3 – 3:7 (this would take approximately 2 minutes 28 seconds to complete as opposed to 3 minutes 35 seconds for the current test).** The test would be likely to be legal in terms of access to employment. Though as a pass/fail test a small discriminatory element is likely to remain in the population of those who continue to fail the test. Assuming that the established test mechanism is retained the discriminatory element of the test will still exist though be reduced in magnitude. Similarly, associated anxiety relating to the test is likely to be reduced. The JRFT would remain an element of the H&S risk assessment for PPST. It is recognised that, with regard to forces’ duty under equality legislation, – any adverse impact on people from a protected group needs to be quantified and if necessary, justified as being a proportionate means of achieving a legitimate aim and the means chosen for achieving the aim must be appropriate and necessary. As such the fitness test needs to reflect the physical requirements of the role, for which PST (now PPST) is currently identified as the physical benchmark.
- 3.1.3 We have been asked to comment upon the risks associated with maintaining the existing 5:4 standard if recommendation 3.1.3 (below) is agreed, as an interim measure. Whilst this is a matter for Chiefs, our current legal advice indicates that this could be problematic due to the recognised discriminatory impact of the JRFT. As the current work by Brewer indicates that this level should be 3:7, keeping the standard at 5:4 for existing officers would probably not pass the test of being a ‘proportionate means of achieving a legitimate aim’. Any sanctions were to be implemented regarding a fail at 5:4 such as a ‘fail’ or UPP would be vulnerable to successful challenge. Chiefs may have an expectation and aim of officers achieving 5:4 but that achievement of 3:7 is considered a pass and entry for PPST.
- 3.1.4 **Find new job-related component for JRFT benchmark** - Given the relatively low proposed new standard – mainly in relation to the fact that the revised PPST curriculum is a lot more interventionalist and stop/ start, it can be concluded that the PPST is no longer a valid anchor for the JRFT standard and we should undertake further work to ascertain a more direct job-related element. This could include considering Response work as a specialism and requiring a distinct JRFT standard. This option would require necessary resources both monetary and people resources to progress.
- 3.1.5 Establishing the JRFT against the aerobic demand of PPST for longer than an interim period is also undesirable for the following reasons:
- It is debatable that testing to such a level justifies the abstraction and administration.
  - It is currently unclear what impact would have on the broader fitness of the service.
  - This will expose the absence of any researched position for what is required for the deployment of officers carrying tasers (5:4 is the current requirement).
  - Potential (unknown) impact of available resources who could adequately meet the higher fitness standards of specialist roles.
  - There is likely to be adverse comment on the new standard both internally and externally, albeit this is likely to be short-term.
- 3.1.5 In short the recommendations are as follows:-
- Keep the JRFT standard for new recruits at 5:4

- As forces move to the new PPST curriculum and as an interim measure accept the JRFT standard at 3:7
- Support work to look further at what an appropriate fitness test standard should be for policing, accepting that the PPST is now not the appropriate benchmark.

### **3.2. APPROVAL OF THE COORDINATION COMMITTEE**

3.2.1. This paper is submitted under the governance of the NPCC Workforce Coordination Committee. The NPCC lead for the Fitness, ACO Adrian Rutherford is available if any forces / regions have any questions or queries regarding these recommendations during the regional paper review process.

### **3.3. STATEMENT/DETAILS OF COST OR RESOURCE IMPLICATIONS**

3.3.1. Movement to the revised JRFT standard for PPST will not require any additional resources for forces as the established testing regime will be maintained.

3.3.2. Identification of a new job-related component and development of the new physical demand associated with it would require resourcing and would be progressed by the College of Policing Specialist operations Policing Standards Manager, Superintendent Gaynor Wardle and the College of Policing Policy Advisor for JRFT, Matt Johnston. It would be led by and be under the governance of the NPCC Fitness Test Working Group chaired by Adrian Rutherford. The resourcing would require funding from NPCC to complete this work.

3.3.3. Were it necessary or desirable to move away from the use of the established testing mechanisms additional funding would be required, though it is not possible at this stage to place a reasonable figure as to what this would be.

## **4. CONCLUSION**

4.1. The current standard of the JRFT is benchmarked against the demands of PST and this association is severed once forces move to PPST. This has implications of the justification and rationale for the JRFT in its current form, specifically, but not exclusively, in terms of equality. A decision is required to separate the link between JRFT and PPST.

4.2. Decision to progress the preferred option of option 3.1.3. and commence new work to find a new job-related component for JRFT. Revise the current job-related element of JRFT to inform a new appropriate job-related fitness test.

4.3. Despite this the WCC believe that there is a strong justification for retaining the use of the current fitness standard at recruitment in the interim.

## **5. DECISIONS REQUIRED**

5.1. Councils' support of the above recommendation.

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