Summary of the Public thematic report
March 2013

National Police and Gendarmerie: remuneration costs and working time issues

Disclaimer:
This summary is intended to facilitate the understanding and use of the Cour des comptes report; only the original report is legally binding on the Cour des comptes. The responses of organisations and administrations concerned are appended to the report.
## Table of Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>5</td>
</tr>
<tr>
<td>1 Remuneration costs</td>
<td>7</td>
</tr>
<tr>
<td>2 The organisation of working time</td>
<td>13</td>
</tr>
<tr>
<td>3 Remuneration parity: an irrelevant objective</td>
<td>19</td>
</tr>
<tr>
<td>Conclusion</td>
<td>23</td>
</tr>
<tr>
<td>Recommendations</td>
<td>25</td>
</tr>
</tbody>
</table>
Effective control of remuneration costs for state employees is indispensable in the battle to redress the national budget. Achieving the objective of stabilising total net government spending (excluding interest charges and employer contributions to the state employee pension plan) will require strict control over changes in the wage bill, which represents almost one third of that total.

The National Police and Gendarmerie account for a significant number of state employees (240,000). Their remuneration (€ 14.5 billion in 2011) represents approximately 12% of total employee remuneration (base salary and allowances), excluding social contributions and benefits, for state employees. However, from 2006 to 2011, despite the elimination of over seven thousand jobs in the two police forces, these expenses increased by 10.5% for the National Police and 5.1% for the National Gendarmerie, as compared to the 4.2% overall average for state employees.

The Cour analysed the principal factors behind changes in that wage bill in order to identify cost control methods that are more compatible with the aim of reducing public spending.

The Cour then studied the systems used to organise working time – the basis for these remunerations – and particularly the system used by the National Police, based on granting days off in consideration for arduous hours and extra services.

Finally, the Cour assessed the progress towards the objective of remuneration parity for National Police and Gendarmes, pursued since the National Gendarmerie was operationally attached to the Ministry of the Interior in 2009.
Despite a reduction of over 7,000 police personnel (3%) from 2006 to 2011, these expenditures have increased quite rapidly, especially in the National Police, as a result of multi-year reforms that have profoundly changed the hierarchical pyramid and increased the average cost of posts through many category-specific measures.

**The overall decline in headcount**

During the period under review, nearly 3,000 jobs (1.9%) were eliminated in the National Police (leaving 145,000 at year-end 2011) and more than 4,000 (4%) in the Gendarmerie (leaving 96,100 at year-end 2011). In both police forces, the rule of non-replacement for one out of two retirees was observed, on average, between year-end 2008 and year-end 2011. However, job losses in the National Police due to non-replacement were partially offset by additional recruitment of *adjoints de sécurité* (ADS, police community support officers) as contract staff. A comparable scenario was not observed in the Gendarmerie, with its equivalent contract staff, the *gendarmes adjoints volontaires* (GAV).

**The transformation of staff distribution**

**In the National Police: the “corps and careers” reform**

From 2004 to 2012, the so-called “corps et carrières” reform (“corps and careers”) engendered a transformation of staff distribution amongst the different police corps and grades by reducing the number of policemen, proportionally increasing middle management provided by officer ranks (*brigadiers, brigadiers-chefs* and *majors*) and greatly reducing senior management (*officiers* and *commissaires*). The proportion of policemen has thereby been reduced to 57% of the total of policemen and officers (101,300 at year-end 2011) as compared to 80% previously. Conversely, the number of *brigadiers* (~corporals) has multiplied by 2.4 since 2004, while the
number of brigadiers-chefs (~sergeants) increased by 85%. The “corps et carrières” reform also resulted, between 2005 and 2011, in a 7% reduction in the number of commissaires de police (~superintendents, 1,740 at year-end 2011) and a 25% reduction in the number of officiers (senior officers, 10,300 at year-end 2011), primarily lieutenants (~64%).

In contrast, between 2005 and 2011, the administrative staff grew by 4%, while technical staff grew by 19%, allowing, at least in part, the replacement of policemen who had been assigned administrative tasks. Scientific staff has expanded by 73%, driven by substantial recruitment and limited retirements.

**In the Gendarmerie: The PAGRE**

In the National Gendarmerie as well, the 2006-2011 period was marked by a major transformation of its job structure as a result of the plan d’adaptation des grades aux responsabilités exercées (PAGRE, plan for adaptation of rank and job responsibilities), initiated in 2005 by the Ministry of Defence for all of its military personnel. The plan’s objective was to strengthen senior management. Within the pyramidal hierarchy of the corps, the transformation has been the opposite of that of the National Police: it has been characterised by a decrease of 8% in the proportion of sub-officers (72,200 at year-end 2011), an increase of 31% for officers (6,600 at year-end 2011) and even greater growth for administrative staff, technical staff and ouvriers d’état (national government employees with a special status), whose part of the total workforce increased from 1.9% to 3.3%, while the GAV remained unchanged at 15% of the total.

**The partial convergence of job structures**

In the wake of these two simultaneous reforms, the job structures of the two police forces have become more alike. The proportion of sub-officers in the Gendarmerie (75%) is now comparable to that of policemen and officers in the National Police (70%).

In other areas, significant differences remain. The GAV are proportionally more numerous (15%) than the ADS (8.5%). Conversely, despite a drive that took place near the end of the project, the share of administrative and technical employees and ouvriers d’état remains significantly lower in the Gendarmerie (3.3%) than in the
National Police (12%).

Finally, despite a major convergence effort, the relative proportion of senior management remains significantly lower in the Gendarmerie (with 6.9% officers) than in the National Police (8.1% officers and commissaires).

The costly accumulation of category-specific measures

Within the framework of these reforms, policemen and gendarmes, regardless of what force they belong to, benefitted from numerous category-specific measures intended to enhance their career development, improve their wage scales and increase some of their bonus pay.

In the Gendarmerie, increasing the proportion of officers was bound to have an impact on the average cost of a job position. Similarly, in the National Police, the swelling of the middle management ranks (officers), at the expense, over several years, of a significant operation of internal promotions for policemen, brigadiers and brigadiers-chefs, has given rise to spending increases that largely eclipse the savings due to reductions in senior management.

Since 2004, the “corps et carrières” reform has generated higher expenditures, for which the annual cumulative impact was estimated, in 2011, at about €460 million, or 8.2% of the wage bill, not counting CAS Pensions (special pension account) contributions. In the Gendarmerie, in view of the goal of parity with the National Police, category-specific measures that were initially part of the implementation of PAGRE, starting in 2005, were augmented beginning in 2009. This included the upgrading of certain allowances. The measures’ annual cumulative impact during 2008-2011 reached €166.5 million. This figure was less in absolute terms than that for the National Police over the same period (€284 million), but equivalent relative to the headcount of the two forces.

As the implementation of the “corps et carrières” reform in the National Police and PAGRE in the Gendarmerie came to an end in 2012, the Cour recommends that the Ministry of the Interior should carry out an overall assessment of its success in meeting the objective of better matching ranks with responsibilities and skill levels with
Remuneration expenses

the nature of assignments.

A growing wage bill, despite job cuts

The uninterrupted succession of category-specific measures has acted to significantly destabilise the action of factors that normally combine to drive changes in the wage bill. The additional annual cost induced by these measures during 2008-2011 was significantly higher than the savings from downsizing, evaluated at €131 million for the National Police and €148 million for the Gendarmerie in 2011, in proportions that respectively amounted to 217% and 113%.

This budgetary impact is in addition to other factors that increase the wage bill, in particular, “glissement-vieillesse-technicité” measures (GVT, career development and promotion based on seniority and skills) that have been a strong focus.

As a result, during 2006-2011, employee remuneration expenditures, excluding social contributions (the latter including employer contributions to the CAS Pensions account) increased by 10.5% for the National Police and 5.1% for the Gendarmerie. The difference is explained by allowances, which increased by 17.7% for the National Police.

For the future, given the announced end to job cuts, a temporary wage freeze appears necessary, especially via strict limitations on new category-specific measures and more rigorous management of advancement and promotion measures (GVT).

This freeze is not mentioned in the 2013 Finance Act. While the budgetary impact of the “schéma d’emploi” (employment action plan) is estimated to be nearly non-existent for the National Police (€3.1 million) and for the Gendarmerie (+€0.2 million), the impact of category-specific measures remains positive, respectively estimated at €29.3 million and €31.5 million (compared with €62 million and €49 million in 2011). In fact, this is mainly a repercussion of the implementation of previous decisions, such as the so-called “réforme de la catégorie B” (Category B personnel reform), whose impact during 2012-2015 is estimated at €90 million for the National Police and €53 million for the Gendarmerie, excluding contributions to the CAS Pensions account.
The faulty management of expenses

In the National Police: a tendency to exceed their appropriations

To ensure that payrolls would be met, the Ministry of the Interior had to obtain the release of the precautionary reserve in 2008, 2009, 2010 and even in 2012, despite the increase in core funding of €150 million made in the 2011 loi de finances initiale (LFI, initial finance act) after the more modest (37 M€) boost in 2008. On several occasions, at year-end, National Police funding had to be increased in the French general budget (including via the Gendarmerie’s funding) to ensure the remuneration of its personnel: €20.9 million in 2009, €115 million in 2010 and €34.9 million in 2012.

This was, in large part, the result of the decision to not completely implement the lower job ceiling voted by Parliament. While that ceiling was reduced by 4,461 jobs between 2007 and 2011, the actual headcount declined by only 3,413. Management of remuneration expenses has also been hampered by unreliable forecasts concerning retirements and resignations of ADS. Unexpected variations in staff departures during the year have not been sufficiently taken into account via adjustments in recruitment. This inadequate management was combined with insufficient accuracy of forecasts for increases in the average cost of job positions, as influenced by multiple category-specific measures implemented during the period.

In the Gendarmerie: an upsurge in unfilled positions

Unlike the National Police, the Gendarmerie reduced its headcount by 4,464 between year-end 2006 and year-end 2011, exceeding the job ceiling reduction of 3,493 passed by Parliament in the LFI (LFI, initial finance act). Management of crédits de personnel (personnel allocations) has been facilitated, even if they represent an insignificant surplus, with the exception of a balance of 0.8% in 2010.

According to the National Gendarmerie, this decline in staff exceeding the mandates of successive LFI, as a result of management rules
Remuneration expenses

set down by the Ministry of Finance, gave rise, within its local units, to unfilled positions (which they call “trous à l’emploi”); while they reduce remuneration expenses, they do not affect other spending. In fact, the operating costs for police units, particularly concerning buildings and vehicles, are not affected by marginally lower headcounts.

In the current context of public finances, it has become necessary to restore consistency between the jobs ceiling and the actual headcount by lowering the jobs ceiling and by adapting the organisation of local units accordingly. This clarification would put an end to the artificial scenario that has prevailed for several years.

The imperative to improve forecasting and monitoring capabilities

To reduce uncertainties, particularly concerning the National Police, the reliability of methods for analysis, forecasting and monitoring must be improved (building on the progress made since 2010), especially regarding retirement and other personnel departures, personnel arrivals other than via recruitment, the average cost of jobs by category, the budgetary impact of GVT and category-specific measures. In this regard, the Cour recommends, at the level of zones de défense et de sécurité (a method of dividing the French territory into regions for national security and defence purposes), to more closely associate the secrétariats généraux pour l’administration de la police (SGAP, general secretariats for police administration) with the task of analysing and monitoring trends in remuneration expenses.
Two fundamentally different systems

In the National Police: a particularly complex set of rules

Theoretical annual working hours that vary according to working time arrangements

There is no uniform work period common to all National Police staff; different schemes are applied based on the employee’s department and responsibilities: the weekly schedule based on a calendar week (five working days of 7 hours 53 minutes, Monday to Friday) or cyclic schedules with several variations such as “4/2”, consisting of four shifts of 8 hours 10 minutes (day or night) followed by two days off.

In consideration of the time constraints inherent to cyclic schedules, staff members are granted a “crédit férié annuel” (annual holiday credit) and “repos de pénibilité spécifique” (RPS, special hardship leave). In addition, the number of days off granted in accordance with “aménagement et de la réduction du temps de travail” (ARTT, a system for reducing working hours by providing days off) depends on the branch of service, working time arrangements and the number of days off funded by the administration.

The theoretical annual total of working hours for a weekly schedule (1,655 hours 30 minutes) is greater than the annual maximum set down for national civil servants (1,607 hours). However, the figure is lower for policemen working cyclic schedules (eg 1,536 hours 38 minutes for a daytime 4/2 schedule; 1,416 hours 38 minutes for a night-time 4/2 schedule).

Costly compensation of overtime in the form of time off

Actual figures for working hours differ significantly from the theoretical annual figures. On the one hand, they are augmented by supplementary activi-
ties (ensuring continuous service, returning to work for urgent matters, overtime, returning to work when on call) performed by staff to ensure 24-hour operation of numerous services, in particular concerning public safety, and to deal with unexpected peaks in activity.

On the other hand, the logic behind the organisation of working time for the National Police is to significantly underestimate its duration in order to compensate for the arduous nature of their schedules. The duration of compensatory leave granted to officers and policemen in consideration of their additional services is significantly in excess of the services’ actual duration. That duration is calculated in each case by applying multipliers, set down by law, ranging from 100% to over 300% depending on the time (day, night, official holidays, public holidays, compensatory days off) when these additional services have been performed. In total, the number of compensatory hours usually exceeds the number of overtime hours served. Thus, in the departments responsible for public safety, one compensatory hour corresponds to, on average, 38 minutes of actual service.

Despite the great diversity of situations, no statistical data is available at the national level on the actual average duration of police work by type of unit or working time arrangement. On the one hand, the main courante informatisée (MCI, computerised duty log), based on data entered by each unit, provides local, départemental (regional) and national measurements of service activity, both in total and broken down into the various categories of responsibility. On the other hand, the National Police’s GEOPOL software allows its local managers to access up-to-date information on staff members’ hours. However, no computer application has combined these two approaches.

In the Gendarmerie: availability as a primary principle

The organisation of working time is quite different in the Gendarmerie. Because of their military status under the Defence Code, gendarmes are not subject to a minimum duration of work. When a gendarme is not in active service nor released from service, he must nevertheless remain available. These periods where he is “on call” are not compensated. The same applies to a gendarme recalled to service when he is off duty or during time off, authorised absence...
or leave. In consideration of this general principle of availability, gendarmes are all living quarters at their workplace.

The organisation of working time within the Gendarmerie gives it a permanent capacity to cope with peaks of activity and events requiring rapid assignment of additional staff (e.g. maintenance of public order, response to emergencies, searches for missing persons).

As a result, the annual activity for gendarmes assigned to Gendarmeries at the départementale (regional) level, which averaged 1,797 hours in 2011, is substantially higher than that of policemen on a weekly schedule, and even more so compared to those on a cyclic schedule.

The difference is even more significant since it does not take into account hours of operational duty imposed on gendarmes without compensation (an average of 7 hours 23 minutes per day). In addition, that difference results from comparing actual working time, measured in the Gendarmerie by consolidating data collected in the units using an ad hoc computer application, with a theoretical figure for the National Police, calculated on the basis of applicable regulations; the actual duration may be significantly lower after deduction of the balance concerning compensatory days off and additional services.

The organisation of working time in the National Police: a system that has reached its limits

Designed to provide flexible adaptation between on-duty staff and fluctuations in activity, today this complex system imperfectly serves that objective. It has lost its flexibility and is no longer sufficiently suited to the constraints of managing the services.

The ongoing accumulation of unused compensatory hours

In practice, the impossibility for policemen, because of the demands of their work, to make use of time they are owed in consideration of additional services leads to the accumulation of a large reserve of compensatory hours. The growing activity of most services and the overburdened management of the workforce are less and less adapted
to compensation of overtime by granting a longer period of time off, as compared to monetary recompense.

The breakdown of the current system is substantiated by the ongoing accumulation of 19 million compensatory hours, which staff could have used, yet which they deferred from year to year; this figure continued to grow until 2010. While this reserve of hours remaining due stabilised on an overall basis for the first time in 2011, the situation was different for hours produced by cyclic schedules; in this regard, management of these hours still does not seem properly under control.

This mass of unused compensatory hours results in additional complications for operational management of units, as it limits the ability to call upon staff for additional services when they are already owed a significant number of hours. This chronic backlog also represents an expense for future periods, equivalent to 12,000-13,000 full-time jobs over a year, or about €500 million, since in the long term, when staff members actually make use of their deferred leave, it will have the effect of reducing available staff, at the latest in the form of staff retiring 6 months early – or even 18 months for the police judiciaire (~Criminal Investigation Department). Meanwhile, as their positions are not administratively vacant, they are not replaced.

**Monitoring that remains insufficiently rigorous**

The extremely complex rules governing the organisation and management of policemen’s working time are sources of poor practices, and even abuse.

Due to the constraints of their respective duties, the administrative divisions of the National Police all use – but to varying degrees – this system of overtime compensation. In absolute terms, public safety services are the largest sources of compensatory hours (62% of the total). On a per-person basis, the police judiciaire produce the most overtime (between 250 and 300 hours on average per member of the force). However, there is also a wide variety of situations, including issues of evolution, affecting police units that perform the same types of assignment. As they have not been the object of analysis, the observed differences remain unexplained.
Organising working time

Recent actions must be intensified

The Ministry of the Interior has only recently endeavoured to emphasise the responsibility of the entire management chain in keeping control over judicious use of additional services and the routine recourse to compensatory hours.

Since 2011, the inspection générale de la police nationale (IGPN, general inspectorate of the National Police) has made the monitoring of policemen’s working time a priority, via unannounced checks in local units. The top administrators in these units (e.g. the departmental directors of public safety, directeurs départementaux de la sécurité publique) have the final responsibility for choosing which working time arrangements are best suited to their activities and the associated time slots. It is their job to ensure that the organisation of their units does not give rise to excessive overtime. In particular, they must carefully avoid the introduction of work cycles that tend to generate too many compensatory hours with regard to their operational requirements.

To help carry out these checks, top administrators in all National Police departments now have access to GEO-POL software. However, this application, designed to manage the leave entitlements of each staff member, cannot easily produce a summary dashboard to detect possible abuses and to identify the causes in the units concerned. Also, it has been noted that, while top administrators of local units should seek the support of middle management to carry out their checks, the latter (in particular officers) often do not have the appropriate training or the necessary authority.

As part of continuing education, two-day courses have been set up for some of the commissaires (~superintendents) and certain officers assigned to public safety. These courses concern the organisation of working time and include a summary of applicable rules and monitoring tools. The Cour recommends extending this initiative to officers exercising supervisory responsibilities.

Furthermore, central services do not yet have access to consolidated data that would allow them to systematically detect abnormal situations, in particular by precisely analysing significant differences in recourse to overtime among administrative divisions and among local units. It has become necessary to pro-
provide them with a data warehouse to centralise data collected by GEOPOL so they can follow the correct practices for recourse to additional services and the granting of compensatory leave, and take the necessary corrective measures.

Revising the regulations

These actions should be pursued. However, given the burden of habits and union pressure, such actions may not suffice to influence the behaviour of chefs d’unités (unit commanders) and their staff if certain rules governing overtime compensation that are particularly favourable to staff members are not modified; their impact on providing available staff now seems too costly in terms of management constraints and performance requirements to which the police services are subject.

Therefore, the Cour recommends giving department heads the option to compel their staff – when operational requirements permit – to make use of their accumulated compensatory hours, at the risk of losing them otherwise. Similarly, in the case of the additional services having the highest multipliers, the method of calculating compensatory hours should be revised in order to make it more compatible with the management constraints of the services. Finally, revised laws allowing officers and policemen to choose their overtime compensation in the form of time off or in monetary recompense, at a rate dependent on the time (compensatory time off, official holiday, night work, public holiday) when additional services are performed, would be both acceptable to the staff concerned and consistent with the goal of controlling remuneration expenses.
3 Remuneration parity: an irrelevant project

Since the amalgamation in 2009 of the National Police and Gendarmerie under the Ministry of the Interior, the latter seeks to promote a staff remuneration policy based, not on point-by-point parity, but rather on “overall” parity; obtaining this parity would thus be considered as confirmation that the desired complementarity had been achieved. However, despite the comparative analysis carried out by the two forces, it appears that the remuneration systems for the National Police and Gendarmes, even if they have common points (due mainly to the partial convergence of wage scales), remain largely disparate.

Irreducible differences between the two forces

These major differences stem from their organisational arrangements, the employment status of their personnel and the balance between ranks and responsibilities, which reflect the specificities of the territories and populations for which they are responsible.

Personnel status

The National Gendarmerie is mainly composed of officers and sub-officers whose employment status is governed by the *statut général des militaires* (general status for the military), defined in the French Defence Code. Non-sedentary staff members in the National Police are governed by the *statut général de la fonction publique de l’État* (general status for state employees) as well as by a special status that may be waived in order to adapt the organisation of “corps et carrières” to the specific duties of the police. These statutory differences have significant consequences for the availability of personnel, their service obligations and the organisation of their working time.

Certain components of remuneration are not transferable from one force to another. For example, payments for time “on call” have no equivalent in the Gendarmerie. In addition, the use of official housing is rare in the National
Police, while it is systematic in the Gendarmerie, where it is considered a necessary condition to ensure staff availability. Obligations imposed on personnel mobility are also not comparable, nor are the financial support systems. In terms of transportation benefits, gendarmes have, like all military personnel, a discount of 75% off the full price of SNCF (national) rail travel, including first class, whatever the reason for the trip. National Police assigned to Paris and its nearby suburbs (petite couronne) are entitled to free public transport in the Paris region.

**An imperfect correspondence between ranks**

Even when responsibilities, duties and ways of performing their activities appear similar, a strict equivalence between different ranks cannot be established on that basis. Correspondences between ranks considered as counterparts are therefore partly the result of convention.

Thus, the National Police’s staff is divided into three corps (superintendents; officers; policemen and sub-officers) against only two (sub-officers and officers) for the military staff in the Gendarmerie. Equivalent corps do not have the same statutory number of ranks. In the National Police, the corps of policemen and officers includes 4 ranks – gardien, brigadier, brigadier-chef, major (policeman, ~corporal, ~sergeant, major) – instead of the 5 sub-officer ranks in the Gendarmerie – gendarme, maréchal des logis chef, adjudant, adjudant-chef, major (gendarme, ~squadron sergeant-major, warrant officer, warrant officer first class, major).

**Different systems of remuneration despite steps towards standardisation**

**Wage scales**

The range of wages (expressed as a numeric “index”) for certain ranks considered as counterparts has become more similar, particularly for policemen and officers in the National Police and sub-officers in the Gendarmerie, yet there remain significant differences for majors and officers in the two forces.

**Career development**

For statutory reasons, the conditions surrounding career development
in the two forces are substantially different. For example, officers in the Gendarmerie advance quickly at the beginning of their career, automatically gaining the rank of captain in four years, as compared to a semi-automatic transition taking six to nine years in the National Police. After seven years, an officer in the Gendarmerie is automatically a captain with a wage scale index of 694; in a majority of cases, the equivalent officer in the National Police is still a lieutenant (index 546) or captain (index 622). Thus, after fifteen years, their cumulative annual net wages may differ by approximately €100,000.

Compensation plans

Beyond base pay, the compensation structures for the two forces are different, even if they share some common components that have been harmonised: completely, such as the indemnité journalière d’absence temporaire (IJAT, per-diem for temporary absence) paid to members of mobile units, or partially, such as the indemnité de sujétions spéciales de police (ISSP, special constraint compensation for police) paid to sub-officers in the Gendarmerie and policemen and officers in the National Police. The distribution of the nouvelle bonification indiciaire (NBI, new indexed premium, a pay bonus) is not harmonised since only a small proportion of officers in the National Police benefit from it, as compared to 40% of officers in the Gendarmerie.

For the rest, given the fundamentally different nature of compensation plans, particularly in relation to the criteria for localities where personnel are assigned or for the responsibilities they exercise, any comparison is futile. Gendarmes therefore routinely receive compensation for military duties (ICM, indemnité pour charges militaires), in consideration of the geographical mobility inherent in their job, which has no equivalent in the National Police. Policemen receive compensation for constraints specific to living in the Paris region, and a loyalty allowance for working in “difficult” areas (indemnité de fidélisation en secteur difficile), which have no equivalent in the Gendarmerie. They also receive bonuses based on supervisory responsibilities they carry out, such as the prime de commandement and allocation de service, paid to officers and indemnité de responsabilité et de performance paid to superintendents, not to mention the allocation de maîtrise paid to all officers and police-
Remuneration parity: an irrelevant objective

...men, which have no equivalent in the Gendarmerie.

The costly quest for parity

The quest for remuneration parity, which was neither a prerequisite nor a necessary consequence of the operational attachment of the Gendarmerie to the Ministry of the Interior, may even have adverse effects if it is invoked – as has already happened several times – to justify new category-specific measures. Thus, while the rate of compensation for special constraints on National Police was already the same for sub-officers of the Gendarmerie and the police-men and officers in the National Police, the initiative for its increase from 24% to 26%, taken in 2009 by the General Directorate of the National Police, was followed shortly after by an identical initiative from its counterpart in the Gendarmerie.

All in all, this situation led the Cour to recommend to the Ministry of the Interior that it abandons the goal of remuneration parity for the National Police and Gendarmerie, as long as the organisation of the two forces and the status of their staff remain different, to facilitate the temporary wage freeze.
Better control of remuneration expenses for the staff of the National Police and Gendarmerie, which seems necessary in view of their growth from 2006 to 2012, requires reinforcement of the capacity to forecast and monitor the factors that drive changes in the wage bill; despite recent advances, this capacity remains far from being optimal.

The necessary changes also follow from human resources management policies. In the future, it will no longer be possible to expect personnel to systematically gain efficiency in the fight against crime each year by adding new category-specific measures to increase expenditures on career development, index-based pay and compensation plans, as numerous and expensive as those developed since 2004 under the “corps et carrières” reform (to benefit the National Police) and the PAGRE plan (for the Gendarmerie).

For budgetary reasons, these reforms cannot support new expansions of this nature. However, it would be useful to take stock of the situation, to obtain a baseline on which future sustainable policy on career management and remuneration could be built.

The two security forces share a large proportion of their assignments; this justified their operational attachment in 2009 under the same ministry. Yet, they continue to have major differences in their manner of organisation (which reflects the territories for which they are responsible), their respective employment doctrines and the employment status of their staff.

In particular, their systems for organising working time are fundamentally dissimilar. In the National Police, they are based on granting additional days off in compensation for arduous working hours and for the additional services necessary to ensure 24-hour uninterrupted service. In the Gendarmerie, they are based on the principle of continuous availability of military personnel, set down in the French Defence Code and made possible by the systematic allocation of on-site housing, which ensures access to gendarmerie units when they are needed.
Conclusion

In this regard, the Cour notes that the system for organising working time in the National Police, already pushed to its limits, no longer provides the management flexibility for which it was designed. The ongoing accumulation of 19 million hours of leave, owed to staff members but deferred from year to year, substantiates this paralysis, as does the decision of the Ministry of the Interior in July 2011 to resort to an exceptional measure for overtime compensation in order to obtain a temporary increase in police activity.

Scope for improvement exists: the entire management chain should keep better control over the recourse to overtime and the calculation of compensatory time off. That will require sustained efforts, which are only just starting to be undertaken by the central administration, to instil a new management culture, both in senior management (superintendents and officers) and middle management (officers).

It seems inevitable that, sooner or later, the rules for organising working time in the police forces must be revised: they have become both too complex and too costly in terms of new constraints for managing the services.

More broadly, these fundamental differences in organisation of the two forces cast doubt on the relevance of the goal of remuneration parity for the National Police and Gendarmes, an objective that the Cour judges to be costly. Even if the working times are not comparable, the same observation applies on the whole to the remuneration systems that, despite partial progress towards convergence of wage scales, remain largely distinct in terms of career development and compensation plans.
With regard to keeping the wage bill under control for the National Police and Gendarmerie:

- take stock of the effectiveness of the “corps et carrières” and PAGRE reforms, with the objective of better matching ranks to responsibilities and skill levels to the nature of assignments;
- observe a temporary wage freeze, in particular by strictly limiting the adoption of new category-specific measures and by more closely supervising changes in GVT;
- provide a directive from the Prime Minister that prohibits ministers from adopting a dossier prévisionnel de gestion (DPG, management plan) that has been judged unfavourably by the contrôleur budgétaire et comptable ministériel (CBCM, budget comptroller) on the grounds that the initial estimates of expenditures indicate that recourse to the precautionary reserve will inevitably be required during the exercise;
- establish an action plan to enhance the reliability of tools for analysis, forecasting and monitoring, especially concerning retirement and other personnel departures, personnel arrivals other than via recruitment, average cost per job category and the budgetary impact of GVT;
- spread recruiting activity throughout the calendar year by coordinating it with scheduled personnel departures, in order to take into account the high uncertainty that remains a shortcoming of the retirement forecasts;
- increase the involvement of the secrétariats généraux pour l’administration de la police (SGAP, general secretariats for police administration) in analysis and monitoring of trends in salary expenditures;
- lower the headcount ceiling of the Gendarmerie to bring it into line with the actual staff numbers.

With regard to rationalising the organisation and management of working time in the National Police:

- implement a GEOPOL data centre to enable monitoring, at the central level, of local units’ practices for recourse to additional services and the granting of compensatory leave; take the necessary corrective actions;
Recommendations

- measure the actual average duration of the police workday, classified by type of schedule and type of service assignment;
- extend continuing education on regulations concerning the management of working time to officers exercising supervisory responsibilities;
- provide department heads with legal means to compel staff – when operational requirements permit – to make use of their accumulated compensatory hours, at the risk of losing them otherwise.

  In the case of the additional services having the highest multipliers, revise the method of calculating compensatory hours in order to make it more compatible with the management constraints of the services.

  Introduce regulations permitting staff to choose their overtime compensation in the form of time off or in monetary recompense, at a rate dependent on the time (compensatory time off, official holiday, night work, public holiday) when additional services are performed.

  Regarding the quest for overall parity of the two police forces:

  Periodically update the simulations based on standard career paths for National Police and Gendarmerie;

  In order to facilitate the temporary wage freeze, abandon the objective of remuneration parity for the National Police and Gendarmerie, as long as differences in organisation and status persist between the two forces.