

**NORTHAMPTONSHIRE POLICE
AND NORTHAMPTONSHIRE POLICE FEDERATION**

Local Agreements

This agreement provides clarity to both the Force and Federated ranks on matters routinely discussed between the force and Northants Police Federation (NPF)

1. Agreement Application

- 1.1 The Agreement, signed by the Chief Constable and Northamptonshire Police Federation, complies with Police Regulations and Determinations 2003 and the Working Time Regulations 1998 and 1999 (WTR).
- 1.2 Nothing within the Agreement affects the ability of the Chief Constable to alter duties for the exigencies of duty as per Regulation 22 Annexe E para 1(c) of the Police Regulations and Determinations 2003.
- 1.3 This agreement is made as a commitment and understanding between the NPF and the force that when considering local agreements and regulations that both sides seek to strike the balance of achieving a position of being "about right".

2. Notice of agreement

- 2.1 This agreement has been reached through consultation with the Force, and consultation with the NPF Local Council which voted to accept this agreement at the October 2018 Local Council meeting. Thereby authorising the Chair to sign this agreement on behalf of the NPF.

3. Parameters

- 3.1 Officers weekly hours should not exceed 40 hours.
- 3.2 The working day for the purposes of Police Regulations 22, 25 and 33 will be 7am to 7am the following day. The working week will start at 7am each Monday and finish at 7am the following Monday.
- 3.3 A rest day will be a period of 24 hours rest which starts at 7am on each rest day.
- 3.4 There will be at least 11 hours daily rest between duties. Police Regulation 22(3)(e) applies except where the NPF Local Council have derogated from the 11 hour daily rest period under WTR

10(1) and WTR 24. The derogation is also lawful under Police Regulation 22 Annex E(3)(e).

Where it is necessary to alter a duty because of the exigencies of duty, the Officer responsible for making the alteration shall avoid (unless there are exceptional circumstances) requiring the Officer to work with less than 11 hours daily rest between duties, or to have insufficient weekly rest periods.

Where duties are altered, such that an Officer would have less than 11 hours daily rest, where possible compensatory rest equivalent to this period will be given at the start of the Officer's next duty. Police Regulation 22 Annex E (3)(e)I and ii refers.

Overtime for full time Officers will be paid for hours worked in excess of those rostered as per Police Regulations. e.g. overtime will be paid after 10 hours on a 10 hour rostered duty or after 8 hours on an 8 hour rostered duty etc.

4. Duty Publication

- 4.1 The duty year will run from 1 April to 31 March.
- 4.2 A duty roster will be published in accordance with Regulation 22 Annex E para 3. A locally agreed interpretation of Regulation 22 Annex E para 3 is contained in Appendix A.
- 4.3 Duty rosters will be published in accordance with Police Regulations except where agreement is reached with the NPF.
- 4.4 The actual start and finish times of planned duties will be published with one months' notice of a rolling three months roster e.g. 1 months' notice of three months duties = 90 days
- 4.5 Alterations to the 3 monthly duty rosters shall not be made other than for exigencies of duty, unless they are made at the Officer's own request, or with the officer's agreement, or have been otherwise agreed with NPF. An Officer should be told as soon as practicable when the requirement for the change is known, and at the latest by 10pm on the calendar day before the changed period of duty commences.

5. Rest Days, Bank and Public Holidays

- 5.1 Where an Officer is required to work a Bank Holiday (BH) or Public Holiday (PH) irrespective of the notice given, the tour will be 8 hours.

Where an Officer is required to work a Rest Day (RD) irrespective of the notice given, the tour will be the same length

as the rerostered RDIL.

- 5.2 Where a RD is cancelled with less than 15 day's notice, compensation will be provided as per Police Regulation 26.
- 5.3 Within 4 days of the requirement to work an RD BH or PH, Planning Departments will notify Officers of their re-rostered RD BH or PH, if not completed within 4 days the RDIL accrued from a PH/BH cannot then be rostered by FPU. Re-rostering of RDs BHs and PHs will be within operational requirements and adhering to WTRs. Where possible negotiation will take place with Officers regarding the re-rostering of RDs BHs and PHs although it is recognised that operational requirements will take precedence. No single RDs should be planned except at the Officer's request.

6. Time Monitoring

- 6.1 Time owed or credited will be recorded on DMS. It is recommended that each officer monitors DMS, and considers maintaining their own records of time credited and time taken. This will provide both the officer and the Force Planning Unit (FPU) the ability to review personal records which are questioned by the officer.

7. Annual Leave

- 7.1 Annual leave entitlement will be calculated in hours as per Police Regulations.

8. Night Crime Car

- 8.1 All PIP level 2 trained officers are expected to provide night crime car cover, except where an adjustment is recorded with HR.
- 8.2 Night Crime Car tours of duty will be the length of your previously rostered tour. (i.e) you were due to work a 10 hour day shift, your new tour is now NCC. Your NCC duty is 10 hours.

9. Courses

- 9.1 If an Officer attends an 8 hour course which falls on a day where the Officer was rostered to work more than 8 hours, the Officer will have the option to return to their station to complete their shift or to carry out productive work elsewhere so that no time is owed. The Officer may also take time off as appropriate.

- 9.2 This is excluded where an officer is attending a course outside of the Northamptonshire Policing area. This is to allow for travelling time and other familiarisation factors, along with allowing for travel delays when attending out of Force courses.

10. Refreshment Breaks

- 10.1 Refreshment breaks, as far as the exigencies of duty permit, shall be in accordance with Police Regulation 22 Annex E para 1 reproduced below.

| Number of hours | Refreshment Time |
|----------------------------------------|-------------------------|
| Less than 5 hours | Nil |
| 5 hours or more but less than 6 hours | 30 minutes |
| 6 hours or more but less than 7 hours | 35 minutes |
| 7 hours or more but less than 8 hours | 40 minutes |
| 8 hours or more but less than 9 hours | 45 minutes |
| 9 hours or more but less than 10 hours | 50 minutes |
| Over 10 hours | 60 minutes |

11. Temporary Postings

- 11.1 Officers temporarily posted will adopt the shift roster at that place of work. (Subject to point 4.4) The receiving supervisor is responsible for the Officer's welfare and line management and will adjust duties worked to ensure that the Officer maintains the correct aggregate number of hours worked.

12. Mutual Aid Duty

- 12.1 Where an Officer is providing 'Mutual Aid' overtime shall be paid for hours worked in excess of their normal rostered tour for that day. In the case of a re-rostered rest day, overtime will be claimed for the hours worked in excess of the hours on the day to which the rest day has been re-rostered.

13. RD working Compensation

- 13.1 Working into a RD for 1 hour or more = payment at min of 4 hours @1.5
Where the member is retained on duty from a rostered shift into a rest day and the period worked on the rest day is not more than one hour of duty. In these circumstances the

minimum four-hour payment does not apply and the rest day time to be reimbursed counts as the number of 15 minute periods actually completed, *there is no half hour disregard for casual overtime.*

13.2 Volunteering to work on a rest day or public holiday

If a member requests to work on a rostered rest day or public holiday the day shall be treated as a normal duty day and the member will be granted another day off in lieu, which shall be treated as a rest day or public holiday (as appropriate).

However, Home Office Circular 39/1985 states that responding to a management request for volunteers should not be treated as a request by the officer concerned to perform duty on the day in question. Therefore, in these circumstances the normal compensation arrangements for rest day or public holiday working will apply.

(e.g) If the officer volunteers to work a RD or PH for their own reasons, this will be treated as a normal duty day. Any officer who volunteers to work a RD or PH to meet an operation request or demand shall be protected by Home Office Circular 39/1985.

14. **Compensatory time**

14.1 Where an officer has worked overtime and following this taken their 11 hours of rest between tours of duty, it is agreed that compensatory time will be afforded to the officer in order that they can finish their next tour of duty at the planned time. This time will be met by the Force.

15. **Working on a RD or FD within a period of AL**

15.1 Where a member is recalled to duty from a period of annual leave, they shall generally be entitled to compensation at the rate of;

- (a) Where they are recalled for 1 or 2 days (whether or not those days form a single period) an additional 2 days annual leave for each day, or if the members so chooses 1 days annual leave and 1 days pay at double time shall be granted in lieu.
- (b) Where the member is recalled for a period of 3 or more days (whether or not those days form a single period) compensation in relation to the first two days as (a) above, and for any other days compensation will be at the rate of 1 ½ days annual leave for each day, or if

the member so chooses 1 days annual leave and ½ days pay at double time.

Under PNB Circular No.03/15 – The above compensation not only applies to officers actually recalled from annual leave, but also to annual leave that has been pre-booked/scheduled.

Where an officer is required to work on a rest day or free day within a period of annual leave, that day shall be compensated in the same manner as if it were a day of annual leave or a RDIL

For the purpose of this agreement a period of annual leave is defined as **a period of absence from duty of 5 or more days** where at least one of those days is an annual leave day and the others are rostered rest days, free days, RDIL/FDIL, Public holidays, (or days taken in lieu thereof) or monthly leave day.

Where an officer works from a rostered tour into a period of annual leave as described above for 1 hour or more, they will be entitled to compensation for that day as listed above.

16. Working into or on an Annual leave or a RDIL/FDIL

- 16.1 The following scale of compensation applies where an officer is recalled to duty from a period of absence from duty of **three or more days** (of which at least one day is annual leave) and the day in question is the annual leave day, RDIL/FDIL. It also applies to the cancellation of pre-booked, scheduled annual leave where the same criteria are met i.e. absence from duty of three or more days of which at least one day is annual leave:

Compensation -

1 day worked = 16 hours (or 8 hours annual leave plus 8 hours pay at double time)

2 days worked = 32 hours (or 16 hours annual leave plus 16 hours pay at double time)

Thereafter 1.5 days (or 8 hours annual leave plus 4 hours pay at double time) for each further annual leave day worked.

Where an officer works from a rostered tour into an annual leave day as described above for 1 hour or more, they will be entitled to compensation for that day.

The annual leave entitlement is expressed in 8 hrs days.

Working into or on a single AL day.

16.2

Working 1 hour or more into a single AL day = minimum compensation 4 hours at double time payment.

17

Compensation for sickness during AL

17.1

PNB Circular 2014/23 states that where an officer is sick during a pre-booked period of leave they should be allowed to take that period of leave at another time, subject to providing evidence they were sick e.g. a medical certificate.

18.

Compensation for duty on a public holiday

18.1

When required to do duty on a public holiday constables and sergeants are entitled to;

Where less than eight days' notice is received – payment of double time plus another day off in lieu, to be treated as a public holiday.

In any other case - payment at double time; and · if the period of duty carried out on the public holiday is less than four hours, the appropriate allowance will be paid for a minimum of four hours.

A requirement to work on a public holiday with less than 15 days' notice must be authorised by an officer of least assistant chief constable rank.

Where an officer works from a rostered tour into a public holiday for more than one unit (15 minutes) they will be entitled to compensation of 4 hours at double time.

19

Inspectors and Chief Inspectors

19.1

There is no requirement for the Force to publish a duty Roster for Inspectors or Chief Inspectors. There is an expectation that they will work (where 40 hours) their duties over an average of five days per week. It is for the officer to manage their flexi time and working week in line with this advice and to take time accrued by managing and scheduling their own diary.

19.2

It is accepted that for roles such as Cadre, Oscar, Duty DI that a duty roster is locally agreed to ensure that the Force has the

cover and resilience to meet and manage demand and risk.

20. Termination of this Agreement

20.1 The Chief Constable or NPF must give in writing a minimum of 56 days notice of the termination of the Agreement. Following the expiry of this period, the Agreement will be deemed to have been so terminated.

21. Agreement Variation

21.1 Nothing in this Agreement precludes alteration or amendment to any condition at any time, subject to the agreement of all parties.

We, the undersigned, agree to the foregoing conditions:

.....

(Name)

Chief Constable

.....

(Name)

Northamptonshire Police Federation

Date:

Review date: November 2023

Appendix A

Regulation 22 is agreed to mean:

- The Force will provide Federated members with a notional 12 months duty rota that will show rest days annual leave and indicate whether duties are likely to be days, lates or nights. There is no requirement to show exact start times at this point.
- Federated members are entitled to be provided with 28 days notice or greater of details of their planned duties over the next 3 months which should include planned start and finish times for shifts as well as rest days, Bank Holidays, Public Holidays, annual leave and, in respect of part-time Officers, their free days. This is agreed locally as 90 days notice.
- It is agreed that the Force may change these notified start and finish times where the Force can demonstrate this is necessary due to exigencies of duty at any time.

Examples of Working on a RD or FD within a period of AL

| | | | | | |
|-------------------------------------------------|----|----|----|----|------|
| Entitled as the period is 5 days or more | | | | | |
| Nights | RD | RD | AL | AL | AL |
| Nights | RD | RD | RD | RD | AL |
| Not entitled as the period is less than 5 days. | | | | | |
| Nights | RD | RD | AL | AL | Days |

Examples of Working into or on an Annual leave or a RDIL/FDIL

| | | | | | |
|-------------------------------------------------|------|--------|----|------|------|
| Entitled as the period is 3 days or more | | | | | |
| Nights | AL | RD | RD | Days | Days |
| Nights | RDIL | RD | RD | AL | Days |
| Not entitled as the period is less than 3 days. | | | | | |
| Nights | AL | Nights | RD | RD | RD |

