



## OFFICERS HELD IN RESERVE AWAY FROM THEIR NORMAL PLACE OF DUTY

'Held in reserve' is defined by agreement to mean officers who are serving away from their normal place of duty and who are obliged to stay in a particular, specified place and are not allowed to return home.

- When officers are held in reserve away from their normal place of duty and are required to sleep in a specific location, all hours shall be counted as duty hours except for a period not exceeding eight hours in every 24, provided that in respect of that period:
  - proper sleeping accommodation is provided; and
  - the officers are stood down from immediate operational availability and, according to the particular circumstances, are allowed reasonable freedom of movement while remaining contactable in case an emergency requiring their recall should arise.

However, during this time, ALL officers, who are held in reserve, MUST ensure that they are FIT and AVAILABLE FOR DUTY at all times in case of such a recall.

Don't forget that if you hold a driving permit, you may be required to drive in the event of a recall to duty.

## CANCELLATION OF ANNUAL LEAVE

If you are recalled to duty from a period of annual leave you are entitled to be compensated, providing that the leave period was for 3 or more days.

The period doesn't have to be solely annual leave although one duty must be annual leave (i.e. T/O, AL, RD i/l, is suitable) The compensation will vary according to the number of days cancelled.

For the first two days cancelled in any leave period, you are entitled to two leave days for each day lost or one leave day and a further day at double time.

For any subsequent days lost you are entitled to a day and a half for each day or a days leave and half a day at double time.

**This compensation package also applies to any future periods of leave which are cancelled.**

## RE-ROSTERING OF REST DAYS

When a rest day is cancelled, the rest day MUST be re-rostered within 4 days of the notice of it being cancelled. If it is not re-rostered in those 4 days, the rest day has not been cancelled.

The number of hours to be worked on the now cancelled rest day, ie what was the rest day, is decided by the number of hours that would have been worked on the working day that has now become the re-rostered rest day.

Eg. Notified on 1<sup>st</sup> October to work on 25<sup>th</sup> October which is a rest day and more than 15days notice.

By 5<sup>th</sup> October, the officer must be informed when the re-rostered rest day date is. In this example the date of the re-rostered rest day is to be 29<sup>th</sup> October, which was to be a 10hr working day.

The officer, on 25<sup>th</sup> October, therefore needs to work 10hrs before eligible for overtime.

If another officer has the same rest cancelled, but the rest day is re-rostered and moved to what was a 8hr working day – this officer needs only to work 8hrs on 25<sup>th</sup> October before being eligible for overtime.

Hence any number of officers may have different overtime commencement times, depending on when the rest days have been re-rostered to.

When RDs are placed into a pot, that accuracy is lost, hence the officer could lose out by not knowing when the overtime threshold will pass and therefore not claim what they are entitled to.

Although 'custom and practice' may have evolved locally there is no provision to put a re-rostered rest day on your time off card – that is outside Regulations and therefore outside the law.

## REST DAY WORKING

Where you are required to work on a rostered rest day you are entitled to:

- On less than 5 days' notice – compensation at double time
- On less than 15 days' notice but with 5 or more days' notice – compensation at time and a half
- On 15 days' notice or more – another rest day

In calculating the notice period no account shall be taken of the day notified or the day to be worked;

Eg. Notified on 1st October to work on 6th October – you discount both the 1st and 6th leaving a notice period of 4 days.

If you are required to work on a rest day you should be notified in person or via telephone.

**The sending of e-mail correspondence is not an appropriate way of communicating the fact that you are required to work on a rest day.**

Remember you are entitled to a minimum of 4 hours compensation for duty performed on a rest day, unless working into a rest day i.e. after a night shift. On these occasions, officers shall work a minimum one and quarter hours before entitlement to 4hrs is achieved. The time up to 1hr is claimed at double time rates.

The choice of whether payment or time off in lieu at the appropriate rate is to be claimed is a matter for the officer and not the force.

If you are given 15 or more days' notice then you should be notified within 4 days of when that new rest day is to be taken.

Eg. Notified on 1st October to perform duty on 18<sup>th</sup> October, you should be informed by the 5th October when your new rest day will be.

This new date then becomes your rest day and so if you are then required to work on it you will be entitled to rest day compensation as above.

### **REINSTATED REST DAYS**

When a rest day is cancelled for an operational reason, and you are later informed that you are no longer required to work on that day as they have scaled the operation down, then either:

Where the officer is told with more than 7 days notice that he/she will not after all be required to work on his/her rest day, he/she will take the rest day with no compensation OR

Where the officer is given less than 8 days notice he/she can choose between taking the rest day with no compensation or working on the rest day with compensation in accordance with Police Regulations.

In these circumstances, the duty day is classed as an 8hr day.

### **RECALL TO DUTY**

A recall to duty occurs when an officer has finished their tour of duty and is recalled to work prior to the start of the next tour of duty.

**For being recalled to duty there is a minimum of 4 hours payment.**

In order to obtain the 4 hours the officer must be called out and return home again before the start of the next tour of duty. In other words it is like an island of time in between two tours of duty.

If you do not go home again having been called out but continue working then this can mean one of two things. If you are required to return to duty with less than 8 hours notice on a day on which you have already completed a tour of duty, then you are on overtime from the time you come on duty until the start of your rostered tour of duty. That time also counts towards the time of your current duty as well.

If however, you are given sufficient notice to come back to work on a day you have already worked then that is merely an advancement of the start of the force day and no overtime is accrued.

Example: Officer works 9-5 on Monday and is rostered to work 9-5 on Tuesday. If they are called out at 0300 on Tuesday morning and continue working until 1400 hours they are required without sufficient notice to work on a day when they have already completed 8 hours and therefore are on overtime from 03.00 until the start of their rostered duty 09.00 and it counts towards their current day so they are also on overtime from 1100 hours to 1400 hours. Total = 9 hours overtime

If they are warned at 1700 hours to be on duty at 0300 hours then that is sufficient time and the 0300 start is only a moving forward of the force day so they start at 0300 hours and only

go onto overtime at 1100 hours. Total = 3 hours overtime

### **ENTITLEMENT TO OVERTIME**

Overtime is potentially payable when:

- You remain on duty after your tour of duty ends,
- When you are recalled between two tours of duty, or
- You are required to begin earlier than the rostered time without due notice and on a day when you have already completed your normal daily period of duty.

#### **Planned overtime**

Where you are informed at or before the commencement of your tour that you will be required to remain on duty after the tour ends no account is to be taken of any period of less than 30 minutes of overtime worked on any occasion other than a period of 15 minutes.

#### **Casual overtime**

Where you are not informed at the commencement of your tour of duty that you will be required to remain on duty after the tour of duty ends then, on the first four occasions, in any week, the first 30 minutes of any overtime worked is to be disregarded in calculating the overtime allowance to which you are entitled. This now applies whether the overtime is submitted for payment or time off in lieu.

It is not a breach of our Human rights under European or UK law, nor is it considered to be slavery as some have suggested!

### **CLAIMING OTTER OVERTIME**

We have been assured by Otter command that every effort will be made to ensure that Otter overtime will be processed in time for the November pay date. However, given the volume of A8's generated by Otter, some officers may not receive payment until December. Please don't spend it until it's in your bank! Remember that completed A8's should be sent to the Otter BSM at Brighton Police Station.

## COMPENSATION FOR DUTY ON A PUBLIC HOLIDAY

Where you are required to do duty on a public holiday you shall be granted:

Where less than eight days' notice is received: payment of double time; **and** another day off in lieu.

This day should be notified within four days of the notification of the requirement to work, and the lieu day will be treated, as a public holiday should there be a requirement to work on that day.

**In any other case**, an allowance at the appropriate rate, i.e. double time.

## TRAVEL TIME

Travel Time between home and your usual place of duty is generally not duty time for the purposes of Police Regulations, but it is for the purposes of Police Pension Regulations.

The current circumstances where traveling time as duty time is recognised under Police regulations are as follows.

Where an individual;

- Is required to perform his normal duty in more than one tour of duty (Split shift)
- Is recalled between to duty two tours of duty
- Where an individual works a paid rest day which is greater than 4 hours in length but less than 6 hours in total

However should you be required to attend another location for duty and in order to do so you genuinely need to attend your normal station first, then you should book on once you arrive and at your home station and travel in duty time.

## INJURED ON OR OFF DUTY?

**Do you need make a personal injury claim ?**

**Then the Police Federation Claimline could help.**

**This is FREE to subscribing Federation members and their families.**

**In the last two years £42 million in compensation has been recovered for police officers.**

**If you or a family member have suffered a personal injury you are covered by Federation funds to pursue a claim for compensation.**

**Contact PF Claimline on**

**0800 9171 999**

## PERSONAL DETAILS UPDATE

**It is vital that detail held by us at the Sussex police Federation office is accurate and up to date.**

We work from our own database records, **which are private to the Police Federation and confidential**, in that they are not available outside of our offices and importantly, not linked in any way to Sussex Police systems.

It is for the last of these reasons that we rely on you to update us with any changes that occur in your personal circumstances, whether it be due to a change of address, change in next of kin, beneficiaries for your Insurance Scheme, postings or anything else.

**Do it now - don't delay -**

**we need accurate information.**

**Access the form via our website.**

## DAILY PAPERS

Lastly, the daily newspapers you will find at all the Otter venues are supplied by your Federation. Hopefully there is sufficient variety for all tastes!



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