



<b><u>Policy Title</u></b>	Flexible Working for Police Officers & Police Staff
<b><u>CCMT Sponsor</u></b>	Director of Resources
<b><u>Department/Area</u></b>	Human Resources 1
<b><u>Section/Sector</u></b>	Employment Relations Team

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## **1.0 Rationale**

Thames Valley Police is committed to a policy of equality of opportunity and recognises that flexible working practices offer benefits both for the organisation and for members of staff. As an organisation, a commitment to such working practices can assist in recruiting and retaining skilled staff, meeting service demands and controlling staff costs. For individuals, there is the advantage that work can be combined with other commitments such as caring responsibilities, study or phased retirement.

This document is based on the Flexible Working (Procedural Requirements) Regulations 2002, the Flexible Working (Eligibility, Complaints and Remedies) Regulations 2002, Employment Rights Act 1996 and Police Regulations 2003.

## **2.0 Intention**

This policy is designed to explain the procedure to apply for flexible working.

Flexible working provides staff with options for:

- **how much time** they work
- **when** they work
- **where** they work; and
- having a **break from work**

## **3.0 General Principles**

### **3.1 KEY CONCEPTS**

The guiding principle of this policy is that requests for flexible working will be considered individually, fairly and objectively and will be assessed and determined on a case by case basis.

### **3.2 ELIGIBILITY**

The Flexible Working (Procedural Requirements) Regulations 2002, the Eligibility, Complaints and Remedies Regulations 2002 and the Employment Rights Act 1996 (as amended) provide a statutory right for eligible members of staff to **request** flexible working.

Thames Valley Police has a duty to consider any request for flexible working from eligible members of staff with caring responsibilities as defined below. Set procedures are required to consider any such request which can only be rejected if there is a 'business reason' to do so.

### **3.3 PARENTAL AND/OR CARING RESPONSIBILITIES**

Members of staff who have caring responsibilities for children under six or caring responsibilities for adults have the statutory right to make a request to work flexibly provided that they meet the following criteria:-

### 3.3.1 PARENTAL RESPONSIBILITY FOR CHILDREN

- they are employed by Thames Valley Police; and
- have worked with Thames Valley Police continuously for 26 weeks at the date the application is made; and
- have not made a formal request to work flexibly during the last 12 months.
- have Parental Responsibility for a child under the age of six, (or under the age of eighteen in the case of a child with a disability); and
- make the application no later than two weeks before the child's sixth birthday (or 18<sup>th</sup> birthday in the case if a child with a disability); and
- are responsible for bringing up the child and be making an application for the purposes of enabling them to care for the child;

And be either:

- the mother, father, adopter, guardian or foster parent of the child; or
- married to, or the partner of, the child's mother father, adopter, guardian or foster parent.

(Partner means a person, whether of different sex or same sex, who lives with the child and the mother, father, adopter, guardian or foster parent in an enduring family relationship, but is not a relative).

### 3.3.2 CARING RESPONSIBILITY FOR ADULTS

- they are employed by Thames Valley Police; and
- have worked with Thames Valley Police continuously for 26 weeks at the date the application is made; and
- have not made a formal request to work flexibly during the last 12 months
- be married to, or the partner or civil partner of the adult or;
- a relative of the adult or;
- neither of the above, but living at the same address as the adult for whom they care.

### 3.3.3 OTHER FLEXIBLE WORKING REQUESTS

Thames Valley Police goes beyond the legal requirements for flexible working and enables all staff to make a flexible working request under this policy, whether parents or not and regardless of the age of the children. In addition, more than one application for flexible working can be made within a twelve month period. If a member of staff does not have parental or adult caring responsibility and wants to change their working patterns for other reasons, Thames Valley Police will still consider their request fairly and objectively. Such members of staff should follow the Flexible Working request procedure for making requests although Thames Valley Police reserves the right to adapt this procedure in order to deal with those requests subject to organisational requirements.

### 3.4 MAKING A FLEXIBLE WORKING REQUEST

Members of staff who would like the Force to consider making a change to their working arrangements should first discuss this with their manager.

To make a formal application the appropriate form must be completed providing details of the proposed working arrangement and how any effect of the change could be accommodated by their team/unit.

Within 28 days of receiving the application, the Force will either confirm the request has been granted or invite the member of staff to a meeting to discuss the proposed changes. Following a meeting the Force will inform the member of staff of their decision within 14 days.

The Force will endeavour to meet the above timescales wherever possible but in certain circumstances this may not always be practicable. In the event that a delay is anticipated, the member of staff will be kept informed and a revised timescale will be mutually agreed.

The Force may grant the request, suggest an alternative arrangement or refuse the request. If the application is successful, the Force will provide the individual with written details of the new arrangements and the effective date of the change.

If the application is unsuccessful the Force will set out the grounds for refusal for the business reasons detailed in the guidance notes.

### 3.5 APPEAL PROCEDURE

In the event of an unsuccessful application the member of staff has the right of appeal and should submit their written and dated appeal within 14 days of the refusal. Within 14 days of receiving the appeal the Force will either advise the member of staff that their appeal is upheld or invite the individual to an appeal meeting. Where an appeal meeting is held, the Force will advise the member of staff of its final decision within 14 days. Further details of the request procedure and the appeal procedure can be found in the guidance notes, [Appendix A](#) for Police Officers and [Appendix B](#) for Police Staff.

### 3.6 THE RIGHT TO BE ACCOMPANIED

A member of staff has the right to be accompanied to meetings at any stage of the request procedure by a workplace colleague or staff association representative. The companion will be allowed to fulfil this role within paid organisational time.

### 3.7 RECORD KEEPING

The line manager should keep written records of meetings and discussions relating to the request. These should be written during or as soon after the

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event as possible to ensure the accuracy of the record. At the end of the procedure the records should be passed to the HR department to be held on a member of staff's personnel file. Requests for flexible working and the outcomes of such requests will be recorded on Peoplesoft, the HR database.

**4.0 Guidance, Procedures and Tactics****4.1 GUIDANCE, PROCEDURES & TACTICS FOR POLICE OFFICERS**

Police officers' requests for flexible working are governed by Police Regulations 2003. Any officer may make a request to work flexibly. Many officers who work flexibly do so to accommodate childcare or other caring commitments, but requests for flexible working may be made for any reason. There is no minimum number of hours which a part time officer must work.

Officers who work flexibly or on reduced hours are still serving police offices and can be required to stay on after agreed hours if there is a need. It is important to ensure that officers working reduced hours are not the only officers required to work additional hours, but demands made on the Force may require that their rest days or free days are cancelled in the same way that full time officers are required to adjust their leave or shifts.

There is no restriction to the number of applications that a Police Officer can make in any 12 month period; however the expectation is that the Service Level Agreement (SLA) will apply for at least 12 months.

In the event that the request cannot be agreed in the officer's current role, the Force should consider whether the request can be agreed in another suitable role.

**4.1.1 FLEXIBLE WORKING OPTIONS**

The following are examples of flexible working options. Line Managers and the officers applying for flexible working are encouraged to negotiate working arrangements that accommodate the needs of the Force and the officer.

- Job sharing  
(One full time job divided between 2 or more officers)
- Part time working  
(Fewer hours than for the standard working week (see [Appendix C](#)))
- Career breaks  
(Unpaid additional breaks)
- Compressed or elongated hours  
(Shorter week of longer days and useful for childcare or dependent relative needs, joint caring responsibilities or to reduce travel times or for additional activities outside work)

**4.1.2 THE PROCEDURE FOR APPLYING FOR FLEXIBLE WORKING ARE DETAILED IN [APPENDIX A](#)**

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The application process for flexible working requests is the same for officers and police staff. Where necessary, line managers should seek advice from their HR manager concerning the application procedure. The template letters should be used as appropriate to assist in making the request for flexible working.

**4.1.3 THE RIGHT TO BE ACCOMPANIED**

An officer has the right to be accompanied to any of the meetings in the application procedure by a workplace colleague or Federation representative. The companion will be allowed to fulfil this role within paid organisational time.

**4.1.4 TIME LIMITS**

While management will make every effort to adhere to the time limits prescribed in the procedure, it may not always be possible due to leave or sickness, etc. If it is anticipated that a time limit will not be met, an explanatory note will be sent to the officer and alternative time scales will be mutually agreed, in the extension of time limit form. However, every effort will be made to deal with the request as promptly as possible.

**4.1.5 PAY AND ALLOWANCES**

Officers of all ranks who are working reduced hours will be paid at plain rate for each hour spent on duty. Part time constables and sergeants are not entitled to enhanced pay for overtime working unless they have worked the equivalent of full time hours in a particular week.

Most allowances will be paid pro rata to the full entitlement, for example Annual Leave and Public Holidays. Benefits under the Pension Scheme will also be paid pro rata. Allowances that relate to expenses and those such as dog handler's allowances will be paid in full. Officers with specific queries on pay and allowances should refer to their Line Managers.

**4.1.6 RETURNING TO FULL TIME HOURS**

Officers who work reduced hours who were recruited as full time officers (40 hours a week) can elect to return to full time working at any time. Officers do not have the automatic right to return to full time in the job they hold on a reduced hour's basis, but to a full time post identified by the Force in the usual way. Officers who joined on a part time basis do not have the same automatic right to change to full time working. Their request to undertake full time duties should be considered by the Force in the usual way.

**4.2 GUIDANCE, PROCEDURES & TACTICS FOR POLICE STAFF**

Police staff requests for flexible working are based on the Flexible Working (Procedural Requirements) Regulations 2002, the Flexible Working (Eligibility, Complaints and Remedies) Regulations 2002 and the Employment Rights Act

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1996. Police staff of any grade request to work flexibly many employees who work flexibly do so to accommodate childcare or other caring commitments, but requests for flexible working may be made for any reason.

There is no restriction to the number of applications that a member of Police Staff can make in any 12 month period; however the expectation is that change to the Contract of Employment will apply for at least 12 months.

**4.2.1 FLEXIBLE WORKING OPTIONS FOR POLICE STAFF**

The flexible working options available to Police Staff are:

- Job sharing  
(One full time job divided between 2 or more workers)
- Part time working  
(Fewer hours than for the standard working week (see [Appendix C](#)))
- Compressed or elongated hours  
(Shorter week of longer days and useful for childcare or dependent relative needs, joint caring responsibilities or to reduce travel times or for additional activities outside work)
- Annual hours  
(Set annual number of hours worked in any one year)
- Staggered hours  
(Normal hours with a number of starting and ending times)
- Flexi time  
(Flexible hours with fixed core times)

**4.2.2 THE PROCEDURE FOR APPLYING FOR FLEXIBLE WORKING ARE CONTAINED IN [APPENDIX B](#)**

The line manager should seek advice from the HR Manager throughout this process. The template letters should be used to assist the process.

**4.2.3 THE RIGHT TO BE ACCOMPANIED**

A member of staff has the right to be accompanied at the meeting by a workplace colleague or staff association representative. The companion will be allowed to fulfil this role within paid organisational time.

**4.2.4 TIME LIMITS**

While management will make every effort to adhere to the time limits prescribed in the procedure, it may not always be possible due to leave or sickness, etc. If it is anticipated that a time limit will not be met, an explanatory note will be sent to the member of staff and alternative time scales will be mutually agreed, in the extension of time limit form. However, every effort will be made to deal with the request as promptly as possible.

## **5.0 Challenges & Representations**

All challenges and representations should be made in writing to;  
Head of Human Resources  
Thames Valley Police  
Oxford Road  
Kidlington  
OX5 2NX

## **6.0 Communication**

### **6.1 Links to Police National Legal Database Other**

This links to the following:

- Flexible Working (Procedural Requirements) Regulations 2002
- Flexible Working (Eligibility, Complaints and Remedies) Regulations 2002
- Employment Rights Act 1996 and Police Regulations 2003

### **6.2 Implementation Strategy**

This policy will be published on the Policy and Procedures intranet site, the Thames Valley Police website, Manager's Briefing and will be included in an All User E-mail.

## **7.0 Compliance and Certification**

### **7.1 Human Rights Certification**

#### **(i) Legal Basis**

The legal basis for this policy document is derived from:

- Data Protection Act 1998
- Human Rights Act 1998

#### **(ii) Human Rights Articles Engaged**

The policy has been drafted and audited in accordance with the Human Rights Act 1998.

It is acknowledged that this policy has the potential to engage the following Articles:-

- Article 8 Right to respect for Private and Family Life
- Article 14 Prohibition of Discrimination

Audited by: Sonia Ghatora  
Audited on: 11/01/06

**(iii) Prohibition of Discrimination**

By engaging any of the aforementioned Articles, there is the potential to engage Article 14 of the Convention. The enjoyments of the Rights and Freedoms set forth in the European Convention of Human Rights shall be secured without discrimination on any grounds, such as social origin, association with national minority, and/or status. Actions taken as a consequence of this policy will be applied fairly and impartially, having due regard for natural justice and human rights.

**7.2 Diversity Impact Assessment**

This policy has been assessed for its relevance to the six strands of Diversity and has been rated as “LOW” relevance.

**7.3 Diversity (Human Resources)**

In the application of this policy, the Force will not discriminate against any persons regardless of their gender, sexual orientation, race or ethnic origin, religion, age or disability.

**7.4 Management of Police Information (MoPI) Compliance**

Information deemed ‘for a policing purpose’, or any data about an individual that is circulated or received by e-mail; or published/downloaded via the intranet or internet or circulated in any other format must comply with MoPI guidelines.

**7.5 Community Engagement Strategy and Standards**

This policy does not have the potential to engage any of the Force Community Engagement Standards.

**7.6 Data Protection**

Personal information processed in compliance with this policy will be managed in accordance with the provisions of the Data Protection Act 1998.

Line Managers must be aware that the information they hold under section 5.5 must be managed in a secure manner in order to prevent inappropriate access.

**7.7 Freedom of Information Act**

This policy is suitable to be made available to the public and can be published on the Thames Valley Police Freedom of Information Publication Scheme.

**7.8 Protective Markings**

This policy has been assessed as **NOT PROTECTIVELY MARKED.**

### **7.9 Health & Safety at Work**

There are no Health and Safety implications.

### **8.0 Monitoring and Review**

A full review will be carried out by the policy author and will examine:

- Changes in legislation
- Court rulings – Domestic, European and Human Rights
- Examples of good practice from other Forces or other organisations
- Changes in Home Office Circulars
- Developments with ACPO Policy Unit
- Representations made by individuals and relevant organisations
- Relevant Equality data

**APPENDICES****APPENDIX A – POLICE OFFICERS****A.1 Step 1: Police Officer to make a considered request:**

The formal application must be made in writing (application form) which should be sent to the appropriate line manager and a copy to the HR Manager, The officer may find benefit from discussing their position informally with their line manager in the first instance. The written request from the officer must:

- specify the change applied for and the proposed effective date of the change,
- explain what effect, if any, the officer thinks making the change applied for would have on their unit/department, and how, in his or her opinion, any such change might be managed.

The officer making an application for flexible working can withdraw their request at any time during the procedure. Notification of the withdrawal should be made in writing using the notice of withdrawal form.

**A.2 Step 2: Thames Valley Police to consider the request**

The line manager will give serious consideration to a request to work flexibly with a view to being able to accommodate the request. Careful consideration must be given to the impact of the proposed arrangement on both the organisation and on the individual including the health and safety implications of a change in working pattern. For example, it would be necessary to conduct a risk assessment if the change to working hours necessitated an officer working alone on a remote site. There may be circumstances where a request cannot be fully met, or may be partially met through modification of the original request. This will be discussed with the officer at a meeting as described in step 3 of this procedure.

**A.3 Step 3: Meeting to discuss application**

If the line manager, with advice from the HR Manager, agrees to the request, a meeting need not take place. Otherwise the line manager will make arrangements to meet the officer.

The meeting provides the opportunity for the line manager and the officer to discuss the proposed working pattern in detail and how the changes can be achieved. Each application should be considered on its own merits in light of operational requirements and the personal needs of the officer. The officer may not be aware of all the possible options, so managers should take the opportunity to establish the applicant's minimum requirements such as available childcare and partner's shift patterns. It may be appropriate for the

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HR Manager to also attend the meeting to give guidance and, where appropriate, suggest alternative working arrangements.

The line manager will arrange a meeting for the officer which must fall within **28 days** of the date of the written request. An extension to this timeframe may only be considered if the line manager or the officer making the request is absent due to leave or sickness at the time the application is received, or by mutual agreement, or where a companion (see 4.3 below) is not available at the time proposed for the meeting.

If the officer fails to attend the meeting to discuss their application on two occasions, Thames Valley Police may treat the officer's application as withdrawn.

A trial period may be appropriate to assess the feasibility of the proposed flexible working pattern before making a permanent adjustment to the current working arrangements. It will help both the officer and their line manager to see if the proposed arrangement can work rather than either party assuming that it will or won't.

**A.4 Step 4: Decision**

The line manager will provide the officer making the application with notice of his or her decision on the request for flexible working within:

- **28 days** of receiving the written application, where the request can be accommodated, or;
- within **14 days** of a meeting having been held to discuss the application.

If the application is agreed, the written notice, using the acceptance form, will specify the variation to the officer's Conditions of Service and the date from which it is to take effect. There may be further discussions between the HR Manager and the officer to ensure a smooth transition of the new working arrangements. The HR Department will be responsible for drawing up the Service Level Agreement (SLA).

Where there is an agreement for a Police Officer to work part-time, this must be reviewed every 12 months in accordance with the Police Regulations. If a Police Officer has a change in role or circumstances the SLA must be reviewed.

In some cases, it may not be possible to consent to a request for flexible working. The line manager, advised by the HR Manager, reserves the right to refuse an application where he/she considers that one or more of the following grounds applies:

- burden of additional costs;
- detrimental impact on quality of service;
- detrimental impact on performance;
- inability to meet organisational/customer demand;

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- inability to reorganise work amongst existing staff;
- inability to recruit additional staff;
- insufficient work during the periods the officer proposes to work;
- planned structural changes.

Where the line manager is unable to meet a request on the grounds noted above, he/she should give a sufficient explanation to the officer of why, in his/her opinion, the ground(s) for refusal applies and why it results in the refusal of the application. This explanation will be given in the rejection form.

If a request cannot be accommodated, the written notice must:

- set out the grounds for refusal (see above);
- contain sufficient explanation as to why the grounds apply; and
- set out the appeal procedure.

**A.5 The Right of Appeal**

The officer is entitled to appeal against the decision by giving notice of appeal within **14 days** of the date on which notice of the decision is given.

An appeal must be in writing (signed and dated by the officer), setting out the grounds of the appeal using the appeal form.

The right of appeal will normally be to The Head of HR Service Delivery.

The officer will be advised by letter of the date and other arrangements for the appeal hearing. He/she will have the right to be accompanied, as defined in 4.3 below. Appeal hearings should be heard within **14 days** of the receipt of the notice of appeal, but in any case as soon as reasonably possible.

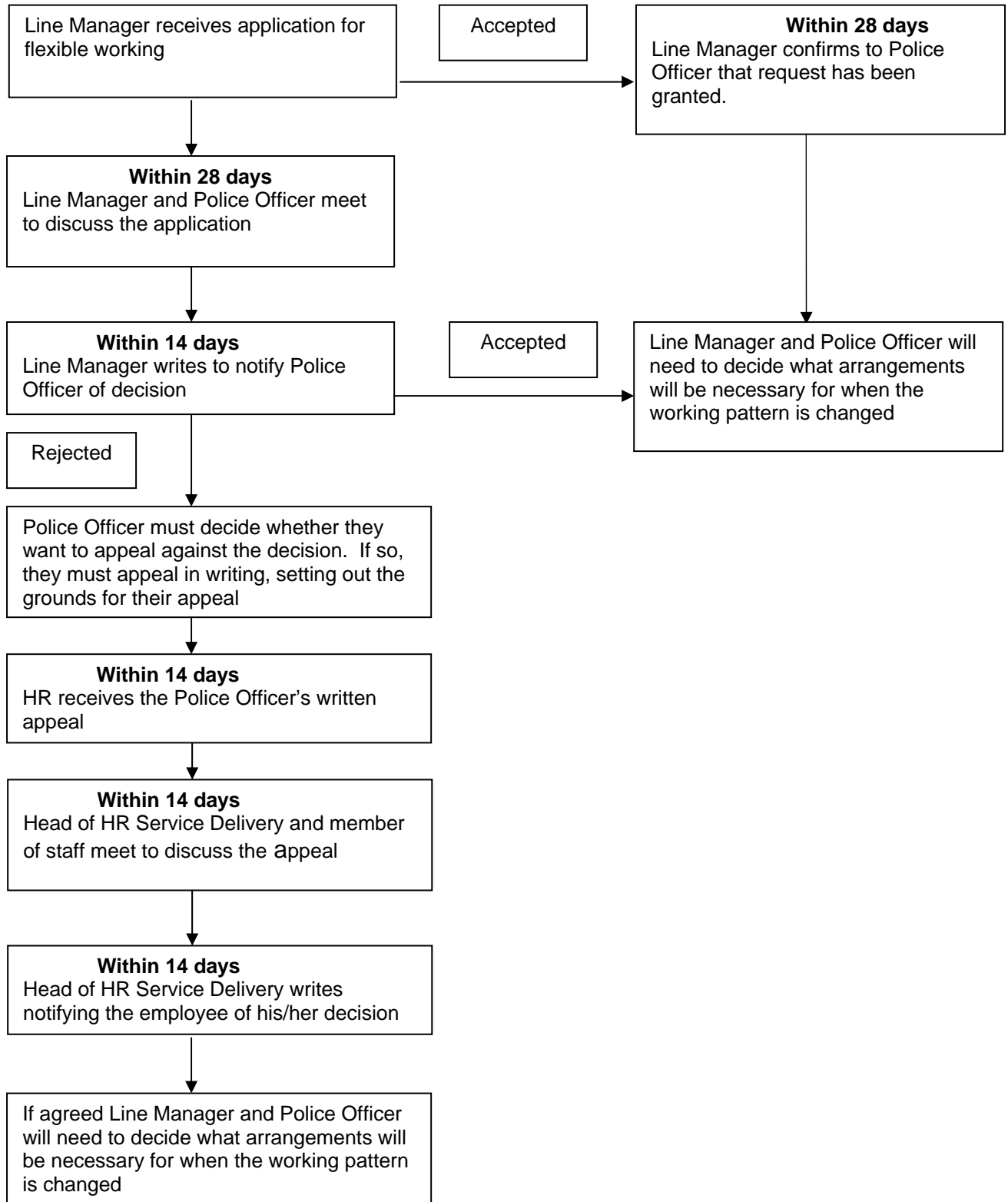
The person hearing the appeal will reach a decision on the appeal and inform the officer in writing within **14 days** of the date of the appeal hearing, on the appeal reply form.

In any case of appeal, the person hearing the appeal has the right to confirm the outcome of the original decision or recommend that the grounds for refusing the application were unsound, and that a decision on the application should be revisited.

Decisions made as a result of an appeal will be final and will be the concluding stage of this procedure.

**FLOWCHART FOR POLICE OFFICERS**

**SUMMARY FLOWCHART OF PROCESS FOR OFFICERS**



## **APPENDIX B – POLICE STAFF**

### **B.1 Step 1: Member of Police Staff to make a considered request:**

A request to work flexibly, if accepted, will result in a **permanent** change to a member of police staff's terms and conditions of employment, unless otherwise agreed in writing.

It is therefore important that an employee gives serious consideration to which working pattern would be best suited to their circumstances, before submitting a formal application, particularly as changes may result in the employee receiving less remuneration. The employee should also specify whether they would like the proposed change to be temporary or permanent.

The formal application must be made in writing (application form) which should be sent to the line manager and a copy to the appropriate HR Manager, although an employee may find benefit from discussing their position informally with their line manager in the first instance. The written request from the employee must:

- specify the change sought, and the date upon which the employee would like the change to commence,
- explain what effect, if any, the employee thinks making the change applied for would have on their unit/department, and how, in his or her opinion, any such change might be dealt with,
- specify whether he/she wishes the change to be temporary or permanent

The employee making an application for flexible working can withdraw their request at any time during the procedure. Notification of the withdrawal should be made in writing using the notice of withdrawal form.

### **B.2 Step 2: Thames Valley Police to consider the request**

The line manager will give serious consideration to a request to work flexibly with a view to being able to accommodate the request. Careful consideration must be given to the health and safety implications of a change in working pattern. For example, it would be necessary to conduct a risk assessment if the change to working hours necessitated an employee working alone on a remote site. There may be circumstances where a request cannot be fully met, or may be partially met through modification of the original request. This will be discussed with the employee at a meeting as described in step 4.1.3 of this procedure.

### **B.3 Step 3: Meeting to discuss application**

If the line manager, with advice from the HR Manager, agrees to the request, a meeting need not take place. Otherwise the line manager will make arrangements to meet the employee.

The meeting provides the opportunity for the line manager and the employee to discuss the proposed working pattern in detail and how the changes can be

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achieved. It may be appropriate for the HR Manager to also attend the meeting to give guidance and, where appropriate, suggest alternative working arrangements.

The line manager will arrange a meeting for the officer which must fall within **28 days** of the date of the written request. An extension to this timeframe may only be considered if the line manager or the employee making the request is absent due to leave or sickness at the time the application is received, or by mutual agreement, or where a companion (see 4.2 below) is not available at the time proposed for the meeting.

If the employee fails to attend the meeting to discuss their application on two occasions, Thames Valley Police may treat the employee's application as withdrawn.

A trial period may be appropriate to assess the feasibility of the proposed flexible working pattern before making a permanent adjustment to the current working arrangements.

**B.4 Step 4: Decision**

The line manager will provide the employee making the application with notice of his or her decision on the request for flexible working within:

- **28 days** of receiving the written application, where the request can be accommodated, or;
- within **14 days** of a meeting having been held to discuss the application.

If the application is agreed, the written notice, using the acceptance form, will specify the variation to the employee's Conditions of Service/Contract of Employment and the date from which it is to take effect. There may be further discussions between the HR Manager and the employee to ensure a smooth transition of the new working arrangements. The HR Department will be responsible for making the necessary changes to the Contract of Employment for police staff.

In some cases, it may not be possible to consent to a request for flexible working. The line manager, advised by the HR Manager, reserves the right to refuse an application where he/she considers that one or more of the following grounds applies:

- burden of additional costs;
- detrimental impact on quality;
- detrimental impact on performance;
- inability to meet organisational/customer demand;
- inability to reorganise work amongst existing staff;
- inability to recruit additional staff;
- insufficient work during the periods the member of staff proposes to work;
- planned structural changes

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Where the line manager is unable to meet a request on the grounds noted above, he/she should give a sufficient explanation to the employee of why, in his/her opinion, the ground(s) for refusal applies and why it results in the refusal of the application. This explanation will be given in the rejection form.

If a request cannot be accommodated, the written notice must:

- set out the grounds for refusal (see 4.1.4 above);
- contain sufficient explanation as to why the grounds apply; and
- set out the appeal procedure.

**B.5 The Right of Appeal**

A member of staff is entitled to appeal against the decision by giving notice of appeal within **14 days** of the date on which notice of the decision is given.

An appeal must be in writing (signed and dated by the member of staff), setting out the grounds of the appeal using the appeal form.

The right of appeal will normally be to The Head of HR Service Delivery.

The member of staff will be advised by letter of the date and other arrangements for the appeal hearing. He/she will have the right to be accompanied, as defined in 4.2 above. Appeal hearings should be heard within **14 days** of the receipt of the notice of appeal, but in any case as soon as reasonably possible.

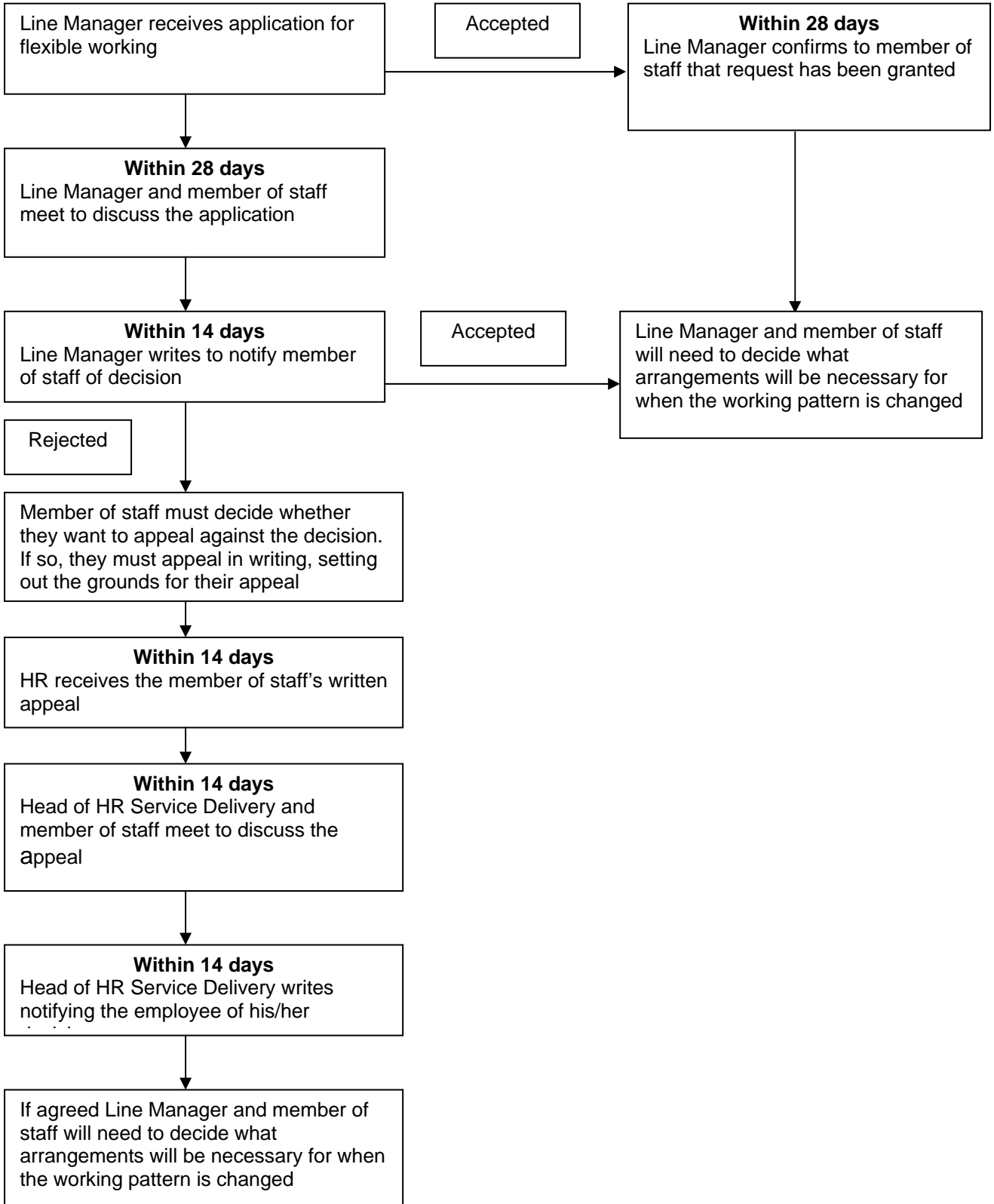
The person hearing the appeal will reach a decision on the appeal and inform the member of staff in writing within **14 days** of the date of the appeal hearing, on the appeal reply form.

In any case of appeal, the person hearing the appeal has the right to confirm the outcome of the original decision or recommend that the grounds for refusing the application were unsound, and that a decision on the application should be revisited.

Decisions made as a result of an appeal will be final and will be the concluding stage of this procedure.

**FLOWCHART FOR POLICE STAFF**

**SUMMARY FLOWCHART OF PROCESS FOR STAFF**



**APPENDIX C****GUIDANCE NOTES FOR POLICE OFFICERS & POLICE STAFF**

# **Part Time Working for Police Officers & Police Staff**

## **1. Introduction**

This document is intended to give guidance to members of staff who wish to request part time working and also to supervisors and line managers who will balance the needs of their team / department and the organisation with the request for part time working. This guidance document should be read in conjunction with the Flexible Working for Police Officers and Police Staff Policy.

## **2. Part time - Definition**

A part time worker is anyone who works fewer hours than a comparable full time worker. In practice, this means that a member of staff may work a reduced number of hours a day, or fewer days a week, or perhaps a regular pattern of alternate weeks.

### **Police Officers Part time - Definition**

The requirements upon full time officers concerning recalls to duty, compulsory overtime, transfer within force area, shift and unsociable working hours etc. will apply in the same way to part time officers.

With the introduction of the Police Regulations 2003, part time working arrangements apply to all ranks.

## **3. Recruitment**

Probationers, substantive officers or officers and police staff who haven't resigned and wish to re-join will be considered for part time working if a request is made in line with the Flexible Working Policy.

Having carried out a review of the post to assess the needs of the particular section the post should be advertised in line with the Advertising of Post Policy. This applies equally to police officer and police staff posts.

It is particularly important when the job involves irregular or unsociable hours or travel; that the full facts are referred to in the job description and other recruitment literature.

**NOT PROTECTIVELY MARKED**

Job descriptions and person specifications should be up to date and specify the minimum qualities, qualifications, competencies and experience essential for the post.

**4. Probation****Student Officers / Probationers**

Student Officers / Probationers may apply to work part time within the following constraints:

- Initial Training must be completed;
- A minimum average of 24 hours a week (1248 hours per year) must be worked;
- The probationary period for a constable will be a minimum of two years and will be extended on a pro rata basis to match the reduction in average hours per week;
- Part time Student Officers / Probationers will not be exempt from working shifts, including night duty. As with all part time workers rosters should be discussed and agreed by local management;
- Part time Student Officers / Probationers should work a shift pattern consistent with a named supervisor to ensure continuity of supervision.

Applications from Student Officers / Probationers to reduce the number of hours worked should be dealt with in the same way as established officers.

**Police Staff Probationers**

Police Staff will usually be expected to complete their probationary period before applying for part time working or job share. Applications to work part time during a probationary period will be given serious consideration particularly if the reason relates to child care issues. However, this must be balanced against the organisational need specifically in relation to the fact that the individual was recruited to perform a full time post

**5. Transfer from full time to part time**

The Employment Act 2002 provides a statutory right for parents with children under the age of 6 to **request** flexible working. The force recognises the importance of work life balance and will give careful consideration to all requests for part time working. In accordance with the provisions of the Act, the requests will include those from parents with children under the age of 6, or under 18 years in the case of a disabled child. The procedure for requesting a change to part time working is set out in the Flexible Working for Police Officers and Police Staff Policy.

**Police Officers** Transfer from full time to part time

Once a change of working hours has been agreed, part time officers will sign a Part Time Work Service Level Agreement (see [Appendix A](#)) which details

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agreed hours and place of work, subject to the exigencies of duty. A roster must be appended to each Service Level Agreement identifying work days, rest days and free days. If any officer increases or decreases their hours, a new Service Level Agreement (S.L.A.) plus roster (agreed by BCU / Department) is required. If only the roster changes (i.e. the hours remain the same) no new S.L.A. is required but the new roster should be attached to the original S.L.A. Decisions regarding the posting of part time officers is governed by a number of factors, including the needs of the BCU or Department as well as considering the requests of the part time officer.

Part time officers will be expected to fulfil any training criteria required and if necessary requested to attend any full time courses designed to assist with their continual development. Part time officers will be entitled to the usual course and travelling claims and will be required to work the same number of hours as full time officers for which they will be paid.

Officers wishing to re-join the service and work part time will undertake the same selection process as those who have applied to re-join as full time officers.

**6. Transfer from part time to full time**

A member of staff may apply at any time to change the number of hours worked or the working pattern. Any request will again be subject to discussion and negotiation. An individual will not be required to revert or change to full time working without their consent.

**Police Officers** Transfer from part time to full time

Any officer may apply to return to full time service at any time and every effort should be made to accommodate such a request within 1 month of notice being given. In any case there is an automatic right for an officer to transfer back to full time hours within three months of the request being made.

Following a transfer of an officer from part time to full time working, the HR Department should make arrangements to terminate the Part Time Working Service Level Agreement.

**Police Staff** Transfer from part time to full time

The HR Department will ensure that the Contract of Employment is amended accordingly.

**7. Training and Development for Part Time members of staff**

Opportunities for training and development should be the same as those for staff who work full time hours. Alternative methods should be considered to facilitate the involvement of part time workers.

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Residential courses are usually full time. Part time workers will be required to work full time for the duration of the course only, and then revert back to their normal working hours. Many members of staff who work reduced hours do so due to caring responsibilities and this should be taken into account when arranging training days. Individuals should be given reasonable notice of the requirement for attendance in order that they can make the necessary arrangements.

**Police Officers Training and Development**

Officers who attend training days which require them to work longer than their normal working day will be compensated in accordance with Police Regulations.

Officers also have a responsibility for identifying with their supervisor or manager any training needs they may have, this also means identifying the most appropriate course to meet these development needs. Some courses are not run on a frequent basis and attendance opportunities are limited, officers should therefore make every reasonable effort to attend.

**8. Performance and Development Review**

Part time workers should be formally reviewed in the same way as full time members of staff; that is on an annual basis with an interim review at six months or more frequently.

**9. Terms and Conditions****9.1 Police Officers****Payments**

Pay for those working reduced hours will be calculated on a pro rata basis and the officer will be advised of the appropriate salary prior to commencing work. Payment of allowances will also be calculated on a pro rata basis. Refreshments and subsistence are paid in line with Regulations for full time officers.

**Annual Leave**

Annual leave will be calculated on a pro rata basis and will be calculated in hours.

**Free day working**

If 15 days or more notification is given the officer will receive another free day. There is no financial compensation for a 'change' in the free day. With less than 15 days notification given and no one else able to do the duty, if the officer has worked more than 8 hours on a free day and more than 40 hours that week, overtime will be paid at time and a third rate. With less than 15

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days notification given and no one else able to do the duty, if the officer has worked less than 8 hours on a free day or less than 40 hours that week, they receive basic hourly rate (time), plus time off equal to the time spent on duty, this time is unpaid. No compensation for the 'change' in free day. If less than 15 days notification and any officer could have performed the duty then rest day rates will apply.

**Rest day working**

If less than 5 days notice then double time will be paid. If 5 or more days notification is given but less than 15, payment will be at time and a half. (Therefore in essence the same as a full time officer).

If an officer receives 15 or more days notice to work either a Rest Day or Free Day they will not be entitled to any compensation. However, they will be owed a day off and the hours the Officer works on either Free Day or Rest Day will be their normal hours.

**Bank Holidays**

If an officer is due to work then payment will be at double time. If an officer is on a rest day then the Bank Holiday is taken with a rest day owed. If the officer is on a free day then the Bank Holiday is taken with compensation of hours as a percentage of an 8 hour working day. Therefore an officer working 20 hours per week will receive a day off plus 4 hours flat time, (20 hours is half a working week and half of 8 hours is 4), either for time off or payment.

**Overtime Rates**

Where part-time officers work additional hours they will be paid at plain time rates for the extra hours worked. Part-time officers will only qualify for overtime rates when the hours he/she has worked are in excess of the normal full time hours worked by a comparable full time officer. Where a part time officer works over 8 hours for their scheduled days, but under 40 hours per week the additional hours will only attract plain time rates not overtime rates.

**Casual Overtime**

From the 1st April 2003 the first half hour of any casual overtime is lost with no compensation unless on five or more consecutive working days (not including Rest Days) casual overtime is accrued in one complete shift pattern then this can be claimed as time off or for payment (if less than 40 hours worked in a week = flat time) (if more than 40 hours worked in a week = time and one third).

**Refreshment Periods**

Refreshment Periods in relation to hours worked are detailed in the table below. Intervals for refreshment, as for all officers are subject to the exigencies of the force.

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<b>Hours worked</b>	<b>Refreshment period</b>
Less than six	30 minutes
Six to seven	35 minutes
Seven to eight	40 minutes
Eight to nine	45 minutes
Nine to ten	50 minutes
Ten or more	One hour

**Maternity Leave**

Officers who work reduced hours will be entitled to the same periods of paid and unpaid maternity leave as those officers working full time hours. Payments will be calculated on a pro rata basis.

**Pensions**

Officers should seek advice from the Pensions Section prior to commencing part time work regarding special provisions and implications for pension entitlements. Officers must check with the Pensions Section to ensure that they receive up to date information regarding their personal circumstances.

Pensionable (or reckonable) length of service for part time officers is calculated on a pro rata basis, for example, a part time officer who works an average of 20 hours per week, will work for two years for one year of full time service. In determining other entitlements e.g. annual leave, service is countable in 'ordinary years'.

**Review of hours**

Police Regulations require the Chief Constable to review a Federated Officer's scheduled hours at least once per year, this responsibility has been delegated to line managers and HR Managers. This review needs to be conducted because officers who consistently work more than their contracted hours should have their contract reviewed. Thought should be given to whether or not it is more appropriate to increase the contracted hours or reduce the workload to ensure that only the contracted hours are required for the work to be carried out. An increase in hours would affect the amount of annual leave, pension and other entitlements, advice should be sought from the line manager and the HR Manager.

**Duty Rosters**

Duty rosters will set out duties and time off for at least three months, except one relating to a part time member of staff who has agreed a different period with their chief officer. As with arrangements for full time officers, rosters will allow at least eleven hours between shifts and there will be not more than seven days between rest days unless local agreements allow for this.

**Housing, Rent and South East Allowance**

Part time officers who receive housing / rent allowance will be paid on a pro rata basis. Officers rejoining the Service after 1st September 1994 will not receive a housing allowance or be provided with police accommodation. Special provisions are made when one police officer is married to another serving police officer. The South East Allowance is payable to officers joining post 1st September 1994 and this allowance will be paid on a pro rata basis. The Finance Department are able to advise further on this. Payment of regional allowances will be on a pro rata basis.

**9.2 Police Staff**

For full details of Terms and Conditions, reference should be made to the Support Staff Handbook. The main issues are outlined below.

**Payment**

Pay for those working reduced hours will be calculated on a pro rata basis and the employee will be advised of the appropriate salary prior to commencing work. Payment for unsociable hours and allowances will also be calculated on a pro rata basis.

**Annual Leave and Bank Holidays**

Annual Leave and Bank Holidays will be calculated on a pro rata basis and will be calculated in hours.

**Overtime**

Overtime rates are not paid during the normal working week until 37 hours have been worked. Advice can be sought from the HR Manager or HQ Finance Department regarding pay issues.

**Pensions**

Employees should seek advice from the Pensions Section prior to commencing part time work regarding special provisions and implications for pension entitlements. Employees must check with the Pensions Section to ensure that they receive up to date information regarding their personal circumstances.

**Increase in part time hours**

Employees who consistently work more than their contracted hours should have their contract reviewed. Thought should be given to whether or not it is more appropriate to increase the contracted hours or reduce the workload to ensure that only the contracted hours are required for the work to be carried out. An increase in hours would affect the amount of annual leave and other

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entitlements would also be increased, advice should be sought from the line manager and the HR Manager.

**Redundancy**

Selection for redundancy will not be based on an employee working part time hours. The criteria for selection should be determined in accordance with the guidance given in the Responsive Personnel Planning Policy and the same criteria should be applied to part time employees as to full time employees. Employees should be aware that redundancy pay is calculated on current weekly earnings and the number of year's service. This means that if an employee worked full time for 5 years and then part time for 5 years the calculation would be made on 10 years at current weekly salary. Advice should be sought from the HR Manager.

**Maternity Leave**

Employees who work reduced hours will be entitled to the same periods of paid and unpaid maternity leave as those employees working full time hours. Payments will be calculated on a pro rata basis.

**10. Communication**

Members of staff who do not work the "normal" hours for a particular job can sometimes be forgotten when it comes to the various forms of communication used in the organisation. It is important to ensure that meetings and briefings are arranged to facilitate part time workers attendance. This may mean that sometimes a morning and afternoon briefing is held and that certain days have to be avoided. It may be appropriate to speak individually to members of staff if it is not possible to facilitate their attendance. Individuals themselves have a responsibility to make use of the Intranet, Weekly Orders, Thames View and other communication media in order to keep up to date with force issues.

There may be meetings which require the attendance of an individual in order for them to fulfil their role. Members of staff should make every effort to attend these meetings and supervisors and managers should try to ensure that adequate notice is given.

Thames Valley Police need to be aware of Article 8 of the Human Rights Act with regard to respecting an employee's private and family life when balancing this with the needs of the organisation.

**11. Career Progression**

Thames Valley Police aims to provide career development for all staff. This career development is the shared responsibility of the individual, the line manager and the organisation and can only be achieved through effective career management systems.

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Performance and Development Reviews, open advertising and fair selection, promotion systems and effective feedback all have an important part to play in balancing the needs of the organisation with the needs and aspirations of individual members of staff.

Members of staff who work part time will be able to apply for career progression opportunities via a full time post; this includes specialist posts that can accommodate part time working. As these work practices become more common the number of opportunities for career progression will increase. Individuals should be given opportunities to perform acting duties in the same manner as full time workers, subject to flexibility required in order to accommodate the role.

**12. Phased Retirement**

Members of staff wishing to use part time working to phase their retirement should ensure that they are fully aware of any implications a new working pattern would make on their pension arrangements. Having received advice on their pensions, individuals should discuss the issue of phased retirement with their HR Manager.

**PART TIME WORK - SERVICE LEVEL AGREEMENT**

You have been appointed as a part time Police Officer under the provisions of the Police Regulations - as amended. In the first instance you will be posted to:

Your normal hours of duty have been agreed on a planned and regular basis and are as follows:

An average of ..... hours per week made up of various shifts throughout the 24 hours as per agreed rota, ..... hours per 4 week period. These are your normal hours, which are subject to the exigencies of police duty. You are a Police Officer in every sense of the word and inevitably there may be occasions when you will be required to demonstrate commitment in excess of your normal agreed hours.

Postings are at the discretion of the Chief Constable and Career Progression and Performance Policy and other policies relating to postings will apply to part time officers in the same way as full time officers. Force and Career Development needs will be factors in determining subsequent postings.

HR Manager

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To: HR Manager

From.....

I have read the above and the Part Time Working Guidance document and agree to abide to the principles therein.

Signed.....

Dated .....