

POLICE NEGOTIATING BOARD

Independent Secretary:
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AGREEMENT REACHED IN THE FEDERATED RANKS COMMITTEE

1. At the meeting of the Federated Ranks Committee on 22 January 2010, agreement was reached on guidance on designing variable shift arrangements. Details are set out in the attached memorandum.
2. This agreement requires no amendment to police regulations or determinations; however, it will be promulgated in a Home Office Circular.
2. Any enquiries about this circular should be addressed to the Independent Secretariat at the Office of Manpower Economics ☎ 020 7215 8101, to the Official Side Secretary ☎ 020 7187 7341 or the Staff Side Secretary ☎ 01372 352101. Enquiries to the Independent Secretariat relating to the interpretation of this circular should be made in writing.

6 April 2010

MEMORANDUM

The agreed joint guidance document on designing variable shift arrangements is attached.

GUIDANCE ON DESIGNING VARIABLE SHIFT ARRANGEMENTS (VSA)

General Principles

1. Any shift pattern for police officers should seek to balance the demands of the public, the police service and the officers.
2. It is essential that the interests of all three stakeholders are taken into account.
3. Any shift pattern that marginalises the interests of any of these stakeholders is likely to lead to conflict.
4. Any shift pattern for police officers must meet the legal requirements of Police Regulations and Determinations 2003 (in particular Regulation 22 Annex E) and the Working Time Regulations.
5. Variable Shift Agreements are not to be seen as particular shift patterns, rather they are principles under which three month duty rosters can be planned using shifts of greater than 8 hours.
6. In the absence of a VSA, the default position for the rostering of police officers' duty time is that all shifts shall be of 8 hours in length as per Police Regulations.
7. In addition, any shift pattern needs to best meet the health and safety requirements of those expected to work it, in order to ensure sufficient officers are able to respond to duty effectively. This would normally be achieved by recognising accepted good practice and research.
8. The operation of a balanced score card approach, as recommended in the Accenture report of 2004 into Police Resource Management and Rostering Arrangements, (HOC 68/2004)¹ should act as a guide to determining any shift pattern. These elements are supply/demand match, officer welfare, manageability and external factors, (which must also take account of service to the public and value for money).

¹ http://police.homeoffice.gov.uk/publications/police-reform/HO_police_rostering.pdf?view=Binary

Resource Management and Demand Profiling

9. A shift pattern needs to recognise that demand will be higher on certain days and times in the week and the need to have officers available to meet that demand is an over-arching principle.
10. The determination of properly identified local demand rests with management, and the rostering of any duty must be in accordance with that demand and due consideration to safe systems of work.
11. Any shift pattern must be seen as a part of an overall resource management package which includes the use of flexible and part-time working and the management of overtime.
12. Forward planning is key to successful resource management. Known annual occurrences (such as religious holidays and festivals, sporting and local community events, New Year and other Public Holidays), where additional officers or duty changes may be required, should be accounted for when shifts are being arranged.
13. This principle should also be applied to any other predictable event that will require additional resources, and should be done as part of an annual planning cycle, reviewed on at least a quarterly basis.
14. Forces must have a clear process and a dedicated adequately skilled resource for duty management, which can be updated as demand changes. Ideally this should be aided by a computer-based, auditable process that is capable of managing flexible and reduced hours working by officers and staff.

Consultation

15. Consultation with Staff Associations, affected officers and other identified stakeholders should be undertaken at an early stage when any new shift pattern is being considered and in particular throughout the development stage.
16. Ultimately any VSA must be agreed between the Force and Joint Branch Board; however, suitable and reasonable consultation with officers and their Representatives throughout the development process can be expected to negate the necessity to hold a ballot for the Branch Board to assess officers' views about any particular VSA.
17. A ballot of officers may be held by the Joint Branch Board. This is to ensure that the Branch Board can gauge officers' views about a VSA before an agreement is reached with the Force about the introduction of any proposed shift

pattern. It is the responsibility of the Branch Board to arrange and fund any ballot of their members.

18. Any ballot should be constructed in such a fashion that it highlights any objections to specific elements of proposed rosters, rather than merely acceptance or otherwise of a particular way of working.
19. Should agreement on a particular VSA not be achievable and subsequent negotiation renders the matter irresolvable, then the Chief Officer shall adhere to Police Regulations and introduce a duty roster of no more than eight hours. In such circumstances the Chief Officer needs to be mindful of his/her responsibilities to consult with staff and their representatives on the health and safety implications of any new system of work²

Forward Planning

20. Under Police Regulations all rosters must set out an officers' rest days, free days, public holidays on which they are required to work and specific start and finish times of scheduled periods of duty for at least three months from when it comes into effect, and must be published at least one month before they commence. Subject to exigencies of duty any changes should be notified to officers one month in advance.
21. Those Forces who, due to their computerised duty management software, already publish rosters of more than three months, shall have in place a dedicated resource to ensure that each period of three months accords with demand.
22. Changes to published rosters should be kept to a minimum and only changed due to exigencies of duty or on the request of individuals (subject to exigencies of duty). Regular monitoring of published rosters should keep frequent changes to duties to a minimum.
23. The term 'exigencies of duty' is defined in PNB circular 86/9 as relating to situations where a pressing demand, need or requirement is perceived that is not reasonably avoidable and necessitates a change of roster.
24. Any changes to rosters should only be made after full consideration of operational, welfare and practical circumstances, including any financial impact. A new roster should be subject to an Equality Impact Assessment (EIA) as part of the Force's duty to promote equality.

Flexible Working

² <http://www.hse.gov.uk/PUBNS/indg232.pdf>

25. Flexible working offers opportunities to address key time demand issues. Forces should seek to identify these periods and actively encourage working arrangements to satisfy these operational needs.
26. VSA working may put Officers with caring commitments at a particular disadvantage. Forces should give due consideration to individual requests from Officers who are unable to work particular shift patterns. However, any flexible working request should only be agreed if it meets operational requirements.
27. Where an officer wishes to change their working hours on a more permanent basis, any request should be considered under the relevant Force procedures in the light of the Home Office guidance on Flexible Working in the Police Service³. In such individual cases there is no requirement for agreement with the Joint Branch Board.
28. In addition, when managing published rosters, due consideration should be given to permitting reasonable and timely individual requests to vary shifts.

Guidance on Roster Design

29. The Accenture Report (HOC 68/2004) identified that the most effective and efficient shift arrangements were either the 5 block VSA 99 shift pattern or 2x2x2.
30. When designing such patterns, or in circumstances where such shift patterns are inappropriate and others are required, the design of a particular shift pattern shall take into account the following principles
 - Shift lengths and start and finish times should be determined by local operational demands
 - A shift should ideally be between 8 and 10 hours in length. 12 hour shifts, whilst popular with some, are not recommended on the grounds of operational efficiency, service provision and health and welfare.
 - Where possible, rest days are rostered no less than two together.
 - Where possible, rosters should follow the sequence of earlies, lates and nights, unless there are sound reasons for not doing so.
 - There should be no more than four consecutive nights
 - Where possible, overtime should be avoided at the end of a night shift.
 - Rest days shall be planned to allow for recovery following night shifts.
 - There should be no more than 6 consecutive shifts before a rest day.

³ http://police.homeoffice.gov.uk/publications/human-resources/flexible_working_police_service

- Regular shortfalls should be accommodated through the intelligent use of flexible working opportunities to fill areas of peak demand.
31. It must be recognised that, due to the nature of police work, published rostered shifts may have to be changed subject to the exigencies of duty; however, adherence to these principles should minimise such occurrences.