

JCC 8 SEPTEMBER 2010 – PNB BRIEF

LAST JOINT PNB MEETING: 28 July 2010
NEXT JOINT PNB MEETING: 28 October 2010

PNB FULL BOARD

Regulations and Determinations

Regulations

- SOCA- reckonable service (PNB 09/2 & HOC 5/2009) – Staff Side provided comments on draft revised regulations produced by the Home Office. These were sent on 19 January 2010. At the PNB meeting on 28 July the Home Office indicated they would now progress this.
- Housing emoluments for police officers who rejoin the police service following a medical retirement (PNB 08/07 & HOC 22/2008) – Staff Side provided comments on draft revised regulations produced by the Home Office. These were sent on 19 January 2010. At the PNB meeting on 28 July the Home Office indicated they would now progress this.

Determinations

- Temporary promotion and temporary salary (PNB 08/4 & HOC 18/2008) and Pay on promotion (PNB 08/3 & HOC 15/2008) - Staff Side provided comments on draft determinations to put these circulars into effect in July 2009 and a response from the Home Office was received on 7 December 2009. Staff Side sent a further letter to the HO on 15 December 2009 setting out significant concerns regarding the qualification period for officers who work part time to receive temporary salary as set out in the original PNB agreement 08/4. Staff Side suggested that PNB 08/4 should be amended so that officers who work part time should qualify when they have worked 10 complete days at their normal working hours, not 80 complete hours. At the Gender Equality/Work Life Balance wp on 11 February 2010 the Official Side said that they recognised that there was a potential problem but said that their preferred option was to publish the Determination as per the original circular and then to discuss the required amendment. Staff Side wrote again to the OS on 23 February stating that Staff Side did not want to revisit these discussions. PNB should have due regard to the law in this area and take the lead in promoting a supportive workplace for officers who work part time. The amendment to PNB Circular 08/04 could and should be made at the PNB and the Determinations published without further delay. At the GEWLB working party meeting held on 22 March the Official Side conceded this point. Unfortunately, at the PNB on 15 April the Official Side was unable to sign off any agreements as they were in the period of purdah in the run up to the General Election. At the last PNB meeting on 28 July the OS said that they would write to the Staff Side shortly. The next meeting of the GEWLB working party is due to take place on 20 September 2010.
- Adoption leave - Staff Side have previously provided comments on a draft determination with regard to PNB Circular 06/5 on adoption leave. The Official Side wrote on 29 October 2008 with proposals to update the provisions for police officers in relation to maternity and adoption leave; this would include implementing outstanding aspects of PNB 06/5. The HO has been asked to start work on updating regs and determinations as soon as the Sides have a copy of the Maternity Guidance they are both content with.

- Pay on Promotion - At the PNB meeting on 28 July the Home Office indicated they would now progress the agreement on pay on promotion. Staff Side provided comments on draft determinations in July 2009.
- Motor Vehicle Allowances - At the last PNB meeting the Official Side indicated that the Home Secretary would not be translating the new rates for Motor Vehicle Allowances into a determination. You wrote to the Home Secretary on 3 August 2010 expressing your concern and disappointment.

Future Data Requirements

Following feedback in March on the pilot for the new Earnings Census, the full survey together with Guidance Notes was eventually sent out to forces on 16 April. The initial deadline for force returns was mid-July. Completed returns have been received from 45 of the 52 forces as of 31 August. Of the outstanding 7 forces, two have completed but have still to return, one is still working on their response but has promised to return in two weeks, and another is double-checking with the person responsible if completed yet. Two forces are unlikely to provide a return (Dyfed-Powys and Avon and Somerset) and one force (Derbyshire) has already said that it will not be providing a return. The current response rate is 86.5 percent. If four of the remaining forces provide a return this could increase to 94.2 percent. Since this census includes all officers in force the resulting database, even on this response rate, will be far more extensive than the previous sample survey approach.

Background: The PNB set up a Technical Working Group to look at the PNB's data requirements. In March 2010 the TWG agreed to proceed with the full Earnings Census to replace the sample survey approach of previous years.

South East regional allowance

At the PNB meeting on 23 July 2009 Staff Side accepted in principle the Official Side's offer to uprate the South East allowance by giving forces currently paying the South East allowance flexibility to pay up to £3,000 and £2,000 respectively (an increase of £1,000). The criteria for payment would be based on recruitment and retention considerations. This offer had been conditional on the withdrawal of the London allowance element of this claim.

Staff Side felt that at the present time, due to the economic climate, the prospects of successfully pursuing the London allowance element of the claim to arbitration were not good, and that in view of this the best option would be to accept the offer in relation to the South East allowance, whilst reserving the right to bring back the London allowance claim when the economic climate had improved.

The Official Side's offer will protect payments currently made to officers in receipt of the South East allowance. There are two further issues that also need to be addressed through the 'no detriment' provisions before a final agreement can be finalised. These concern officers in receipt of a half rate housing allowance in South East forces paying £1,000 and secondly, in the situation where officers in receipt of rent or housing allowance are sharing accommodation.

At the PNB meeting in April 2010, the Official Side said that they were prepared to accept these two no detriment provisions provided that they will only apply where the higher allowance is being paid e.g. in a geographical location, a BCU etc. Staff Side was content with this and Staff Side has since provided comments on a draft PNB circular. At the last PNB meeting the OS said that they would be writing to the Staff Side as soon as possible, to make a formal offer. They would be looking to agree an implementation date for some point in the future. The offer represented a majority OS position and did not have the support of the Home Office.

Temporary promotion – reckoning of service

This item relates to the issue of reckoning of service on temporary promotion in both the higher and the substantive rank. Staff Side wrote to the Official Side on 6 November 2008 setting out Staff Side's reasoning and including information on a County Court judgement (Gill v CC Merseyside) that concurs with Staff Side's view that regulation 24(2) provides for the simultaneous reckoning of service.

Staff Side's position has been further strengthened by the County Court judgement in the case of R M Crorie v (1) The Secretary of State for the Home Department and (2) National Policing Improvement Agency made on 9 October 2009. His Honour Judge Derek Halbert ruled that the correct interpretation of regulations would mean that *"an officer is given credit at any given pay scale for any time he or she has spent at that level or higher."*

The Official Side wrote to the Staff Side on 15 January 2010 and proposed that if permanent promotion occurred within five years of a previous temporary promotion then the temporary promotion service would count towards service in that rank. The agreement would take effect from 1 April 2010 going forward and therefore would not apply retrospectively. At the PNB meeting in January Staff Side made it clear that any agreement would need to apply retrospectively and that any further periods of temporary promotion should also take into account any previous periods of temporary promotion. The Official Side wrote again on 4 March and Staff Side provided comments on a draft PNB circular on 26 May 2010 on the following basis:

- Any permanent or temporary promotion occurring on or after 1 September 2010 will take account of all previous periods of temporary promotion, where a period of temporary promotion has been worked within the previous five year period and that these periods will count towards service in the higher rank;
- Any agreement reached at this time must acknowledge that Regulation 24(2) provides for the simultaneous reckoning of service in both the higher and lower ranks; and
- To include reference that this agreement would not alter the current provision in regard to substantive promotions. In other words, that it remains the case that all time spent in a higher rank on permanent promotion counts towards service in the higher rank as well as a lower rank.

At the last PNB meeting the OS said that they were still considering the implications of the County Court cases and would write to the Staff Side in due course.

Professional Dependant Care

This item was referred to the Gender Equality/Work Life Balance working party where it was agreed to address the claim through PNB maternity guidance and to review the matter again in 18 months/two years. At the last PNB meeting agreement was reached on the Guidance on Managing Maternity and related issues. This has since been issued under as PNB circular 10/5.

Background: The claim (as revised) seeks to "actively pursue the right for an officer to reclaim expense incurred in securing care for a dependant as a direct result of any additional operational need or, as the case may be, in the event of an additional operational need for which, in the event, they were not required for duty".

Payment of Allowances whilst on Sick Leave without Pay

The Official Side had previously suggested that they wished to explore this proposal further alongside Staff Side's claim to address the anomaly that occurs when housing allowance is shared between officers of different ranks. However, the claim in relation to housing

emoluments was agreed at the last PNB meeting. Previously, at a PNB meeting in January 2010 the OS undertook to draft a guidance document on managing sickness absence for Staff Side to consider. Staff Side has stressed the importance of ensuring that procedures are in place to properly manage the process of dealing with long-term sick leave.

Background: In 2004 the Official Side submitted a proposal stating that whilst officers were on unpaid sick leave they should not be entitled to any allowances. Staff Side did not agree with the proposal and was particularly concerned that officers were being left, unmanaged, on sick leave for over a year. The matter went to conciliation, but the process was halted pending the outcome of the discussions on pay reform.

Part-time Working and Police Regulations 2003

No change since the last meeting.

This Official Side item has been referred to the Gender Equality/Work Life Balance working group. Staff Side members of the GEWLB working party have some sympathy with this claim, but concerns as to how it can practically be achieved without being discriminatory or having an adverse effect on all officers wishing to revert to full-time hours.

The OS has indicated that they will pick up this issue when they respond to the Staff Side on proposed amendments to regulations and determinations covering part time working.

Background: The Official Side proposal seeks to address the issue of part-time officers who apply to return to full-time duties, when on sick leave, in order to secure pay at full-time rates. Staff Side lawyers are concerned that the proposals could potentially undermine the right of a part-time member to revert to full-time service in all cases, and that agreement is required from management to increase hours in all cases. Staff Side wrote to the Official Side on 17 January 2006 detailing their concerns and suggesting a proposed resolution.

Equal Pay Audit

A report on the preliminary findings of the EPA was submitted to the PNB in January 2010. This item has also been referred to the GEWLB working party. The GEWLB on 10 February decided to set up a small twg to examine the data further and agree a way forward. The twg met twice on 5 March and 13 May 2010. A letter was sent to the Official Side setting out the actions arising from the first meeting of the twg. At the meeting of the Gender Equality and Work Life Balance working party the Official Side expressed their view that no agreements had yet been reached and that they did not accept the need for urgent action on pay scales. The Staff Side reserved the right to bring a claim on this matter in the future. On 11 May 2010 a revised EPA report was sent to the OS. The OME had identified a transposition error in the data to produce the tables in the report. The charts had been amended to demonstrate the change and the text altered to reflect the fact that the pay gap between Sergeants and Constables was in fact consistent at all overtime rates. These changes did not impact on the overall calculations. The Official Side proposed that they ask forces for information on any EIAs conducted locally on these schemes and undertook to write to the Staff Side with a proposed way forward. SS also asked the OS to write setting out how they intended progressing the work to address any equal pay gap given that it was the employers' responsibility. At the last PNB meeting the OS confirmed that they would be writing shortly to Staff Side to propose a way forward.

Fertility Treatment

This item was referred to the Gender Equality/Work Life Balance working party where it was agreed to address the claim through PNB maternity guidance and to review the matter again in 18 months/two years. At the last PNB meeting agreement was reached on the Guidance

on Managing Maternity and maternity related issues. This has since been issued as PNB circular 10/5.

Background: A claim was submitted on 31 January 2007 seeking up to 7 days' paid leave in any one year to an officer undergoing fertility treatment and up to 3 days' paid leave in any one year to an officer supporting their partner undergoing fertility treatment. The Official Side do not believe there should be a nationally prescribed level of leave. The Official Side stated that they would be prepared to agree wording that encouraged forces to provide reasonable time off for police officers.

Work and Families Act 2006/Sex Discrimination Act 1975 (Amendment) Regulations 2008 & Keeping in Touch days

This item was referred to the Gender Equality/Work Life Balance working group and has been dealt with through the Official Side letter of 29 October 2008 and the Staff Side response of 16 March 2009. The reckonability of service for purposes of pay, pensions and leave needs to be translated into regulations and backdated for women whose babies were expected on or after 5 October 2008. A draft PNB circular has been produced, which has not yet been agreed by the Official Side. Staff Side have also produced a draft circular on KIT days which is awaiting agreement by the Official Side. These were due to be signed off at the April PNB meeting but due to the General Election the OS was not in a position to reach agreement. At the last PNB meeting the OS said that they were able to sign off both agreements subject to some minor amendments. Comments from the OS are awaited.

Background: The Sex Discrimination Act 1975 (Amendment) Regulations 2008 clarified that there should be no distinction between a woman's entitlement to certain benefits during Ordinary Maternity Leave (OML: the first 26 weeks of maternity leave) and Additional Maternity Leave (AML: the second 26 weeks of maternity leave). Staff Side is therefore seeking 52 weeks' maternity leave to be reckonable for pay, pensions and leave purposes for all police officers. The claim was submitted on 1 February 2007.

Part-time Inspectors and above – Pay

No change since last meeting.

This item was referred to the Gender Equality & Work Life Balance working party, but as a result of the Sides failing to reach any agreement was removed from the agenda, pending the outcome of litigation.

Staff Side have received legal advice from a leading QC, who has recommended that this issue should be tested in the High Court as an equal pay claim. The High Court has referred the matter to the County Court and the case is likely to be heard in the autumn.

Background: An issue has arisen at Joint Secretaries via a request for guidance from Herts force. Herts have stated that they do not currently pay part-time inspectors for any time worked over and above their agreed hours. The Official Side asked that we provide them with an explanation as to why part time inspectors are hourly paid to help them in their discussions with their colleagues. A letter was forwarded to the Official Side on 7 December 2007. Staff Side has indicated that they are willing to negotiate a change to regulations so that part-time Inspectors are only paid up to a maximum of 40 hours in any one week.

Staff Side Strategic Planning Session

Staff Side strategy meetings took place on 27 July 2010

Mutual Aid

The seventh meeting of the Mutual Aid/ Held in Reserve JWP took place on 31 August 2010. In light of Staff Side comments from the July wp the Official Side agreed to revise their discussion paper ahead of the PNB meeting on 28 July. The revised OS discussion paper to PNB proposed that the Hertfordshire agreement should be abolished and a new agreement would apply to mutual aid only; officers would only be paid for the hours that they actually work subject to current overtime regulations; in addition, where accommodated officers would also receive a mutual aid allowance of £30 for each night accommodated; and where officers do not receive proper accommodation or are not stood down from immediate operational availability they will be paid for all hours that they are on mutual aid away from their home force. The allowance, as proposed by the OS, would only be payable to constables and sergeants.

Staff Side repeated their view expressed at the wp meeting on 6 July that consideration of the OS's proposals should come under the umbrella of the wider review of police officers' pay and conditions. The OS are keen to ensure alternative arrangements are in place to cover the Olympic Games. Staff Side has indicated that they are content to seek to agree alternative arrangements for the Olympic period only. This would be a one-off agreement that would not extend further than the Olympic period; the Hertfordshire agreement should continue to apply until an alternative is negotiated and agreed. At the last wp meeting some progress was made. Discussions took place on a number of issues including the period of time over which the new arrangement will apply, what hours officers will be expected to work and the value of any allowance (Olympic payment) over and above payment for hours worked. Discussions are to take place in a technical working group to look at a form of words to show that the new arrangements only apply to those officers undertaking (pre-planned) Olympic duties. Following which the Official Side are to revise their discussion paper for Staff Side to consider at their next meeting. The next meeting of the working party is due to take place following the PNB meeting on 28 October 2010.

Background: This item originated in the Federated Ranks Committee and was expanded to include the Superintendents and is now on the agenda for the Full Board. A Staff Side working party was set up to look at revising the current provisions for Held in Reserve under a new banner of a requirement to sleep in a designated location. The working party produced a proposed set of principles that would govern situations where members were required on a policing operation and were unable to return home to sleep. These were submitted to the OS on 15 June 2009. In addition, the Official Side wrote to propose that a joint working party be set up to review 'the current arrangements for payments to officers to make them more appropriate to the types of mutual aid that Forces now more regularly provide to each other in a range of circumstances.' This was agreed at the Federated Ranks Committee meeting in January 2009. The first meeting of the joint working party took place on 15 June 2009.

Housing Allowance – reduction when shared between couples

At the last PNB meeting on 28 July 2010 the OS confirmed that they could agree this item on a majority basis. This view was not endorsed by the Home Office nor the Northern Ireland Government.

Background: A proposal was received from CPOSA in June 2008 citing the case of an ACPO officer and an officer from the federated ranks. Staff Side agreed that the Secretary should write to the Official Side with a view to progressing an anomaly whereby a shared housing allowance between a couple of different ranks was less than if the higher rank officer lived alone or the spouse retired and rejoined. Staff Side feel that this issue should be dealt with in the same way as part-timers and that this is potentially discriminatory against marital/ cohabitation status. Staff Side wrote to the Official Side on 20 October 2008 and 23 March 2009. At the PNB meeting in July 2009 Staff Side reiterated their concerns about the

financial loss that was incurred when officers of different ranks shared accommodation. Subsequently, the Staff Side Secretary wrote to the Official Side on 30 July 2009 with a proposal to address this anomaly, suggesting that rather than the housing emoluments of both officers being halved they could elect to retain the higher allowance and forego the lower one.

PENSIONS ISSUES

POLICE PENSIONS REVIEW WORKING PARTY

Please find attached the Pensions Review Working Party Report to July's PNB meeting. There are two updates to note:

Ill Health Retirement - The updated guidance on ill health retirement has been issued as PNB circular 10/4.

Police Pensions Added Voluntary Contributions (AVC) Scheme – At July's PNB meeting the Home Office confirmed that Ministers would go ahead with the previous Government's proposal to close the police pensions AVC Scheme to new members, increased subscriptions and transferred business from October 2010. Officers in the Police Pension Scheme (PPS) 1987 will have until the end of September to join the AVC Scheme. The New Police Pension Scheme (NPPS) 2006 does not have a linked AVC Scheme. JBB Circular 22/2010 refers.

ADDITIONAL ITEMS

Independent Review of Public Service Pension Provision

On 30 July 2010 Staff Side submitted its evidence to the first stage of the Hutton Review of public service pensions. The Staff Side submission can be found at:

[http://www.polfed.org/PNB Staff Side Submission to the Hutton Review on Pensions 3 00710.pdf](http://www.polfed.org/PNB%20Staff%20Side%20Submission%20to%20the%20Hutton%20Review%20on%20Pensions%20300710.pdf)

Lord Hutton will produce his interim report in September.

HMT/HMRC Discussion Document on the Restriction of Pensions Tax Relief

The Government has proposed reducing the Annual Allowance (AA) of pensions tax relief from £255,000 to an amount between £30,000 and £45,000. In addition, it is considering increasing the factor by which defined benefit contributions (for schemes such as PPS 1987 and NPPS 2006) are valued from x10 to either x15 or x20.

These proposals have the potential to affect all ranks within Staff Side. For instance, if the AA was reduced to £30,000 and the defined benefit factor increased to x20, long-serving constables entitled to double accrual could potentially incur a tax charge.

Staff Side submitted a response to the discussion document (which includes worked examples) on 26 August 2010. The response can be found at:

[http://www.polfed.org/Staff Side HMRC Restriction Pensions Tax Relief 270810.PDF](http://www.polfed.org/Staff%20Side%20HMRC%20Restriction%20Pensions%20Tax%20Relief%20270810.PDF)

Commentary on the Police Pensions Regulations 1987

No change since last JCC.

Background: The Home Office intends to update the Commentary (which has not been amended since its initial publication in 1987), but it will not be published before the 1987 Regulations (for England & Wales and Scotland, and the equivalent in Northern Ireland)

have been consolidated to provide a single UK-wide Police Pension Scheme. There is already a Commentary on the Police Pensions Regulations 2006 for the NPPS 2006, which can be found at:

<http://tna.europarchive.org/20100419081706/http://www.police.homeoffice.gov.uk/publications/human-resources/npps-commentary.html>

Staff Side Working Party – Ill Health Retirement Issues

It was agreed at the Staff Side meeting in July to take this item forward next year.

Background: Staff Side will schedule an Ill Health Retirement Working Party meeting as soon as practicable. The Working Party will consider SPF proposals relating to: i) seeking an amendment to Annex K of Police Regulations 2003 to ensure that all officers injured on duty and who thereafter are on sick leave are never placed onto half- and then no pay; ii) amending Annex K so that all officers subject to the ill-health retirement process should be retained on full pay until the date of their retirement; and iii) seeking changes to the ill-health retirement procedure.

PNB FEDERATED RANKS COMMITTEE

Competence – related Threshold Payment Scheme

The PNB CRTP survey is now discontinued as the data in relation to CRTP will be gathered as part of the new earnings survey.

SPPs

There has been no change since the last meeting in respect to the OS proposal so that SPPs can be used more flexibly. At the January 2009 PNB meeting proposals were agreed to reword Annex U to provide for the payment of SPPs on a monthly basis in all forces not just WFM demonstration sites. PNB Circular 09/1 has been issued and a revised Annex U has now been issued under cover of HOC 20-2009. On the second OS proposal to increase the maximum SPP payment to £8,000, the OS asked for more time to reflect on the Staff Side's comments particularly in the context of the wider pay modernisation agenda. At the Joint Secretaries' meeting on 18 March 2010 the OS asked for this item to be retained on the agenda.

However, a number of JBBs have been in contact to report that their force has given them notice of their intention to close their SPP scheme. As a result, the Staff Side Secretary has written to the Official Side Secretary asking her to write to all Chief Constables to remind them that the SPP scheme is a national agreement negotiated at the PNB and that if they wish to abolish the scheme it is for them, through ACPO, to bring such a proposal to PNB. At the last meeting of PNB the OS said that before responding to Staff Side they wanted to establish a clearer picture of what was happening.

Background: At the PNB meeting in February 2008 the Official Side tabled a paper from ACPO that sought agreement that the SPP scheme should be amended so that SPPs could be used more flexibly in the workforce modernisation demonstration sites for a limited time period. They would like the PNB to allow the maximum SPP payable to be increased to £8,000 per annum for workforce modernisation sites and they would like this to be paid in monthly instalments.

Part-time workers – free days to be treated as rest days

This item has been referred to the Gender Equality/Work Life Balance working group. At a Technical Working Group meeting on 21 September 2009 on part time working the OS

indicated that whilst they wanted to keep the concept of 'free days' they may be prepared to agree that they be compensated in the same way as rest days. However, at the GEWLB wp meeting on 22 March the OS rejected the claim. They felt there was not enough merit in the claim and that, amongst other considerations, it would have a cost element. At the GEWLB meeting on 13 May SS suggested that as the OS had raised the question of cost it would be helpful if ACPO could write to forces to establish whether they considered that additional costs would be incurred and if so why. The SS undertook to draft some questions for the OS's consideration and these were sent to the OS on 29 June 2010. At the last GEWLB meeting on 13 July 2010 the OS said that they would like to like to undertake some joint research with the Staff Side in relation to this claim and the Staff Side claim for compensation for a requirement to work on a rest day or a free day within a period of annual leave. Both Sides agreed that questions should be drafted at Joint Secretary level and that the OME should be involved in the circulation of questions to forces.

Background: Staff Side submitted a claim at the PNB meeting in April 2008 for duty performed by a part-time constable or sergeant on a free day to be compensated in all instances in the same manner as if it were a rest day.

Standby/On Call

Since the Police Arbitration Tribunal (PAT) award in favour of a national on-call allowance last August, there have been six meetings of the Working Party to look at to look the nature, frequency and costs of on-call and the principles for the operation of on-call. There have also been four meetings of a Technical Working Group (TWG) to agree the questions for, and data collected from, joint visits to forces to examine their use of on-call.

At the January 2010 PNB the Official Side made its first and only offer to Staff Side of £10 for each occasion of on-call. At a special meeting of the PNB Federated Ranks on 9 February 2010, the Official Side failed to improve upon this offer. At that stage the matter was referred back to the PAT to determine the appropriate level of remuneration.

Despite the reference back to the PAT, both Sides continued discussions in an attempt to agree an understanding of the likely costs of any allowance and the principles for the operation of on-call. At the Working Party meeting of 9 June 2010 Staff Side provided the Official Side with a "without commitment" draft document on the principles for the operation of on-call. The document was also circulated for consultation within the constituent parts of Staff Side, with a deadline of 9 July to ensure that Staff Side had sufficient time to consider all responses.

These responses were considered by Staff Side and a number of amendments were accepted prior to the Working Party meeting with the Official Side on 16 July. At the Working Party, the Official Side suggested a number of amendments, which it confirmed in writing on the afternoon prior to PNB on 28 July. These included removing references to negotiation with JBBs over planned duty rosters or roles, equality impact assessments prior to advertising roles and the voluntary nature of on-call. The amendments also removed the proposed limit of 56 occasions a year or one week in five, weakened the restrictions on on-call on Rest Days and Public Holidays and inserted an "exigencies of duty" over-ride into the rest provisions under the WTR paragraph.

A further meeting of the Working Party took place on 9 August 2010. At this meeting, Staff Side proposed that, given the review of the terms and conditions of service of police officers, the On-call Working Party should be suspended until the review had been completed. This approach was agreed by the Official Side.

Probationers' Pay (First Increment) – IPLDP

At the last Federated Ranks Committee meeting agreement was reached on the payment of the second pay point on the constables' pay scale. Details of the agreement are set out in PNB circular 10/6.

DTI Statutory Leave Consultation – statutory holiday entitlement

No change since last meeting.

The Side Secretaries hope to be able to issue joint guidance to forces/authorities instead of amending Determinations. Draft guidance has now been received from the OS. The draft was considered by SS at their last meeting and comments were sent to the OS on 1 June 2010. We are awaiting the Official Side's response.

Background: This item relates to the Government's announcement that statutory holiday entitlement will increase to 4.8 weeks (i.e., 24 days if a five day week is worked), inclusive of public holidays, from 1 October 2007 and 5.6 weeks (i.e., 28 days for a full-timer working a 5 day week) from 1 April 2009, pro-rata for those working part time.

Compensation for a requirement to work on a rest day or free day within a period of annual leave

This item has been referred to the Gender Equality/Work Life Balance working group. The Official Side has said that ideally officers should not be required to work within a period of annual leave, however, if they were, due to force requirements, officers should be fairly and appropriately compensated. They would like to discuss this further with a view to resolving this issue to the satisfaction of both Sides. At the GEWLB wp meeting on 22 March the Official Side said they were prepared to agree this claim subject to several caveats. The OS confirmed this at the last meeting of the GEWLB but added that they could not guarantee the view of the new Police Minister. As reported above, the OS would like to undertake some joint research on this claim. This matter will be progressed at Joint Secretary level.

Background: Staff Side submitted a claim at the PNB meeting in April 2008 for the same level of compensation be awarded to rest days and free days that fall within an annual leave period as that currently provided for annual leave days and days in lieu of overtime. The Official Side have indicated that they are not enthusiastic about this claim.

Public holiday and rest day working for inspecting ranks

No change since the last meeting.

At the Staff Side meeting on 22 July 2009 it was agreed that it was no longer necessary to continue to defer this claim pending the outcome of the PSNI allowance review, as that review is now continuing until the later part of 2010 with a decision being made in 2011.

At the October 2009 Staff Side meeting the Inspectors Central Committee indicated that they would be looking to progress this matter in the future via the 1994 agreement, but that this item should remain on the agenda.

Background: SPF proposal that inspectors should receive one and a half day's leave in lieu for each rest day cancelled and two day's compensation for each public holiday worked.

General Secretary
3 September 2010