

Know your rights - No.3

Overtime

1. Police Regulations

The provisions for overtime are found in Regulation 25 and Annex G of Police Regulations 2003.

Only constables and sergeants can be paid overtime and overtime payments can only ever be made in accordance with Police Regulations.

Slightly different rules apply to officers who work part-time, (This leaflet only deals with full time officers' overtime).

Please note: overtime is payable at the rate of time and a third.

Officers are entitled to claim overtime:

- 1) when they remain on duty after their tour of duty ends
- 2) when they are recalled to duty between two tours of duty
- 3) in some cases, when they have the start of their duty time brought forward

2. Remaining on duty after a tour of duty ends

'*Planned overtime*' is when you're told before or when you start your duty that you'll need to stay on duty after your tour ends.

If the *planned overtime* you work is:

- less than 15 minutes - no overtime is payable
- from 15 to 29 minutes – you'll be paid overtime for the first 15 minutes only
- 30 minutes or more - you'll get overtime for each completed 15 minute period (e.g. if you work for an extra 55 minutes, you're entitled to 45 minutes of overtime)

'*Casual overtime*' is when you're not told at the start of your duty that you'll need to stay on duty after your tour ends.

On the first four occasions you work *casual overtime* in any week the first 30 minutes is disregarded, so it can't be claimed as overtime. This also applies if you choose to take time off in lieu (TOIL) instead of an overtime payment (see below for details of TOIL).

If the *casual overtime* you work is:

- less than 30 minutes - no overtime is payable
- 30 minutes or more – (subject to the disregard) you'll get overtime for each completed 15 minute period. E.g. if you work for an extra 65 minutes then:
 - if the disregard applies, you're entitled to 30 minutes of overtime;
 - if the disregard doesn't apply (as you have already had 4 periods of 30 minutes disregarded that week), you're entitled to 60 minutes of overtime

3. Recall to duty

If you're recalled to duty between two tours of duty or rostered shifts, you're entitled to overtime. If you're recalled for less than 4 hours you are entitled to receive 4 hours' overtime. You're also entitled to have your travelling time treated as duty, up to the limit set by your Chief Constable.

4. Advancing the start of duty from the rostered time

This applies when you've already completed your duty on a particular force day and you then receive notification to start your next duty earlier than rostered and on the same force day.

However, you're only entitled to overtime if you're notified less than 8 hours before the new start time.

You'll receive overtime for the time before you were originally meant to start work. Also any hours worked beyond 8 hours or beyond a rostered shift in the case of VSAs, also attract overtime.

For example:

The force day starts at 0600

On Monday you work 0600 – 1400

You're due to work 0600 – 1400 on Tuesday

You're then told at 0200 (which is still the force day of Monday) to be at work at 0400

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This new shift will begin before the start of the next force day.

- The time from 0400 – 0600 is overtime
- 0400 becomes your new start time. Working a normal 8 hour shift would mean finishing at 1200. Therefore, any time worked after 1200 also attracts overtime.

Please note: officers should be given as much notice of a duty change as possible.

5. Payment/time off in lieu (TOIL)

It's your choice - not the force's - whether you take the overtime as payment or TOIL. If you chose to take TOIL you must make the decision before the end of the pay period in which you worked the overtime.

TOIL is calculated on the basis of an additional 15 minutes for each 45 minutes worked.

If you choose to take TOIL, your time off should be notified to you within three months. If the TOIL hasn't been taken within three months you are entitled to the payment instead.

Although, as with re-rostered rest days, there is no provision in Regulations to put TOIL on a time off card, local agreements may allow for some 'banking' of TOIL.

Please note: that the above is guidance only and is not intended to address all eventualities

If you have any concerns with regard to overtime, please contact your local Police Federation representative or Joint Branch Board office in the first instance.

