

CUSTODY OFFICERS' REFRESHMENT BREAKS

We are aware that many custody officers do not get time to take a proper break away from the custody environment, which is detrimental to their health and well-being. Under police regulation 22 annex E your entitlement is laid out but is subject to exigency of duty.

Whilst an exigency is not defined, a reasonable interpretation is that it is a pressing need or urgent requirement that cannot reasonably be avoided. Therefore, during each tour of duty the management should have identified other qualified staff to cover custody officers during their refreshment breaks.

However further protection is given by regulation 12 of the working time regulations, which provides that where a worker's daily time is more than 6 hours they are entitled to a rest break. This is a minimum standard but it does not mean that a 20 minute break should be the norm and that police regulations can be ignored.

Should facilities not be provided the matter must be brought to the attention of your line manager and all details must be recorded before bringing the matter to the attention of your local federation representative.

Do it right – Take your breaks.

FAQs

1. I do not know if anyone has been identified to relieve me. What should I do?

At the start of your duty ask your line manager who is relieving you.

2. I have been told there is no one available. Is that an exigency?

No this was foreseeable and they should have made arrangements to cover you.

3. I have been told to take my break within the custody suite. Do I have to?

No. The working time regulations allow for you to leave your work station.

4. There is no other trained officer on duty. Can I still take a break?

Yes unless this is an exigency through unforeseeable or unforeseen events. The working time regulations do not make an exception for this. Remember it is an entitlement not a privilege.

5. I have told my line manager and recorded details but it is still regularly happening what should I do?

Individual cases can be dealt with via an employment tribunal so it important to ensure your local fed representative is aware so they can assist.

6. What happens if I do not want to go that far?

The local federation representative should ensure management is taking action to resolve. If it still continues the force can be issued with an improvement notice or even prosecuted by the Health and Safety Executive.

Please also refer to police regulations 2003 regulation 22 annex E.

CANCELLATION OF WEEKLY REST DAYS

Weekly rest days are being cancelled with alarming regularity; as a result officers are finding it impossible to properly plan time off with family.

Over a number of years officers have had their rest days cancelled and many thousands of these leaves remain unallocated. This has resulted in hundreds of days off being owed to officers.

The regulation is clear; the force must notify each officer within four days, of the day their cancelled rest day is to be re-rostered to.

If your request to take any outstanding rest days is refused please record it in your PNB, and preferably have it signed by a supervisor.

If you have any concerns regarding rest day cancellations bring this matter to the attention of your local federation representative.

Please also refer to Annex H Determination for regulation 24 and regulation 26 – public holidays and rest days.