

Police Federation
Of England and Wales



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Lloegr a Chymru

Established by Act of Parliament

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FROM THE GENERAL SECRETARY'S OFFICE

IR/MM/sg

12 September 2008

JBB CIRCULAR NO: 74/2008

**To: The Chairman and Secretary
All Branch Boards**

Dear Colleagues

REST DAY WORKING – NOTIFICATION BY EMAIL

Since the publication of the recent 'Know Your Rights' (Rest Days) leaflet an issue has been raised by a number of JBBs in relation to notification by e-mail of a requirement to work on a rest day. The following is intended to clarify the situation.

Regulation 26 and the determination at Annex H are silent as to the method by which officers should be notified.

There is a potential problem with notification by e-mail, which does not arise with personal notification or a telephone call, namely that merely sending the e-mail would not amount to notification. The intention behind the wording of the leaflet was not that e-mail is not a potentially valid method of notification, but that it is inappropriate because of the uncertainty of it being received.

If an officer is sent an e-mail requiring him or her to work on a rest day then, provided s/he reads the e-mail that would amount to notification.

Some forces may regard notification by email to be acceptable where there are standing local instructions for officers to read their emails when on duty. However, there may well be occasions where, for good reason, it is not possible for officers to do so. In those

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circumstances we do not consider that notice would be regarded as having been given just because the e-mail had been sent. A further problem with notification by e-mail would arise if the e-mail was sent during a period when the officer for example, was on a rest day or a period of leave.

Yours sincerely

A handwritten signature in black ink that reads "Ian Rennie". The signature is written in a cursive style with a large initial 'I'.

IAN RENNIE
General Secretary