

1. Could you please provide me with the most up-to-date policy guidance document from your force regarding restricted duties and the removal of the x-factor payment?

*In relation to placing officers on restricted duties whilst waiting for an outcome of an investigation of alleged misconduct, our Professional Standards Department have informed us that they follow Police Regulations and College of Policing and IPCC guidance.

** West Midlands Police has not applied any x-factor payment reductions to date. Notwithstanding, relative to your request, we have located the following guidance on the x-factor payment.

Restricted Officers and Ill-health retirement

Rec 38: The Police Regulations 2003 should be amended to specify the procedure for determining the circumstances in which an officer may be placed on restricted duty, the arrangements which a Chief Constable may make for officers on restricted duty, and the adjustments to the pay of such officers.

Rec 39: From September 2014, officers on restricted duty should have their deployability and capability to exercise police powers assessed one year after being placed on restricted duty. Officers who are not deployable and are not capable of work which requires the office of constable should sustain a reduction in pay equal to the value of the deployability element of the X-factor, namely the lower of eight per cent and £2,922 per annum. After a further year, appropriate proceedings should be initiated to dismiss or retire these officers from the police service on the grounds of incapability or poor attendance. Officers who are permanently disabled from working as police officers should be ill-health retired. Those who are not permanently disabled should be given the opportunity to resign as police officers and immediately take up a police staff job on police staff terms and conditions, if one is available.

Rec 40: A former officer who resigns to take a police staff job or who is dismissed on the grounds of incapability or poor attendance following the restricted duty process, should be entitled to be considered for re-appointment if, following an assessment by an approved medical practitioner, the condition which previously compromised his capability is judged to have permanently changed so as to restore his ability to work as a police officer. Without the former officer having to go through the full selection process, the force should be required actively to consider whether a suitable vacancy at the former officer's rank exists or is likely to exist in the coming year. The force should have this duty for a period of five years after the officer has left.

Rec 41: A returning officer should have an unblemished disciplinary record and be able to pass the fitness test. Forces should also assess carefully a record of poor attendance. Such former officers should be on probation for six months.

2. The number of officers in your force on restricted duties (temporary & permanent) in each year 2015, 2016 and 2017 (YTD)?

The data provided below is the number of individuals as of 1st April each year. Due to changes to restrictions brought in by Winsor reform, we no longer class as Temporary or Permanent (and previously there were additional categories too). We have decoded data down to show as either Restricted (Permanent, Adjusted Duties or with a review but over 12 months old) or MRFD (Managed Return to Full Duties, Recuperative Duties or with a review date and less than 12 months old).

Year (1st April)	Restricted	MRFD	Grand Total
2015	159	125	284
2016	167	306	473
2017	203	279	482
Grand Total	529	710	1239

3. The number of these officers who have been on restricted duties for 12 months or more in each year 2015, 2016 & 2017 (YRD)?

As per above, 12 months split by Restriction Type as well as just by year.

Year (1st April)	Restricted		MRFD		Grand Total
	< 12 months	12 months +	< 12 months	12 months +	
2015	25	134	119	6	284
2016	66	101	302	4	473
2017	126	77	254	25	482
Grand Total	217	312	675	35	1239

4. The number of these officers who have had the x-factor payment removed in each year 2015, 2016 & 2017 (YTD)?

None – West Midlands Police has not applied any X Factor payment reductions to date.

5. The number of these officers who have appealed this decision and the number of appeals which have been successful in each year 2015, 2016 & 2017 (YTD)?

AND

6. The number of these officers who returned to full duties following the removal of the x-factor payment in each year 2015, 2016 and 2017 (YTD)?

No information held (as no payments removed as per 4).