



# TIME OFF WORK FOR PUBLIC DUTIES

## Executive Summary

We are committed to active engagement with our communities so that we can build confidence, improve relations and achieve effective policing across the West Midlands. We believe that undertaking public duties is one way to build cohesion and support the communities we serve. When you need time away from work to fulfil a public duty, we want to support you, where possible, so that you can actively participate in making a positive difference to our local people and our wider society.

We have set out this policy to provide you with guidance and support when you need to take time away from work to fulfil your public duties and responsibilities

## Authorised Professional Practice (APP):

- This policy has been checked against APP and there is none in relation to the subject matter of this policy.

## Policy Statements:

- This policy applies to all West Midlands Police officers and police staff, regardless of rank or seniority.
- This policy does not apply to volunteers or people working with our Force in any third-party capacity, including consultants, contractors and third-party agency staff and Special Constables.
- If you want to become involved in any public duties, you do need to seek our approval first so that we can support you without detriment to our Force operations.
- You must discuss with your line manager in the first instance and complete an application for **Public Duties** (form attached to this policy).
- The completed application must then be forwarded to your Head of Department/NPU Commander for authorisation. This is to ensure that there is not a conflict of interest.
- If you are an official or member of an eligible public body (as listed below), we will allow you reasonable time off from work to attend meetings and fulfil your official duties and responsibilities.

- A magistrate/justice of the peace (Police Staff only)
- A local authority Councillor
- A school governor
- A member of any statutory tribunal – e.g. employment tribunal
- A member of the managing or governing body of an educational establishment
- A member of a Health Authority
- A member of a School Council or Board of Scotland
- A member of the General Teaching Councils for England and Wales
- A member of the Environment Agency or Scottish Environment Protection Agency
- A member of the prison independent monitoring boards (England/Wales) or a prison visiting committee (Scotland)
- A member of Scottish Water or a Water Customer Consultation Panel

## **TIME OFF FOR PUBLIC DUTIES**

- Where possible you must ensure that your public duties fall outside of your normal working day, however if this is not possible, we may authorise up to 2 days paid leave per annum (calculated on a rolling basis) to support you.
- This will be an aggregated total for public duties, and as such, this will not increase if you undertake more than one public duty.
- If the public duty falls on a rest day you will not be entitled to compensation or reallocation of the rest day.
- You are not permitted to change a rest day in order to maximise entitlement.
- Any additional time off required will be unpaid.
- If you receive any payment (above basic expenses) from any public duty and have received pay from our Force public body, you must notify us so that we can make the necessary deduction from your salary.
- If you fail to tell us, you may be subject to disciplinary action, in line with our [Disciplinary Policy](#) or [Police \(Conduct\) Regulations 2020](#).
- Before you can take any time off, we will confirm how much time we will allow you to take.
- We will take into consideration:
  - The time you need to carry out your duties effectively
  - The amount of time you have already taken for your public duties
  - The impact of your time off on our Force, your colleagues and our operational demands.
  - We can refuse your request, if we think it is unreasonable.

## **TIME OFF FOR JURY SERVICE**

- We recognise the value and importance of jury service to our community.
- If you are called for jury service, we will aim to release you at the time you have been summoned.
- If this is not convenient due to valid work needs and commitments, we may ask you to apply for a deferral or excusal from jury service.
- When you receive a summons for jury service, you must notify your line manager immediately and provide a copy of the Court Summons to confirm this.
- The absence will be recorded on the Duty Management System for the entire period of the summons (usually two weeks).
- You will not lose any rest days during this period and wherever possible will be given:
  - A rest day in lieu on the Sunday before your jury service starts (if this is not already a rest day),
  - The Saturday and Sunday the following week
  - The Sunday in the middle of those two weeks and
  - At least the Saturday following jury service and when your normal shift will resume.
- On days where you are released early from jury service, you will not be required to make up hours.

- The requirement for additional extra hours will not be regarded as overtime.
- Police Officers who are required to place themselves “on duty” i.e. to make an arrest are able to claim for a recall to duty.
- If you are not required to attend Court on any day or days during your jury service, you must return to work for that day.
- In the circumstances you are asked to stand down, you will be required to update your line manager.
- If we find there are any discrepancies between your attendance at jury service and your absence from work, you may be subject to disciplinary action, in line with our [Disciplinary Policy](#) or [Police Conduct Regulations 2020](#).
- We will continue to pay your normal pay and remuneration for the duration of your jury service i.e. you will get paid your usual pay that you would have earned had you been at work.
- The period of jury service does not include overtime or enhanced payment for weekend or overnight jury service if applicable.
- In addition, rest days and free days during the period of jury service do not attract payment, compensation or an additional/re-rostered rest day.
- You must not apply to claim for loss of earnings from the Court.
- However, if you incur any expenses because of your jury service, you must submit the relevant claim to the Court Services.

### **TIME OFF TO ATTEND COURT**

- If you are required to attend court in civil proceedings in a private capacity, time off will be unpaid unless your line manager approves annual leave, flexi leave or time off in lieu.
- Where a Police Officer is required to give evidence in civil proceedings related to police investigations, this will be paid leave.
- If you are required to attend court as a witness in a criminal case, paid time off may be granted. “Criminal case” refers to any matter heard before the Magistrates or Crown Courts or on appeal from those Courts.
- If you are required to attend court as “the accused” in a criminal or other case, you will be able to request unpaid leave unless your line manager approves annual leave, flexi leave or time off in lieu.
- Where the attendance is as the result of your employment/role or at the request of this Force we will reimburse you for any travel expenses incurred for journeys to and from Court.
- Please refer to the [Police Officer Annual Leave Policy](#) for recall from annual leave due to court attendance.

## TIME OFF FOR RESERVE FORCES

- We are committed to the Armed Forces Covenant and greatly value the role our Armed Forces make to our community and country.
- We want to support both our ex-regular reservists and volunteer reservists when they need time away from work to fulfil Armed Forces responsibilities.
- At the same time, we do need to ensure we can maintain operational resilience across our Force and continue to protect the communities we serve.
- We will therefore allow 1% of our Police Officers and 1% of our Police Staff to become volunteer reservists but we may review this limit from time to time.
- Should you cease to be a reservist you must inform us at the earliest opportunity to ensure that our information is correct.
- If you are an ex-regular member of the Armed Forces, we understand that you retain call-up liabilities after leaving regular service.
- We do need you to tell us about any statutory reservist responsibilities you have. This will not affect your application or employment with our Force.
- If you are applying to be a volunteer reservist or renewing your reservist commitment, you do need to seek our approval first, to ensure we can support you without detriment to our Force operations.
- You must gain agreement from your line manager first and, with their approval, complete an [Application for Business Interest](#).
- We will give you up to 10 days paid time off each year(calculated on a rolling basis) to attend your reservist annual camp and/or weekend training on receipt of a letter from your Commanding Officer confirming the dates.
- In the event that the scheduling of training exercises results in a request for in excess of 10 days in a rolling period, we will work with you to support the requirement.
- If you receive any military allowance during this time, you need to tell us so we can deduct it from your salary.
- If you need any additional training time off, you will need to take annual leave, TOIL, flexi-time, unpaid leave or request a change to your rest days.
- To help us with work rostering, you must notify your line manager of your annual reservist training commitments at least 3 months before the start of your training year.
- If you are mobilised within your reservist role, you must liaise with your line manager as soon as you receive notification.
- We do reserve the right to apply for an exemption or deferral to your mobilisation if we consider your absence will cause 'serious harm' to our Force.
- When you are mobilised, you will be granted unpaid leave for the duration of your absence and your full employment rights will be reinstated upon your return from military service.



- Your period of mobilisation will count towards your continuous and reckonable service.
- You have the right to return to our Force after your mobilisation.
- We will aim for you to return to your previous role, wherever possible, on the same terms and conditions of employment/service but cannot guarantee this.
- We will ensure you receive any incremental pay progression and national pay awards that have been granted during your period of mobilisation, so you do not suffer financial detriment on your return.

**Definitions/Acronyms:**

TOIL – Time off in Lieu

NPU – Neighbourhood Policing Unit

**Procedural Guidance Documents List:**

**TEMPLATE –Time Off for Public Duties Application Form**

**Publication Instructions:**

- Suitable for publication to public

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**Business Area Owner: Business Partnering**

**Department Responsible: Employee Relations**

*Any enquiries in relation to this policy should be made directly with the policy author shown above.*



**Force Executive Approval:**

CHIEF CONSTABLE

**Monitoring and Review**

Version	Date Reviewed	No change / Minor Changes / Major Changes ( <i>detail</i> )	Amended / Agreed by	New review date