



Ministry
of Defence Police

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[REDACTED]
By email - [REDACTED]

Our Ref: eCase: FOI 2017/02299 RFI: 55/17
Date: 16 March 2017

Dear [REDACTED]

FREEDOM OF INFORMATION ACT 2000: MINISTRY OF DEFENCE POLICE: POLICY AND GUIDANCE FOR REST DAYS AND OVERTIME

We refer to your email dated 14 February 2017 which was acknowledged on the 14 February 2017.

We are treating your email as a request for information in accordance with the Freedom of Information Act 2000 (FOIA 2000).

In your email of the 14 February 2017 you requested the following information:

- 1) To be provided with the official Policy, Rules & Guidance statement stating that officers must leave 6 Rest Days/ZD's, available per roster for the duties department to enable them to roster officers overtime for station shortfalls.
- 2) My second request, which also relates to the above is 'On the published roster officers may be detailed to work overtime hours, usually rostered as ZD or RD, up to an additional average of 32 hours per month

Officers at AWE Burghfield have the understanding that all MDP overtime is voluntary, as per the statement made in Parliament in 1999 by the then Secretary of State.
My request is for this statement to be confirmed as 'correct and still in force.'

A search for information has now been completed and I can confirm that information in scope of your request is held.

- 1) To be provided with the official Policy, Rules & Guidance statement stating that officers must leave 6 Rest Days/ZD's, available per roster for the duties department to enable them to roster officers overtime for station shortfalls.
- 2) My second request, which also relates to the above is 'On the published roster officers may be detailed to work overtime hours, usually rostered as ZD or RD, up to an additional average of 32 hours per month

The Ministry of Defence Police (MDP) has two policies in scope of your request which are the current written departmental force position regarding terms and conditions of service (TACOS).

The policies are 'MDP Overtime and Other Additional Hours payments' and 'MDP Shiftworking'. Please see the links to the policies below:

http://defenceintranet.diif.r.mil.uk/libraries/corporate/PSCPay/OvertimeAndAddHoursPay/PRGs/20140203-OvertimeAndAddHrsPaymentMDP_v1_2014-U.pdf

<http://defenceintranet.diif.r.mil.uk/libraries/corporate/PSCWorking/ManagingPatternsWork/PRGs/200804-MDP%20Shiftworking%20v2.0%202008-U.pdf>

The policy extracts relevant to your request can be found at Annex A.

Officers at AWE Burghfield have the understanding that all MDP overtime is voluntary, as per the statement made in Parliament in 1999 by the then Secretary of State. My request is for this statement to be confirmed as 'correct and still in force.

As stated above the two policies in scope of your request are the current written departmental force position regarding terms and conditions of service (TACOS).

If you are not satisfied with this response or wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, London SW1A 2HB (email CIO-FOI-IR@mod.uk).

Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end. If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate the case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website (<http://www.ico.org.uk>).

Yours sincerely

MDP Sec Data Protection and Freedom of Information Office

PRG - MDP SHIFTWORKING - EXTANT VERSION 2.0 – 2008 (Page 4)

9. Refusal to Attend for Extra Duty on a Z Day

When an officer is approached and asked to attend for Z day working, the individual is entitled to as much notice as possible and is to be consulted about personal commitments and the degree of inconvenience likely to be experienced is to be taken into account. Where the requirement can be determined in advance, best practice is that up to 30 days notice will be given to the individual concerned. This will often be achieved by “pre-rostering” the overtime.

Some SPOs allow individual officers to mark up the published roster, those Rest Days and Z Days when they are not available for callout. Others allow a system where individuals can advise in advance of roster publication when they will not be available for “pre-rostering” or callout; and those Rest Days or Z Days are asterisked for that individual.

Everyone should/must understand that as a police officer, whatever their personal circumstances or private wishes, they can still be required to attend on either a Z Day or a Rest Day or a Public Holiday according to the demands of the Service. Once an officer is instructed / notified to attend for duty, it may become a disciplinary matter not to obey that order.

PRG - OVERTIME AND OTHER ADDITIONAL HOURS PAYMENTS - MDP - EXTANT VERSION 1.0-2014 (Page 4)

Exigencies of duty

8. Exigencies of duty should be interpreted as relating to situations where there is an unavoidable operational need, which necessitates a change of rostered duties. Changes to rosters should be made only after full consideration of welfare, operational and practical circumstances rather than purely on financial grounds.

9. You should be aware that, whatever your personal circumstances or private wishes, you can be required to attend on a Z day, rest day or Public Holiday, according to the demands of the Service. Once you are notified to attend for duty it may become a disciplinary offence if you do not obey that order.

FOR YOU AS A MANAGER AND/OR A SENIOR POLICE OFFICERS (SPO) AND OTHER APPROPRIATE SUPERVISORS - WHAT YOU NEED TO KNOW – (Page 12)

General approach

1. The Ministry of Defence Police and Guarding Agency's (MDPGA) operational policing tasking is agreed and detailed in Customer Supplier Agreements (CSA) for each establishment where the MDP are located. It may be necessary, on occasion, to employ officers on overtime in order to meet an essential but additional task.

2. The overriding principle, which you must always consider in relation to overtime working, is the fact that you must make sure the deficiencies in manpower at your station or detachment do not significantly reduce security or other essential police commitments. Overtime will not be used to cover a shortfall caused as a result of allowing officers to take time off in lieu (TOIL).

Management of overtime working

3. Overtime must be authorised by the appropriate line manager/supervisor, SPO or Head of Department. Although it is a condition of service that MDP officers may be required to work overtime, including working on a scheduled rest day, Public Holiday or Z day, when considering the working of overtime, you must consider the following points:

- The re-arranging or combining of duties to enable the essential tasks and commitments to be covered by existing officers.
- No officer will be required to work overtime to perform routine tasks which can be covered by applying overtime saving procedures.
- Where there is a requirement to cover essential duties by the use of overtime working, volunteers will be sought in the first instance, subject to the Order of Precedence (see below). Where it has been established, following reasonable efforts, that no, or insufficient, volunteers are available, an officer may be required to work overtime to cover essential posts, to the maximum of eight hours overtime per week (thirty-two hours in any twenty-eight day period). Once the service of a volunteer, either for rest day working, or ordinary overtime, has been accepted and arranged for a particular period (except for Z days), they will be regarded as being rostered for the period in question.
- Tours of duty in excess of twelve hours should be avoided whenever possible and the number of overtime hours should take account of an officer's health, efficiency and harmonious family life, but are subject to the exigencies of duty.
- SPOs should make sure that good roster management is applied by removing rest day and Public Holidays from training courses.
- Where a VSA is in place, a SPO is charged with making sure that officers under their command are available when required for additional attendance on Z days.

Z day working - Order of Precedence

4. Officers will not normally be required to work on a Z day unless there is a clear and exceptional requirement for operational duty. In such circumstances, officers will be personally notified of the requirement. Beyond the practice, whereby an officer who is already on duty may be required to extend their duty time into overtime, the MDP Management Board decided in 2001 that the order of precedence for overtime was to be as follows, recognising that the Defence Police Federation have not agreed with this specific statement and continue to make representation to have it removed:

- Officers on Z/Free days (volunteers).
- Officers on Z/Free days (detailed for duty).
- Officers on rest days (volunteers).
- Officers on rest days (detailed for duty).
- Officers recalled from annual leave.