

CAMBRIDGESHIRE CONSTABULARY
ACTING UP AND TEMPORARY PROCEDURE

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Communication Plan Compliance and Audit Table			
Owner of policy	Human Resources		
Author of policy	Paula Kirkpatrick/Paula Waller		
Version number	3.0		
Date last updated	20 th February 2009		
How will the impact of this policy be audited?	Review of policy on an annual basis. Review of policy upon change of legislation. Review of procedure if issues of dis-proportionality are highlighted through Employment monitoring practices, and reported to DSG within the usual reporting procedures.		
Who will be SMT member responsible for the audit of this policy?	Paula Waller/Paula Kirkpatrick		
Board approval	Board name	Required to be resented	Date approved
	JNCC	Yes	Originally June 2005
	FEB	Yes	Originally June 2005
	Delivery Board	Yes	Originally June 2005

1.0 POLICY GUIDANCE

The Police Recruitment and Selection Policy is the parent policy for this procedure.

2.0 QUALIFYING CONDITIONS

- 2.1. It should not be assumed that printed copies of this policy document are current; please refer to the policy database for the most recent definitive version.
- 2.2. This policy provides a framework of guidance to all Constabulary personnel and its application has been assessed by the author as being appropriate in most anticipated situations; where, in exceptional circumstances, it is deemed necessary to override the policy, members of staff may be asked to discuss their actions and to make recommendation to the author for appropriate changes to be made to the policy.

3.0 INTRODUCTION

Cambridgeshire Constabulary recognises the importance of leadership and appropriate levels of supervision for all Police Officers and Police Staff. At times there will be an organisational requirement for an officer or staff member of one rank or grade to carry out the duties of the next rank or grade. This will usually be to provide continuity and resilience when covering events such as long term enquiries, long term sickness, maternity leave or specific projects.

This procedure applies to Police Officers up to and including that of Superintendent and all Police Staff.

The overall circumstances, including the duration for which the post needs to be filled and the nature of the post, will dictate whether Acting Duties or Temporary Promotion arrangements will apply.

4.0 THE PROCEDURE

4.1 Definitions

Acting Duties: An officer or staff member holding Acting rank is authorised to carry out the duties of the rank into which they are acting but remains substantive in the lower rank. Acting Duties should only be authorised where the following applies:

- (a) the full range of the duties of the higher rank/grade must be performed including supervision and deployment of staff where appropriate; and
- (b) in circumstances where the duties in question cannot be covered by another officer/staff member of the same or higher rank/grade.

Temporary Promotion: An officer who is temporarily promoted is for all purposes a member of the higher rank and is subject to Police Regulations, Terms and conditions and local arrangements relevant to that rank. Temporary Promotion only applies to Police Officers.

Insignia: Officers who are acting up or temporarily promoted into a higher rank are expected to wear the insignia of the higher rank in order to assist operational efficiency,

POLICE OFFICERS

5.0 ACTING DUTIES FOR POLICE OFFICERS

5.1 Eligibility

Where a vacancy at a higher rank occurs for a short period the appointment will be made on an 'acting' basis.

'Acting' status may also be appropriate in particular circumstances when a vacancy is anticipated to/will not last for more than 13 weeks. These circumstances include:

- Where an officer in the rank of Constable or Sergeant has passed only Part One of the OSPRE examination process
- In specialist functions unqualified, but suitably experienced, officers may be appointed in preference to those qualified but without the necessary specialist experience but only with the agreement of a Chief Officer. This situation will only continue until properly qualified officers with the correct skills can be identified and gain the required expertise. Measures need to be taken from the outset to fill the skills gap and documented during the 3 month review process.
- As a last resort Divisions and Departments may request a Chief Officer to allow an unqualified officer with the appropriate skills to undertake Acting Duties, where there are insufficient identified officers of the higher rank who are suitably skilled to perform that supervisory function and available within the Force. This situation will only continue until properly qualified officers with the correct skills can be identified or trained to the requisite level.
- Where any unqualified officer is to be granted Acting status, the Federation Secretary is to be notified of the circumstances at the time and is advised of the role and brief reason why it is necessary and the likely duration.

5.2 Duration of Appointment

The period of Acting up into a higher rank should not exceed a maximum of 13 weeks. If there is an ongoing requirement beyond this period a formal review of the situation should take place at the 2 month point. The points to be considered during the review are:

- If the officer is qualified for promotion (2 years in their substantive rank and passed the qualifying examination), should the Acting Duties be changed to a Temporary Promotion?
- Should another officer be given the development opportunity to carry out the Acting Duties?
- How well have they performed the role?
- Can a permanent appointment now be made?
- How much longer is the requirement for?
- Any other relevant factor

Officers granted Acting rank whilst on Secondment outside of the Force will revert to their substantive rank on return to the Force.

5.3 Advertising

- Opportunities for Acting Up should be advertised if the expected duration of the vacancy is more than **13 weeks**.
- Opportunities for less than **13 weeks** do not have to be advertised.
- Marketing of the post will follow the standard Constabulary Recruitment and Selection Procedure.

5.4 Acting Duties – Selection Process

Vacancies at Inspector and above will be managed by the **Work Force Planning Group**. Vacancies at Sergeant level will be managed by the relevant Division.

Officers will be selected according to the eligibility criteria for Acting Duties and with the following in mind:

- Opportunities should be distributed fairly;
- It should not be overlooked that substantive officers in core roles should also be considered for a specialist role for their career development;
- If applicable, how well they performed in a promotion process for the higher rank;
- The officer's Personal Development Review (PDR);
- The sick record and Bradford Score of the officer can be taken into account following advice from the Human Resource Manager. Care should be exercised in examining sickness records to allow for injuries and one-off periods of certified sickness and will be dealt with on a case by case basis. Where it is decided not to offer a period of Acting Duties because of an officer's sick record, they should be told the reason;
- Previous performance or identified training needs of an individual when performing Acting duties will also be a consideration providing these are documented.

Where it would be equally appropriate to offer Acting Duties to any one of a number of officers – for example, where several officers are available and none has had the opportunity before, the following need to be taken into account in making the decision:

- The needs of the organisation and the most efficient use of resources;
- The officer's availability;
- Relative experience, suitability and skills;
- Welfare needs of the officer taking into account the post and its location;
- Suitability of the post to meet the individual's development needs.

The officer making the selection decision on Division in respect of an Acting Sergeant vacancy will complete a file note detailing all the officers considered and the reason for

the decisions taken. This file note will then be passed to the Human Resource Manager together with a copy for the Recruitment Manager.

A decision at Workforce Planning Group to appoint an officer to an Acting Inspector (or higher rank), together with relevant information, will be recorded in the minutes and applied by the HR department.

6.0 APPOINTMENT AND PERSONAL DEVELOPMENT REVIEW (PDR)

When appointed, an officer will be notified of a start date for the Acting Duties and will be given an indication of the likely duration.

Divisional Commanders will notify officers who are selected for a period of Acting Up. Officers who are performing Acting Duties will be appraised in relation to the lower rank with reference to the higher rank in the additional duties section of the PDR.

- A Performance/Development Plan must be agreed with the officer and the appropriate line manager at the commencement of the acting period. The action plan will be reviewed at regular intervals of no more than three months;
- The Line Manager will be readily available to provide advice and assistance throughout the period of Acting Duties.

The Line Manager should:

- meet regularly with the officer in a structured manner with agreed outcomes;
- assist in the planning of activity ensuring the development of skills and abilities are being met;
- develop the skills and abilities of the individual to prepare them for the next rank;
- provide a sounding board for the discussion of any issue identified and identify areas for individual improvement;
- at the conclusion of the period the line manager will complete the PDR for the acting period.

7.0 PAY, PENSIONS AND RECKONABLE SERVICE

Pay

Regulation 27 of Police Regulations 2003 and Annex I of the Determinations should be referred to in the case of Temporary Salary and confirm the qualifying periods for Acting Duties as:-

- An officer of a substantive rank of or above Assistant Chief Constable will be paid after 28 consecutive days at a rate equivalent to 90% of the higher rank's basic pay or receive an honorarium of an amount determined by the police authority.
- A member of a substantive rank of Superintendent or Chief Superintendent who is required for a continuous period exceeding 7 days (or, in the case of a part-time member, a continuous period of shifts amounting to at least 56 hours) to perform the duties normally performed by a member of the force of a higher rank than his own,

shall be paid in respect of that period (other than the first 7 days or 56 hours), at a rate equal to the rate of pay of the member in that higher rank.

- A member of substantive rank below the rank of Superintendent who, in any, year has been required to perform the duties normally performed by a member of the force of a higher rank than his own for 14 complete days or, for a part-time member, for at least 112 hours of complete shifts.
- Those performing Acting Duties retain their own pay including any Competency Related Threshold Payment (CRTP) and are then paid an allowance to ensure the total rate of pay is equal to the lowest rate of pay they would be entitled to if promoted.
- During periods of Acting Duty salary increments are not accumulated and the allowance paid will be calculated in the same way at the start of each subsequent period of Acting Duty.
- Special Priority Payments are retained or qualified for if the post that the Officer is Acting into attracts a Special Priority Payment but will be lost if it moves the Officer away from a role recognised by SPP.

Pensionable Pay

- Any period of Acting Duty in the last three years of service may count towards the pension as this is calculated on the average pensionable pay – for the final 12 months of service. However, it will be increased to equal the pensionable pay received in one of the two preceding twelve-month periods if that represents the highest figure over the final three years.

8.0 NOTIFICATION AND MONITORING

Once the selection has been made, and the officer notified, the Line Manager for the Division where the vacancy is located will ensure the appropriate email notifications to HR and Finance.

The HR Manager will submit a list of all those Officers who are promoted to Acting Rank for more than 3 months together with the role, brief reasons and likely duration to the Recruitment Manager on a quarterly basis. (Copy to the Federation).

The Recruitment Manager will review the returns and bring any points of concern to the attention of the Workforce Planning Group to facilitate remedial action where necessary.

9.0 RESTRICTIONS

- Any officer who is reduced in rank as the result of a sanction imposed by a Misconduct Hearing will not be eligible for acting duties until the misconduct sanction is expunged from the officer's record, this is normally a period of 5 years.
- Any officer who is suspended whilst an investigation is conducted and is performing Acting duties at the time of the suspension will automatically cease Acting duties.

- Acting Sergeants will not be appointed to the role of Custody Officer, but may cover the duties of Custody Officer when exceptional circumstances dictate no alternative.
- Authority to issue firearms and specialist munitions should only be granted by an officer of the substantive rank of Inspector and above.

10.0 TEMPORARY PROMOTION FOR POLICE OFFICERS

10.1 Eligibility

Officers selected for Temporary Promotion, to the rank of Sergeant or Inspector must be qualified for promotion by national criteria in accordance with Regulation 6 Police (Promotions) Regulation 1996. This means they have passed the Constable to Sergeant or Sergeant to Inspector qualifying examination, have two years in their substantive rank and had their probation confirmed.

Temporary Promotion will be appropriate to:

- Fill a vacancy at a higher rank that is expected to last longer than 56 days;
- Delay substantive promotion pending ongoing disciplinary or medical issues.

It may be appropriate to:

- Complete a period of external secondment; or
- Fill a temporary post to undertake a specific project or enquiry requiring a long-term commitment or a specific skills set;

** An officer who is temporarily promoted cannot apply for promotion to the rank above their temporary posting.

10.2 Duration of Appointment

There is no restriction on the length of the temporary promotion but once the reason for the promotion has ceased the Officer should expect to revert to their substantive rank.

Officers granted Temporary rank whilst on Secondment outside of the Force will revert to their substantive rank on return to the Force.

10.3 Advertising

Where there is a temporary requirement for a sergeant for a period exceeding 13 weeks, the opportunity will be advertised except at the joint discretion of the Recruitment Manager and Federation JBB Secretary, where a request for an exemption may be agreed.

Temporary requirements for less than 13 weeks do not have to be advertised.

Temporary requirements relating to Inspectors and above will be considered by the Workforce Planning Group.

10.4 Temporary Promotion - Selection Process

Vacancies at will be managed by the Recruitment Team.

Officers will be selected according to the eligibility criteria for Temporary Promotion and with the following in mind:

- Opportunities should be distributed fairly;
- It should not be overlooked that substantive officers in core roles should also be considered for a specialist role for their career development;
- How well they performed in a promotion process for the higher rank;
- The sick record of the officer can be taken into account following advice from the HR Manager. Care should be exercised in examining sickness records to allow for injuries and one-off periods of certified sickness and will be dealt with on a case by case basis;
- The previous performance and any identified training needs, of an individual when performing Acting duties will also be a consideration providing these are documented.

Where it would be equally appropriate to promote a number of officers to Temporary rank, for example, where several officers are available and none has had the opportunity before, the following need to be taken into account in making the decision:

- The needs of the organisation and the most efficient use of resources;
- The officer's availability;
- Relative experience, suitability and skills;
- Welfare needs of the officer taking into account the post and its location;
- Suitability of the post to meet the individual's development needs.

Recruitment into Temporary promotions will follow the Constabulary's Recruitment and Selection Procedure.

11.0 APPOINTMENT AND PERSONAL DEVELOPMENT REVIEW (PDR)

Temporary Promotion to the rank of sergeant will count towards the 12-month probationary period for a newly promoted sergeant.

When appointed, an officer will be notified of a start date for the Temporary Promotion and will be given an indication of the likely duration for the appointment. An officer on Temporary Promotion will be appraised in relation to the higher rank in accordance with the usual PDR arrangements.

- A PDR must be agreed by the officer and the appropriate line manager at the commencement of the temporary period. Performance should be reviewed at regular intervals of no more than three months.
- The Line Manager will be readily available to provide advice and assistance throughout the period of Temporary promotion.

- The Line Manager should:
 - meet regularly with the officer in a structured manner with agreed outcomes;
 - assist in the planning of activity ensuring the development of skills and abilities are being met;
 - develop the skills and abilities of the individual to prepare them for the next rank;
 - provide a sounding board for the discussion of any issue identified;
 - identify areas for individual improvement.

- The PDR must be completed at the end of the Temporary Promotion.

12.0 PAY, PENSIONS AND RECKONABLE SERVICE

Reckonable Service

Regulation 24(2) of Police Regulations 2003 states that periods of Temporary Promotion count towards reckonable service in the higher rank.

Pay

Annex F of the Determinations should be referred to for the rates of Temporary Pay and the no detriment clause in relation to Promotion. Part 9 (9) of Annex F of the Determinations confirms that Competency Related Threshold Payments cease on Temporary Promotion.

During periods of Temporary Promotion salary increments are accumulated and broken periods of temporary service are added together to determine the incremental dates and starting salary for subsequent occasions of temporary promotion or substantive promotion to the next rank.

Special Priority Payments are retained or qualified for if the post that the Officer is promoted to attracts a Special Priority Payment but will be lost if the promotion moves the Officer away from a role recognised by SPP.

Pensionable Service

Any period of Temporary Promotion in the last three years of service may count towards the pension as this is calculated on the average pensionable pay - for the final 12 months of service. However, it will be increased to equal the pensionable pay received in one of the two preceding twelve-month periods if that represents the highest figure over the final three years.

13.0 NOTIFICATION AND MONITORING

Once the selection has been made, and the officer notified, the Line Manager for the Division where the vacancy is located will ensure the appropriate email notifications to HR and Finance.

The HR Manager will submit a list of all those Officers who are Temporary Promoted for more than 6 months together with the role, brief reasons and likely duration to the Recruitment Manager on a quarterly basis.

The Recruitment Manager will review the returns and bring any points of concern to the attention of the Workforce Planning Group to facilitate remedial action where necessary.

14.0 RESTRICTIONS

- Any officer who is reduced in rank as the result of a sanction imposed by a Misconduct Hearing will not be eligible for temporary promotion until the misconduct sanction is expunged from the officer's record, this is normally a period of 5 years.
- Any officer who is under investigation and has been served a Statutory Notice in relation to that investigation may still apply for promotion. If that officer is successful in the application it will be for the Chief Constable to decide if the officer's promotion is to be delayed until the investigation is concluded, or if the promotion is to be temporary, or if the promotion is to be allowed in the normal way.
- Authority to issue firearms and specialist munitions should only be granted by an officer of the substantive rank of Inspector or above.

POLICE STAFF

15.0 ACTING DUTIES FOR POLICE STAFF

15.1 Eligibility

Staff members who satisfy the necessary criteria on the person and job specification, have passed the relevant probationary period in their current posts and have no outstanding disciplinary issues will be eligible to act up into a role of a higher grade than their substantive post.

15.2 Duration of Acting Duties

Acting Duty posts usually occur as a result of unforeseen circumstances that require immediate cover and are only usually only expected to last for a short period of time i.e., less than 3 months. Occasionally there may be a requirement to “backfill” a substantive post for a longer period and the length of the acting up period should be agreed before the take up of post.

The period of Acting up into a higher grade should not exceed 13 weeks. If there is an ongoing requirement beyond this period a formal review of the situation should take place at the 3 month point. The points to be considered during the review are:

- Should another member of staff be given the development opportunity to carry out the Acting Duties?
- How well have they performed the role?
- Can a permanent appointment now be made?
- How much longer is the requirement for?

15.3 Advertising

All acting up posts, including short term acting up (up to 13 weeks), will be advertised across the whole force. This promotes equality of opportunity and development of individuals outside of their department.

15.4 Selection Process for Acting Duties

Candidates for the Acting Duties opportunity will be selected according to the eligibility criteria and with the following in mind:

- Opportunities should be distributed fairly
- It should not be overlooked that substantive staff in core roles should also be considered for their career development;
- The staff member’s Personal Development Review (PDR);
- The sick record and Bradford Score of the staff member can be taken into account following advice from the Human Resource Manager. Care should be exercised in examining sickness records to allow for injuries and one-off periods of certified sickness and will be dealt with on a case by case basis. Where it is decided not to offer a period of Acting Duties because of an officer’s sick record, they should be told the reason.

- The previous performance or identified training needs of an individual when performing Acting duties will also be a consideration providing these are documented.

Where it would be equally appropriate to offer Acting Duties to any one of a number of staff – for example, where several staff members are available and none has had the opportunity before, the following need to be taken into account in making the decision:

- The needs of the organisation and the most efficient use of resources
- The staff member's availability
- Relative experience, suitability and skills
- Welfare needs of the member of staff taking into account the post and its location
- Suitability of the post to meet the individual's development needs

The member of staff making the selection decision within the department will complete a file note detailing all the considerations and the reason for the decisions taken. This file note will then be passed to the Human Resource Manager together with a copy for the Recruitment Manager.

16.0 APPOINTMENT AND PERSONAL DEVELOPMENT REVIEW (PDR)

When appointed, the member of staff will be notified of a start date for the Acting Duties and will be given an indication of the likely duration. A Variation to Contract will be sent by the HR department.

The PDR will be used to record performance and the development of officers performing Acting Duties.

- A PDR must be created and objectives agreed with the staff member and the appropriate line manager at the commencement of the acting period. The action plan will be reviewed at regular intervals of no more than three months
- The Line Manager will be readily available to provide advice and assistance throughout the period of Acting Duties.

The Line Manager should:

- Meet regularly with the member of staff in a structured manner with agreed outcomes
- Assist in the planning of activity ensuring the development of skills and abilities are being met
- Develop the skills and abilities of the individual
- Provide a sounding board for the discussion of any issue identified and identify areas for individual improvement
- At the conclusion of the period the line manager will complete the PDR for the acting period.

17.0 PAY

- A member of staff required to undertake the full duties and responsibilities of a higher graded post for a continuous period of at least 15 calendar days shall be

paid at the higher grade with retrospective effect from the first day of undertaking the duties.

- In most circumstances this will be the minimum point of the relevant grade. This will be at a 100% of the point or on a sliding scale dependent on the percentage of the accountabilities being undertaken.
- The higher grade shall not be payable during periods of leave or the sickness of the employee who is acting up.
- When the higher responsibilities are removed, payment reverts to the substantive pay point, including any increments that would have been due whilst acting up.

18.0 NOTIFICATION AND MONITORING

Once the selection has been made, and the member of staff notified, the HR Manager for the Division where the vacancy is located will ensure the appropriate email notifications to HR and Finance.

The HR Manager will submit a list of all those Officers who are Acting Up for more than 4 months together with the role, brief reasons and likely duration to the Recruitment Manager on a quarterly basis.

The Recruitment Manager will review the returns and bring any points of concern to the attention of the Workforce Planning Group to facilitate remedial action where necessary.

19.0 RESTRICTIONS

Any member of staff who is reduced in grade as the result of a sanction imposed by a Misconduct Hearing will not be eligible for acting duties until the misconduct sanction is expunged from the officer's record.

Any member of staff who is suspended whilst an investigation is conducted and is performing Acting duties at the time of the suspension will automatically cease Acting duties.

20.0 ASSOCIATED PROCEDURES

The Police Officer and Police Staff Recruitment and Selection Policy provides the overall statement of the Constabulary's aims and objectives in relation this procedure.

21.0 RELATED DOCUMENTS

- 5.1 Secondment Policy and Procedure
- 5.2 Acting Up and Temporary Policy and Procedure
- 5.3 Police Officer Recruitment and Selection Procedure
- 5.4 Police Staff Recruitment and Selection Procedure
- 5.5 Posting Procedure

6.0 CO-OPERATION AND ASSISTANCE

The Constabulary does not require the co-operation of an outside agency, other police force or local government body to implement this policy.