

**2001 No. 3293**

**POLICE, ENGLAND AND WALES**

**The Police (Amendment) Regulations 2001**

*Made* - - - - - *28th September 2001*

*Laid before Parliament* *10th October 2001*

*Coming into force* - - *1st November 2001*

The Secretary of State, in exercise of the powers conferred upon him by section 50 of the Police Act 1996<sup>(a)</sup>, after taking into consideration the recommendations made by the Police Negotiating Board for the United Kingdom and supplying that Board with a draft of these Regulations in accordance with section 62(1) of that Act, hereby makes the following Regulations:

**Citation, commencement and interpretation**

- 1.—(1) These Regulations may be cited as the Police (Amendment) Regulations 2001.
- (2) These Regulations shall come into force on 1st November 2001, but—
  - (a) regulation 2 shall have effect from 1st September 1998, except that paragraphs (3) and (10)(d) of that regulation shall have effect from 1st July 1992;
  - (b) regulations 3 and 4 shall have effect from 22nd July 1998;
  - (c) regulations 5, 8 and 10 shall have effect from 1st July 2000;
  - (d) regulation 6 shall have effect from 8th March 1995;
  - (e) regulation 7 shall have effect from 1st April 2001;
  - (f) regulation 9 shall have effect in so far as it relates to—
    - (i) regulation 60 (London allowance), from 1st July 2000; and
    - (ii) regulation 60A (south east England allowance), from 1st April 2001.
- (3) In these Regulations, “the Police Regulations” means the Police Regulations 1995<sup>(b)</sup>.

**Part-time working**

2.—(1) In regulation 7 of the Police Regulations<sup>(c)</sup> (part-time appointments), after paragraph (1), there shall be inserted the following paragraphs—

“(1A) In these Regulations a person appointed to perform part-time service includes a person appointed to share a job with another person.

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<sup>(a)</sup> 1996 c. 16.

<sup>(b)</sup> S.I. 1995/215; the relevant amending instruments are S.I. 1995/547 and 2020, 1996/699 and 1998/493; the Police Regulations 1995, as amended, have effect as if made under section 50 of the Police Act 1996 by virtue of paragraph 1 of Schedule 8 to that Act.

<sup>(c)</sup> The relevant amending instrument is S.I. 1995/547.

(1B) A person appointed to perform part-time service may not be appointed to serve as a full-time member without his consent.

(1C) A person appointed to perform part-time service immediately after serving as a full-time member may give notice in writing of his intention to be re-appointed as a full-time member and shall be so appointed—

- (a) within one month of the date the notice is received by the police authority, where the authority has a suitable vacancy, or
- (b) except where sub-paragraph (a) applies, when 3 months have elapsed since the day the notice was received, or from an earlier date if reasonably practicable.”.

(2) In regulation 26 of the Police Regulations (variable shift arrangements)—

- (a) in paragraph (1) the words “appointed otherwise than under regulation 7 (part-time appointments)” shall be omitted;
- (b) in paragraph (4), at the end, there shall be added “but subject in its application to members appointed in accordance with regulation 7 (part-time appointments) to paragraph (5)”;
- (c) after paragraph (4), add—

“(5) In their application to members appointed in accordance with regulation 7 to whom variable shift arrangements apply—

- (a) Schedule 1 shall have effect as if the Table in regulation 24(4D), as substituted by paragraph 4 of that Schedule, was the Table set out in regulation 24(3) as substituted by paragraph 1 of Schedule 3; and
- (b) Schedule 3 shall have effect as if paragraph 1 (except to the extent provided by sub-paragraph (a) above), paragraph 2 and paragraph 3 of that Schedule were omitted.”.

(3) In regulation 39(2A)(a) (rate of pay), sub-paragraph (e) shall be omitted.

(4) Schedule 1 to the Police Regulations shall be amended in accordance with the following provisions of this regulation and in those provisions a reference to a paragraph number is, except where the context otherwise requires, a reference to the paragraph of that Schedule bearing that number.

(5) In regulation 4(5) of the Police Regulations, inserted by paragraph 1, for the word “inspector” there shall be substituted the word “superintendent”.

(6) In paragraph 4—

- (a) after the words “period of duty)” insert the words “for “inspector” in paragraph (1) there shall be substituted “superintendent” and”;
- (b) in regulation 24(4A)—
  - (i) after “(4)” insert “or (4ZA)”;
  - (ii) for head (b), substitute—

“(b) if no different number was agreed to by the member, his normal period of duty is the number of hours determined on the last previous review, or where no such review has taken place, under paragraph (2).”;

(c) after regulation 24(4A), insert—

“(4ZA) In addition to any review required under paragraph (4A), a member or the chief officer may require a further review where there has been or is likely to be significant changes in the normal daily period of duty or in the circumstances of the member.

(4ZB) On any review under paragraph (4ZA) the chief officer shall have regard to the number of hours actually spent on duty during the interval preceding the review.”;

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(a) The relevant amending instrument is S.I. 1996/699.

(d) in regulation 24(4D), for the Table there shall be substituted the following Table:

“

<i>Number of hours</i>	<i>Refreshment time</i>
Less than 6 hours	30 minutes
6 hours or more, but less than 7 hours	35 minutes
7 hours or more, but less than 8 hours	40 minutes
8 hours or more, but less than 9 hours	45 minutes
9 hours or more, but less than 10 hours	50 minutes
10 hours or more	60 minutes

”.

(7) After paragraph 4, there shall be inserted the following paragraph—

“**4A.** In regulation 26(1) for “inspector” substitute “superintendent”.”.

(8) In paragraph 5(a) after head (i) there shall be inserted the following head—

“(ia) for “inspector” substitute “superintendent”; and”.

(9) In paragraph 6, after regulation 28(2), insert—

“(2A) In the case of a member working a variable shift arrangement, the number of hours on duty shall be determined by adding together—

- (a) the average number of hours the member is contracted to work in the 7 day period referred to in paragraph (2);
- (b) the number of hours (if any) the member worked on any rest day falling within that period; and
- (c) the number of hours (if any) the member worked on any public holiday falling within that period.”.

(10) In paragraph 7—

(a) in sub-paragraph (c), in regulation 29(5D), for “paragraph (5C)”, substitute “paragraph (5B)(c)”;

(b) after sub-paragraph (c) insert—

“(cc) after paragraph (5D), add—

“(5E) In the case of a member working a variable shift arrangement, the number of hours on duty shall for the purposes of paragraph (5C)(a) be determined by adding together—

- (a) the average number of hours the member is contracted to work in the week in which the free day occurred;
- (b) the number of hours (if any) the member worked on any rest day in that week; and
- (c) the number of hours (if any) the member worked on any public holiday within that period.”;

(c) in sub-paragraph (d), at the end of regulation 29(7A), add—

“(7B) Any entitlement of a member arising under paragraphs (6), (7) and (7A) in respect of any day is in addition to any payments due to that member for that day in accordance with regulation 39 (rate of pay).”;

(d) in sub-paragraph (f), in head (i), in sub-paragraph (b) for “one quarter” substitute “one half”.

(11) Paragraph 10 shall be omitted.

(12) In paragraph 14(a), at the end, there shall be added the following sub-paragraphs—

“(c) after paragraph (1B)(b) insert—

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(a) The relevant amending instrument is S.I. 2000/2013.

(b) Paragraph (1B) was substituted by S.I. 2000/2013.

“(1C) A member’s rate of pay for days of leave is to be the rate determined by the Secretary of State in accordance with this regulation—

(a) reduced in the case of a member who shares a job with another person by one half; and

(b) except in a case to which sub-paragraph (a) refers—

(i) reduced in the case of a constable or sergeant in the proportion that the number of determined hours bears to 40 times the number of weeks in the relevant period; and

(ii) multiplied in the case of a member above the rank or sergeant, by the appropriate factor.

(d) In paragraph (2A)(a), after sub-paragraph (d), insert—

“(dd) any part-time service shall be taken into account as though it was full-time service.””.

(13) For paragraph 15, there shall be substituted the following paragraph—

“**15.** In regulation 40 (temporary salary)—

(a) in paragraph (3)—

(i) for the words “to perform the duties normally performed by a member of the force of a higher rank than his own for 14 complete days” substitute the words “for at least 112 hours of complete shifts throughout which he performed the duties normally performed by a member of the force of a higher rank than his own”;

(ii) after the words “to the higher rank” insert the words “ as a full-time member”; and

(b) in paragraph (6) for the words after “below the rank of”(b) substitute the words “superintendent, the period that would constitute his normal daily period of duty if he were a full-time member, and “full-time member” means a member of the force appointed otherwise than under regulation 7.””.

(14) Paragraph 17 shall be omitted.

(15) Paragraph 25 shall be omitted.

#### **Amendment of regulation 40 of the Police Regulations**

3. In regulation 40 of the Police Regulations(c) (temporary salary)—

(a) in paragraph (3), for “paragraph (3B)”, substitute “paragraphs (3B) and (3C)”; and

(b) after paragraph (3B), insert—

“(3C) A member of the police force of the rank of chief inspector who, in any year, has been required to perform the duties normally performed by a member of the rank of superintendent for 14 complete days shall be paid in respect of any further complete day in that year on which he is required to perform such duties at a rate equal to the lowest rate of pay to which he would be entitled on promotion to superintendent.”.

#### **Temporary promotion**

4. After regulation 40, insert the following regulation—

##### **“Temporary promotion**

**40A.**—(1) A chief inspector who, for a period of 2 months or more, has performed the duties of superintendent shall be temporarily promoted to the rank of superintendent.

(2) A member temporarily promoted in accordance with paragraph (1) shall revert to the rank of chief inspector when he is no longer required to perform those duties.

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(a) Paragraph 2A was substituted by S.I. 1996/699.

(b) The relevant amending instrument is S.I. 1995/2020.

(c) The relevant amending instruments are S.I. 1995/2020 and 1996/699.

(3) A member shall, while temporarily promoted to the rank of superintendent, be paid at the point on the pay scale of superintendents which would have applied in his case if the promotion had not been temporary.”.

#### **Increase in London weighting**

5. In regulation 41 of the Police Regulations (London weighting)(a), for “£1,662”, there shall be substituted “£1,713”.

#### **Pay on promotion**

6. The following regulation shall be inserted after regulation 41 of the Police Regulations—

##### **“Pay on Promotion**

**41A.**—(1) This regulation applies to a member of a police force who is promoted to a higher rank.

(2) The rate of pay payable to the member in the higher rank shall always be higher than the rate of pay the member would have received had he not been promoted and shall be set at a rate which is not less than the rate appropriate to the pay point which, in the higher rank, is immediately above the rate of pay the member would have been receiving but for his promotion.

(3) For so long as the member continues to serve in the higher rank, he shall be paid at the rate identified in paragraph (2) until, in accordance with the terms of service appropriate to the officer’s new rank, a higher pay point becomes applicable.”.

#### **Increase in removal allowance**

7. In regulation 52(8) of the Police Regulations (removal allowance)(b), for “£1,524” there shall be substituted “£1,596”.

#### **Abolition of detective expenses allowance**

8. Regulation 54 of the Police Regulations (detective expenses allowance) shall be omitted.

#### **London and south east England allowances**

9. For regulation 60 (London allowance), there shall be substituted the following regulations—

##### **“London allowance**

**60.** A member of the City of London or metropolitan police force shall be paid a London allowance—

(a) in the case of a member appointed on or after 1st September 1994 and not in receipt of a replacement allowance under Schedule 13, at the rate of £4,338 a year;

(b) in any other case, at the rate of £1,011 a year.

##### **South east England allowance**

**60A.**—(1) Members of the Essex, Hertfordshire, Kent, Surrey and Thames Valley constabularies to whom paragraph (3) applies shall each be paid an allowance at the rate of £2,000 per year.

(2) Members of the Bedfordshire, Hampshire and Sussex constabularies to whom paragraph (3) applies shall each be paid an allowance at the rate of £1000 per year.

(3) This paragraph applies to a member who—

(a) was appointed as a member on or after 1st September 1994; and

(b) is not in receipt of a replacement allowance under Schedule 13.”.

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(a) Regulation 41 was amended by S.I. 1995/2020 and 2000/2013.

(b) The sum in regulation 52(8) was substituted by S.I. 2000/2013.

**Dog handler's allowance**

**10.** In paragraph 1 of Schedule 10 to the Police Regulations<sup>(a)</sup> (dog handler's allowance)—

(a) for sub-paragraph (1) there shall be substituted the following sub-paragraph—

“(1) Subject as hereinafter provided, a dog handler's allowance shall be payable at an annual rate of £1,554.”; and

(b) in sub-paragraph (1) as substituted by this regulation, for “£1,554” there shall be substituted, from and including 1st September 2000, “£1,602”;

(c) for sub-paragraph (2), substitute—

“(2) Where the member keeps and cares for at his home more than one dog owned by the police authority, there shall be added to the allowance an amount equal to 25 per cent of the sum specified in sub-paragraph (1) for each such dog.”.

Home Office  
28th September 2001

*John Denham*  
Minister of State

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(a) The relevant amending instruments are S.I. 1996/699 and 2000/2013.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Police Regulations 1995 (which apply to England and Wales).

*Regulation 2* has effect from 1st September 1998 and makes provision for part-time workers, including those taking part in job-share arrangements. In particular provision is made relating to the members normal period of duty (paragraph (5)) and pay and allowances.

*Regulation 3* provides that the pay of a chief inspector who for 14 days in any year performs the duties of a superintendent will be determined in respect of any further days in that year in which the chief inspector performs those duties by reference to the pay Range applicable to superintendents. Where those duties are performed for a period of 2 months or more, the chief inspector is to be promoted temporarily to the rank of superintendent and be paid at the rate which would have been appropriate had the promotion not been temporary (regulation 4).

*Regulation 5* increases the amount of the London weighting.

*Regulation 6* provides for a higher rate on pay on promotion.

*Regulation 7* increases removal allowances and regulation 8 abolishes detective expenses allowance.

*Regulation 9* provides additional allowances for members serving in forces in London and the south east of England.

*Regulation 10* provides a single dog handler's allowance and increases the amount.

*Regulations 2 to 10* have effect from dates before the coming into force of these Regulations. Retrospection is authorised by section 50(5) of the Police Act 1996.

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