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STATUTORY INSTRUMENTS

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**2003 No. 527**

**The Police Regulations 2003**

**PART 4**

**PAY**

**Pay**

**24.**—(1) Subject to the following provisions of this Part, the pay of members of police forces shall be determined by the Secretary of State, and in making such a determination the Secretary of State may—

- (a) confer such functions in relation to the pay of members of a police force above the rank of chief superintendent on the [<sup>F1</sup>local policing body];
- (b) where the pay of a member of a police force of the rank of chief inspector or below is payable subject to such conditions as may be specified in the determination, confer on a member of that police force senior in rank to that member, or on a person employed by [<sup>F2</sup>the Chief Officer or the local policing body], such functions in relation to those conditions,

as he thinks fit.

(2) Subject to [<sup>F3</sup>Part 7 of these Regulations] and section 97(3) of the Act, in reckoning the service of a member of a police force in any rank for the purposes of pay, account shall be taken of all his service in that rank, whether in that or another police force, and service in a higher rank, on temporary promotion thereto or otherwise, shall be treated as if it had been service in that rank.

(3) For the purposes of this regulation in reckoning a member's service in any rank—

- (a) that service shall be treated as unbroken by, and including, any period of service in Her Majesty's forces which he is entitled to reckon as pensionable service;
- (b) except where the [<sup>F4</sup>local policing body] in the circumstances of a particular case otherwise determine with the approval of the Secretary of State, no account shall be taken of any previous service in that rank which terminated in his reduction in rank as a punishment but any previous service in a higher rank which so terminated shall be treated as if it had been service in the rank to which the member was reduced;
- (c) no account shall be taken of any performance of the duties of that rank in respect of which a temporary salary is payable under regulation 27;
- (d) any period of unpaid leave shall be disregarded;
- (e) any part-time service shall be taken into account as though it were full-time service;
- <sup>F5</sup>(f) in the case of a female member who has taken one or more periods of maternity leave, in respect of each maternity period—

- (i) where that leave has been for 52 weeks or more, account shall be taken of the first 52 weeks whilst on maternity leave;

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*Changes to legislation: There are currently no known outstanding effects for the The Police Regulations 2003, PART 4. (See end of Document for details)*

- (ii) where that leave has been for less than 52 weeks, account shall be taken of any period spent on maternity leave;]
- (g) account shall be taken of any period of parental leave taken in accordance with a determination under regulation 33(8)(b);
- [<sup>F6</sup>(h) in the case of a member who has taken one or more periods of adoption leave, in respect of each adopted child account shall be taken of any period of such leave taken in accordance with a determination under regulation 33(8)(c);]
- (i) in the case of a member who has taken one or more periods of maternity support leave, account shall be taken of any period of such leave taken in accordance with a determination under regulation 33(8)(a);
- (j) in the case of a member who has taken one or more periods of adoption support leave, account shall be taken of any period of such leave taken in accordance with a determination under regulation 33(8)(d);

and, in the case of a member of a police force of a rank higher than that of chief inspector, paragraph (2) shall have effect subject to any contrary agreement so far as it relates to the reckoning of previous service in that or another force, not being a force from which he was statutorily transferred to his present force.

(4) Nothing in this regulation shall affect the operation of any provisions of the Conduct Regulations and, in relation to a member of a police force suspended or fined thereunder the provisions of paragraphs 1 and 3 of Schedule 2 or of paragraph 4 thereof shall have effect.

(5) A determination under paragraph (1) shall have effect in relation to a university scholar subject to the provisions of any determination for the time being in force under regulation 32.

#### Textual Amendments

- F1** Words in reg. 24(1)(a) substituted (16.1.2012 in relation to the Metropolitan police district; 22.11.2012 in relation to the other police areas in E.W.) by [The Police \(Amendment\) Regulations 2011 \(S.I. 2011/3026\)](#), regs. 1(1), **4(2)(l)**
- F2** Words in reg. 24(1)(b) substituted (16.1.2012 in relation to the Metropolitan police district; 22.11.2012 in relation to the other police areas in E.W.) by [The Police \(Amendment\) Regulations 2011 \(S.I. 2011/3026\)](#), regs. 1(1), **9**
- F3** Words in reg. 24(2) substituted (with effect from 1.4.2006) by [The Police \(Amendment\) Regulations 2012 \(S.I. 2012/192\)](#), regs. 1(2)(b), **4(2)**
- F4** Words in reg. 24(3)(b) substituted (16.1.2012 in relation to the Metropolitan police district; 22.11.2012 in relation to the other police areas in E.W.) by [The Police \(Amendment\) Regulations 2011 \(S.I. 2011/3026\)](#), regs. 1(1), **4(2)(l)**
- F5** Reg. 24(3)(f) substituted (with effect from 5.10.2008) by [The Police \(Amendment\) Regulations 2012 \(S.I. 2012/192\)](#), regs. 1(2)(c), **4(3)(a)**
- F6** Reg. 24(3)(h) substituted (with effect from 5.10.2008) by [The Police \(Amendment\) Regulations 2012 \(S.I. 2012/192\)](#), regs. 1(2)(c), **4(3)(b)**

#### Modifications etc. (not altering text)

- C1** [Reg. 24](#) applied (with modifications) (8.5.2017) by [The Greater Manchester Combined Authority \(Transfer of Police and Crime Commissioner Functions to the Mayor\) Order 2017 \(S.I. 2017/470\)](#), art. 1(2), **Sch. 1 para. 47(3)**

## Overtime

**25.**—(1) Subject to the provisions of this regulation, the Secretary of State shall determine the circumstances and manner in which a member of a police force shall be compensated in respect of time—

- (a) for which he remains on duty after his tour of duty ends, or
- (b) for which he is recalled between two tours of duty, or
- (c) which forms part of a tour of duty which he is required to begin earlier than the rostered time without due notice and on a day when he has already completed his normal daily period of duty;

and such time is referred to in these Regulations as “overtime”.

(2) For the purposes of this regulation—

“due notice” means notice given at least 8 hours before the revised starting time of the rostered tour of duty in question;

“normal daily period of duty” shall be construed in accordance with regulation 22;

“recall” does not include a warning to be in readiness for duty if required; and

“tour of duty”, in relation to a member of a police force for whom variable shift arrangements are in operation under regulation 22(1)(c), means rostered shift.

(3) In making a determination under paragraph (1), the Secretary of State may confer on the chief officer discretion—

- (a) to fix the day on which a period commences for the purposes of the determination;
- (b) to fix the period within which time off in compensation for overtime is to be granted;
- (c) to allow time in addition to that specified in the determination to be taken into account in computing any period of overtime.

## Public holidays and rest days

**26.**—(1) The Secretary of State shall determine the circumstances and manner in which a member of a police force shall be granted leave or otherwise compensated in respect of time spent on duty on—

- [<sup>F7</sup>(a) public holidays;
- (b) days which a member of a police force has elected to treat as public holidays; or
- (c) rostered rest days,]

and in this regulation “rostered rest day”, in relation to a member of a police force who is required to do duty on that day, means a day which according to the duty roster was, immediately before he was so required to do duty, to have been a rest day for the member.

(2) In making a determination under paragraph (1) the Secretary of State may confer on the chief officer discretion—

- (a) to fix the time at which, or the day on which, a period commences for the purposes of the determination;
- (b) to fix the period within which time off in compensation for time spent on duty as mentioned in that paragraph is to be granted;
- (c) to fix a limit on the time occupied by a member of a police force in travelling to and from his place of duty which is to be included in a period of duty for the purposes of the determination.

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#### Textual Amendments

- F7** Reg. 26(1)(a)-(c) substituted for reg. 26(1)(a)(b) (22.11.2012) by [The Police \(Amendment No. 4\) Regulations 2012 \(S.I. 2012/2712\)](#), regs. 1, **5(2)**

#### Temporary salary and temporary promotion

**27.** The Secretary of State shall determine—

- (a) the circumstances in which a member of a police force is entitled to receive a temporary salary and the rate of that salary; and
- (b) the circumstances in which a member of a police force is entitled to be temporarily promoted and the rate of his salary while so promoted.

#### Sick pay

**28.** The Secretary of State shall determine the entitlement of members of police forces to pay during periods of sick leave taken in accordance with a determination under regulation 33(5), and in making such a determination the Secretary of State may confer on the chief officer discretion to allow a member of a police force to receive more pay than that specified in the determination.

#### [<sup>F8</sup>Entitlement to pay when on adjusted duties

**28A.** The Secretary of State shall determine the reduction in entitlement to pay of a member of a police force during periods when that member is carrying out adjusted duties in accordance with a determination under regulation 22(1)(h), and in making such a determination the Secretary of State may confer on the chief officer discretion to allow a member of a police force to receive more pay than that specified in the determination.]

#### Textual Amendments

- F8** [Reg. 28A](#) inserted (1.4.2015) by [The Police \(Amendment\) Regulations 2015 \(S.I. 2015/455\)](#), regs. 1, **5**

#### Maternity pay

**29.** The Secretary of State shall determine the entitlement of female members of police forces to pay during periods of maternity leave.

#### Fixing of pay day and calculation of monthly, weekly and daily pay

**30.—(1)** The intervals at which members of a police force are to be paid shall be fixed by the [<sup>F9</sup>local policing body] in accordance with such rules as the Secretary of State may determine.

(2) The Secretary of State shall determine the manner of calculating monthly, weekly and daily pay.

#### Textual Amendments

- F9** Words in reg. 30(1) substituted (16.1.2012 in relation to the Metropolitan police district; 22.11.2012 in relation to the other police areas in E.W.) by [The Police \(Amendment\) Regulations 2011 \(S.I. 2011/3026\)](#), regs. 1(1), **4(2)(m)**

## Deductions from pay of social security benefits and statutory sick pay

**31.**—(1) There shall be deducted from the pay of a member of a police force who is in receipt of full pay—

- (a) the amount of any short-term or long-term incapacity benefit to which he is entitled under the Social Security (Incapacity for Work) Act 1994 <sup>M1</sup>;
- (b) any statutory sick pay to which he is entitled under the Social Security Contributions and Benefits Act 1992 <sup>M2</sup>,
- [<sup>F10</sup>(c) any employment and support allowance to which the member is entitled under sections 1(2)(a) or 1B of the Welfare Reform Act 2007,]

and for the purposes of sub-paragraph (a) any increase for adult and child dependants shall be treated as forming part of the benefit or allowance to which it relates.

(2) For the purposes of this regulation, a female member of a police force who as a married woman or widow has elected to pay contributions under section 19 of the Social Security Contributions and Benefits Act 1992 at the reduced rate, shall be deemed to be entitled to any social security benefits mentioned in paragraph (1) to which she would have been entitled had she not elected to contribute at the reduced rate.

(3) In this regulation, “full pay” means pay at the rate ascertained from regulation 24 and the determination made thereunder.

### Textual Amendments

**F10** Reg. 31(1)(c) inserted (4.1.2017) by [The Police \(Amendment\) \(No. 2\) Regulations 2016](#) (S.I. 2016/1200), regs. 1, **2(3)**

### Marginal Citations

**M1** 1994 c. 18.

**M2** 1992 c. 4.

## University scholars

**32.** The Secretary of State shall determine how Part 3 and this Part of these Regulations and any determination made thereunder shall have effect in relation to a university scholar, and in making such a determination the Secretary of State may confer on the [<sup>F11</sup>local policing body] discretion to determine whether or not the conditions subject to which a university scholar is entitled to any payment under this Part are met.

### Textual Amendments

**F11** Words in reg. 32 substituted (16.1.2012 in relation to the Metropolitan police district; 22.11.2012 in relation to the other police areas in E.W.) by [The Police \(Amendment\) Regulations 2011](#) (S.I. 2011/3026), regs. 1(1), **4(2)(n)**

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