

 West Mercia POLICE		POLICY
Security Classification	OFFICIAL	
Disclosable under Freedom of Information Act 2000	Yes	

POLICY TITLE	Acting Duties/Temporary Promotion Policy
REFERENCE NUMBER	WMP191
Version	1.1

POLICY OWNERSHIP	
DIRECTORATE	BUSINESS SERVICES
BUSINESS AREA	PEOPLE AND OD

INITIAL IMPLEMENTATION DATE	July 2022
NEXT REVIEW DATE:	July 2025
RISK RATING	LOW
EQUALITY ANALYSIS	LOW

West Mercia Police welcome comments and suggestions from the public and staff about the contents and implementation of this policy.
Please e-mail policiesandprocedures@westmercia.police.uk

1.0 POLICY OUTLINE

West Mercia Police recognises that there will be occasions when there is an organisational requirement for an officer to undertake the duties normally performed by an officer of a higher rank in order to provide supervisory continuity and resilience for urgent operational situations, cover for vacant posts or during the long term absence of the substantive post holder.

West Mercia Police supports the use of acting up and temporary promotion as a way of supporting an officer's development by providing experience of performing the duties normally performed by an officer of a higher rank than their own.

In applying this policy, West Mercia Police will have due regard for its obligations under the Equality Act 2010, including in particular the need to eliminate unlawful discrimination and promote equality of opportunity for all its officers. West Mercia Police acknowledge the need to balance individual needs and role requirements to ensure equality of opportunity is provided to those eligible for acting up and temporary promotion opportunities.

2.0 PURPOSE OF POLICY

- 2.1 The purpose of this policy is to ensure a fair and consistent approach to the use of acting up, temporary salary and temporary promotion.

Principles:

West Mercia Police will ensure that:

- Acting up duties or temporary promotion in the higher rank will be in accordance with the Police (Promotion) Regulations (as amended);
- Officers will be given as much notice as possible when opportunities to perform Acting-up duties and periods of temporary promotion arise and will be selected for these opportunities in a fair and transparent way;
- Officers who are temporarily promoted, receive temporary salary or performing Acting duties will be regularly monitored and offered support to encourage development;
- The duration of periods of Acting up and temporary promotion will be regularly reviewed to ensure they do not exceed the time frames set out in the Regulations;
- At the end of a period of Acting up or temporary promotion the line manager will meet with the officer to assess the developmental benefit to the officer and provide feedback on the officer's performance.

3.0 DEFINITIONS

3.1 Acting Duties

Acting duties will be used to meet short-term operational needs, such as a situation where:

- immediate leadership decisions are required;
- the supervision and deployment of operational staff is necessary;
- Statutory responsibilities require that the officer hold a particular rank.

However, the absence of an operational supervisor does not automatically mean that an officer of a lower rank is required to 'act up'.

A period of Acting duties should not last for more than 56 days. For the purposes of calculating the 56 day period, continuity is preserved in the circumstances where the officer is not at work as a result of a routine short term absence of no more than 10 working days (e.g. rest days, sickness absence, annual leave).

3.2 Qualifying period

All officers will have to undertake the duties normally performed by an officer of a higher rank for 10 full days between 1st April and 31st March in any year before they can receive the Acting-up allowance (as set out in Regulation 34 (Annex UU) Police Regulations 2003).

A part-time officer will qualify for the Acting-up allowance when they have performed 80 complete hours and an officer with variable shift arrangements must complete qualifying shifts amounting to 80 hours in total.

The 10-day qualifying period will be included in the calculation of the 56-day maximum and the remainder of the period must be continuous from day 11 to 56.

However, if, due to operational necessity, it is anticipated at the outset that the period of Acting duties will exceed 56 days the officer will be temporarily promoted at that time, provided that they are suitably qualified.

3.3 Pension and Reckonable Service

Acting Allowance is not pensionable and the period of Acting duty does not count toward salary in the higher rank if the officer is temporarily or substantively promoted at a later date.

3.4 Overtime

A Sergeant who is performing the duties of the Inspector rank is not entitled to overtime payments. If the officer is required to work on a rostered rest day or a public holiday they will not receive the Acting allowance on those days but will be paid the appropriate public holiday or rest day rates for their substantive rank.

3.5 Designation and Insignia

Officers who undertake acting duties which exceed a period of 10 days will use the designation of A/Inspector etc and should wear the insignia of their acting rank.

3.6 Extended Periods of Acting Duties

A period of Acting-up should only exceed the 56-day maximum if the officer is not qualified for promotion and/or during a rare occasion when a Chief Constable is required to respond to an operational emergency that requires an immediate application.

A Constable or Sergeant who is not qualified for promotion (under Regulation 3 of the Police Promotion Regulations 1996 – will receive Temporary Salary after 46 days of receiving the Acting Up allowance.

3.7 Temporary Salary (Regulation 27 (Annex I) Police Regulations 2003)

A sergeant in receipt of Temporary Salary whilst performing the duties of the inspector rank is not entitled to overtime payments.

If the officer is required to work on a rostered rest day or a public holiday they will not receive temporary salary on these days, but will instead be entitled to the appropriate public holiday or rest day rates for their substantive rank.

Temporary Salary is pensionable but is not reckonable for pay increments in the higher rank if the officer is temporarily or substantively promoted at a later date.

3.8 Temporary Promotion

A period of temporary promotion will be considered when a shortfall at any rank has been identified which is likely to last for at least 2 calendar months, for example to cover a vacancy or absence such as maternity leave, long-term sickness, internal secondment, etc.

3.9 Designation and Insignia

Officers will use the designation of T/Inspector etc and should wear the insignia of their temporary rank.

3.10 Temporary Promotion to Sergeant and Inspector Rank - [See Appendix A](#)

Under Regulation 6 of the Police (Promotion) Regulations 1996 (as amended), officers can only be temporarily promoted to the rank of sergeant or inspector if they are qualified for promotion under Regulation 3.

The College of Policing guidance states that in order to be qualified for promotion to the rank of sergeant or inspector, an officer must either have

- successfully completed OSPRE I and II, **or**
- been selected at NPPF Step 3 (passed a promotion board) and commenced

NPPF Step 4 (Work Based Assessment)

Where it is anticipated that a temporary vacancy will last for 12 months or more (and the role is suitable for Work Based Assessment), an officer who has been successful at the Step 3 Promotion Board should be temporarily promoted in the role and begin the 12 month period of Work Based Assessment.

If the temporary vacancy is likely to last for less than 12 months, an officer who is OSPRE II qualified should be temporarily promoted in the role.

Constables and Sergeants who are NPPF Step 2 qualified only may be given opportunities to act up in the next rank or receive temporary salary but they cannot be temporarily promoted to that higher rank.

3.11 Temporary promotion to Chief Inspector rank and above

Regulation 6 of the Police (Promotion) Regulations 1996 (as amended), states that an officer who is required to perform the duties of a higher rank may be promoted temporarily to it, even if there is no vacancy for that rank.

3.12 Pay - Chief Inspectors and Superintending ranks (PNB Circular 2014/20)

Officers temporarily promoted to the rank of superintendent, chief superintendent or ACC will be paid either

- a rate equivalent to the lowest rate of pay to which they would be entitled on promotion to the higher rank, or
- a non-pensionable honorarium of up to 100% of the difference between their substantive salary and the basic pay for the higher rank.

The decision whether to receive an honorarium as an alternative to a temporary salary, will be made by the officer required to perform the duties of the higher rank. They will not be permitted to revoke the decision at a later date unless the circumstances of the temporary promotion were to change after agreement was reached.

3.13 Constables, Sergeants and Inspectors

An officer who has been temporarily promoted to a higher rank will be paid on the point they would have been entitled to if permanently promoted.

Additional pay on temporary promotion will be pensionable, however short the period concerned. Where an officer is given temporary promotion after a period of Acting up only the period of temporary promotion is pensionable.

A period of temporary promotion is reckonable for salary increases in both the substantive and the higher rank. Service in the higher rank counts if the officer is substantively or temporarily promoted again within the next 5 years (HO Circular 018/2013).

4.0 PROCEDURE

4.1 Selection Process

Acting Duties/Temporary Salary

When selecting officers for acting duties/temporary salary, command teams will ensure that the officer has the relevant and necessary knowledge, skills and experience required to carry out the higher rank role and will give priority to (in the following order):

1. Officers with an OSPRE part II qualification
2. Officers with a NPPF Step 2 qualification
3. The officers' most recent myMAX rating
4. The extent to which the officers' skills, training and/or experience is relevant to the role

Consideration will also be given to officers' development needs/preferences and personal circumstances. Where applicable, reasonable adjustments will be reviewed and any necessary changes put in place as appropriate.

Command Teams will need to ensure there is a fair and transparent process in place when selecting officers for acting up/temporary promotion duties. Every effort should be made to ensure an equal distribution of opportunity is afforded to maximise the development of all officers.

Procedure Summary

- Command Teams should view the list of all officers who have completed NPPF Steps 2 and 3 which is available on the intranet/You at Work/Promotions/Promotion Boards.
- Command Teams should record and provide rationale as to the selection for each acting up/temporary promotion opportunity. The postings principles should be referred to assist with decision making.
- Locals HROs will advise on process where there is more than one suitable officer. The process needs to be proportionate e.g. career chats
- All acting up/temp promotion opportunities should be agreed at Deployment Panels. Where this is not possible, opportunities should be noted at the next available Deployment Panel.
- When all eligible officers have been given an opportunity to act up within a policing area/department, it is expected the Command Team will expand their selection process to eligible officers within other policing areas/departments.

All acting up/temporary promotion duties should have an end date to ensure regular reviews are undertaken should the need arise to extend.

4.2 Superintending and Chief Inspector ranks

All acting up/temporary promotion opportunities at this level will be advertised internally through an expression of interest exercise with all those eligible. Candidates will be invited to a career chat with a nominated person. The process will be centrally managed through the Talent and Resourcing Team.

Positive Action

If there are a number of officers of equal merit, Command teams may consider whether to engage s159 of the Equality Act 2010 to address any identified disproportionate under-representation of a particular protected characteristic at the higher rank. This should be done in conjunction with the People and OD Business Partner and in consultation with staff associations.

A record of the selection rationale will be sent to the Talent & Resourcing Manager for monitoring purposes.

Temporary Promotion

When selecting officers for temporary promotion command teams will appoint from the relevant select list. Select lists are available from the relevant People & OD Business Partner.

5.0 VAWG (Violence Against Women and Girls)

This policy has no impact on VAWG.

5.0 CONSULTATION

<i>Business Lead/ Chief Officer Consulted</i>	<i>Date Consulted</i>
Bal Jacob/ Rachel Hartland-Lane	April 2022
Rachael Neale	June 2023

Critical Friends – June 2023

6.0 DOCUMENT HISTORY

Date	Author / Reviewer	Amendment(s) & Rationale	Date of Approval / Adoption
April 2022	Rob Hall	New Policy intro on 1 st July 2022	JNCC Exec Board 10/05/2022
June 2023	Rob Hall	Minor changes to 4.0	June 2023

7.0 ASSESSMENT AND ANALYSIS

The Equality Analysis, health and safety assessment and risk assessment associated with this document are available on request.

8.0 DATA PROTECTION IMPACT ASSESSMENT

- Is a DPIA required? – **No**, as agreed by Audit, Risk and Compliance on 19/04/2022
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9.0 MONITORING / EVALUATION

The Monitoring and review of this policy is the responsibility of the policy owner.

Appendix A – FLOWCHART