



Derbyshire Constabulary

POLICE STAFF ACTING UP POLICY

POLICY REFERENCE AIA

This policy is suitable for Public Disclosure

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2. Introduction

- 2.1 Derbyshire Constabulary acknowledges the principle of police staff acting up in into higher graded posts. Where properly utilised, “acting up” offers the opportunity for improved organisational effectiveness, whilst individuals benefit from gaining valuable experience.
- 2.2 This policy has the aim of meeting organisational resourcing needs and facilitating employee development.
- 2.3 The policy formalises procedures for police staff when carrying out the duties of a higher graded post, ensuring consistency of operation across the organisation.

3. Policy Statement

- 3.1 This policy applies when an employee undertakes the duties and responsibilities of a higher graded post for a continuous period of 15 calendar days or more. It does not apply to an increase in workload or horizontal cover of a vacancy on the same grade.
- 3.2 There may be occasions when employees take on higher responsibilities in a non-substantive post (e.g. project work). These arrangements are not covered in the scope of this policy. Provisions for payment of honoraria may cover remuneration for such duties.
- 3.3 Acting up arrangements may be considered in the following circumstances:
- cover for long term sickness
 - cover for maternity leave
 - cover for secondments, career breaks, etc
 - cover for a temporary recruitment freeze due to budget constraints
 - re-organisation etc.
 - cover for vacancies pending permanent recruitment
 - any other absence expected to last four weeks or more, but excluding absence due to annual leave.

4. Guidance and Procedures

4.1 Advertising Arrangements

Where there is a designated deputy, they will be given the first opportunity to act up into the post. This is subject to satisfactory performance in their current role, as documented in the employee’s PDR. In making a decision the individual’s sickness and discipline record will be taken into account.

Where there is no designated deputy, the line manager, in consultation with the Divisional Commander/Head of Department and HR Manager will, if possible, identify all persons within the department / division eligible to undertake the role, having regard to the PDR process. Staff who are temporarily absent due to career break, maternity leave or secondment must be informed of acting up opportunities. Where they are able to take up the posting within the anticipated duration of the assignment, their interest should be considered.

Where more than one eligible candidate expresses an interest, where practicable all should be given the opportunity to act up for a proportion of the cover period.

Where no-one in the department or division is available or deemed suitable for the post then managers may wish to consider advertising force-wide in Chief Constable’s Orders. If this is the

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case, the role will then be open to staff on a lower grade (acting up) or staff on a similar grade (secondment).

Where the period of acting up duty is expected to last twelve months or longer, then the opportunity must be advertised in Chief Constable's orders.

4.2 Application

Unless there is a designated deputy, application will be by form 506 via the line manager. The Integrated Competency Framework will be used as the basis for selection in line with the recruitment and selection policy. Whilst it is desirable that members of staff considered for acting up duties should meet the job overview for the post, it need not be considered essential. Managers should consider that acting up is an opportunity for career development and identify any elements of the person specification that can be gained during a period of acting up duties e.g. supervisory experience or qualifications.

Where acting up duties have been advertised force wide, completed applications will be processed by the HR Service Centre Team, Force Headquarters. In all other cases, applications will be processed by a designated manager or the Head of Department.

In any event, staff who are considered for acting up duties should be made fully aware of the full person specification for the position into which they are undertaking acting up duties. They will then be aware of the qualifications and/or experience they will need to gain in order to be successful should the post become permanent at any point in the future.

4.3 Selection

Interviews will be conducted by a minimum of two assessors in accordance with the recruitment and selection policy. Suitability to undertake acting up duties should be related to the ability to do the job and the current grade or role of an applicant should not be considered relevant. As with all recruitment, experience gained outside this organisation or outside the formal work environment should also be considered.

The Department or Division undertaking the selection process should inform the unsuccessful candidates and offer feedback on performance.

4.4 Appointment

The successful candidate will be notified in writing of the terms and conditions of the acting up arrangement by either the HR Service Centre Team or Divisional Resources Team for divisional staff. They will also arrange for payment to be made.

If the acting up arrangement is in another department, every effort should be made to release the employee as soon as possible. The needs of the Department/Section taking on the employee should be balanced with the needs of the Department/Section the employee is leaving. The maximum delay for any appointment will be one month from the date of request for release. The Line Managers / Heads of Departments will make the final decision on release dates.

4.5 Substantive Post Protection

The substantive post of an employee acting up will be protected and the vacancy created by this arrangement may only be filled on a temporary basis. No permanent replacements should be sought to fill a vacancy created by an employee acting into a higher graded post.

An employee acting into a higher graded post shall have the right to return to their original post at the end of the acting up arrangement or at any time during the arrangement.

4.6 Payment

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An employee undertaking acting duties in a higher graded post for a continuous period of at least 15 calendar days is entitled to receive a salary in accordance with the temporary post occupied. The salary to be paid is that which would be paid were the employee promoted to the higher graded post. When the qualifying period of 15 calendar days has elapsed, the higher salary will commence with effect from the first day on which the employee commenced acting up duties.

All allowances to the higher graded post will be payable where there is entitlement.

Additional payment will continue to be made to an employee who has been temporarily undertaking additional duties for a period of up to four weeks, whilst absent due to sickness. Payment of additional salary after four weeks' sickness will cease.

4.7 Resignation Notice

Employees who resign during a period of acting up will be required to give contractual notice as specified in the contract of employment for their substantive post.

4.8 Unsatisfactory Performance

Acting up arrangements may be terminated on the grounds of unsatisfactory performance, including attendance, provided that relevant support and assistance has been provided to the employee. Please refer to guidelines on managing poor performance.

The performance of the individual whilst undertaking acting up duties will be recorded and fed back via the PDR process.

4.9 Permanent Posts

Employees who undertake acting duties in a higher graded post for two or more years will have the right to be appointed to the post should it become permanent. This right is subject to:

- the employee meeting the essential requirements of the job overview
- satisfactory performance in the higher graded post as documented in the employee's PDR
- a satisfactory discipline record
- levels of sickness absence that fall within the criteria outlined in the Attendance Management Policy.

Employees who have performed acting duties in a higher graded post for less than two years will have no automatic right or advantage in the selection process should the post become permanent. They will be required to apply for the post and compete along with other candidates.

5. Human Rights Compliance

5.1 The content of this policy has been tested against Derbyshire Constabulary's Human Rights Compliance Test.

5.2 Consideration has been given to the compatibility of this policy and related procedures with the Human Rights Act and European Convention of Human Rights; with particular reference to the legal basis of its precepts; the legitimacy of its aims; the justification and proportionality of the actions intended by it; that it is the least intrusive and damaging option necessary to achieve the aims; and that it defines the need to document the relevant decision making processes and outcomes of action.

6. Diversity Compliance

- 6.1 The content of this policy has been tested against Derbyshire Constabulary's Diversity Compliance test. The policy has been drafted in accordance with all relevant employment legislation and with the general duty under the Race Equality Scheme to eliminate unlawful racial discrimination, to promote equality and to promote good relations between people of different racial backgrounds.

7. Monitoring and Review

- 7.1 Monitoring of staff provided with opportunities to carry out acting up duties will be undertaken at a local level by HR Managers. Where staff carry out acting up duties this will be recorded on the HR computer system and periodic monitoring will be conducted of those who are offered acting up opportunities, including monitoring to ensure equality of opportunity in the offering of acting up roles.

8. Appeals Process

- 8.1 Any member of police staff who has concerns about the application of any element of this policy should submit an appeal, in writing, to The Head of the HR Service Centre, Force Headquarters. All reasons for appeal should be clearly stated in the initial letter of appeal and no further reasons will be considered. Appeals must be submitted within 7 days of the member of staff being notified of the outcome in relation to their application to carry out acting up duties.