

# Overtime

## POLICY & PROCEDURE

**OFFICIAL**

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| <b>Policy Authors</b>                            | Head of Force Resource Unit<br>HR Manager of Policy and Procedure  |
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# Policy

## Statement

Merseyside Police is committed to providing value for money. This involves strong financial management of our overall budget, part of which is overtime.

Effective management of overtime is crucial to achieving maximum operational effectiveness. We will hold line managers and budget holders to account for their use of overtime and ensure good management control at all levels of the organisation.

## Rationale

The overtime policy outlines Merseyside Police's approach to the use of overtime and ensures compliance with Police Regulations and locally negotiated Variable Shift Agreements (VSA), and the Police Staff Council Handbook and local conditions of service. The policy gives due consideration to the Working Time Regulations.

## Aims

The policy's main aim is to provide a framework for managing overtime effectively. It is designed to help ensure a consistent systematic approach to authorising, claiming and processing overtime.

The policy is underpinned by procedures designed to provide clear, definitive and unambiguous direction for all those involved in making decisions about overtime.

## Objectives

To make the best possible use of the premium resource of overtime, this policy is intended:

- a) To comply with Police Regulations and Police Staff Council Handbook.
- b) To ensure any overtime worked by any police officer or member of police staff is essential, authorised and properly recorded.
- c) To monitor overtime spends and work to reduce costs over a sustained period.
- d) To increase accountability of line managers and budget holders.
- e) To ensure an effective work/life balance is being considered when overtime is being worked.
- f) To provide assurance to the Police and Crime Commissioner and local communities that funds are being used effectively.
- g) To routinely identify and query high spending line managers and command teams

- h) To identify high earning individuals to support their wellbeing and ensure overtime worked is compliant with regulations and policy.
- i) To maintain an audit trail of overtime spends.

## Application and Scope

All police officers and police staff, including the extended police family and those working voluntarily or under contract to Merseyside Police must be aware of, and are required to comply with, all relevant policy and associated procedures.

This policy also applies to all police officers and police staff in line management roles or those with some responsibility for resource management and financial management.

## Outcome Evaluation

The use of overtime will be reviewed by Command Teams.

The Force Resource Unit (FRU) will conduct audits and dip-sampling to ensure that overtime is being used, coded and authorised correctly.

# Procedure

## Version History

| Version Number | Date       | Detailed rational behind amending/updating policy or procedure.  | Policy Owner Details                           | Policy Author Details                      |
|----------------|------------|--|--|--|
| 1.6            | 23/07/2024 | Review completed by Head of Force Resource Unit – no substantial changes. Minor amendments made to reflect the current systems and procedures  | Head of People Operations and Service Delivery | Head of Force Resource Unit                |
| 2.0            | 06/01/2025 | Full review of the policy and procedure. Policy restructured to ensure the principles of overtime use is clearer. Additions to Police Staff overtime section for clarity. Formatting update to match current Force standard template | Head of People Operations and Service Delivery | Head of Force Resource Unit and HR Manager |
| 2.1            | 12/06/26   | Updated to reflect new organisational structure only; formatting refresh (no change to review date)  | Head of People Operations and Service Delivery | Head of Force Resource Unit and HR Manager |

## 1. Procedure

### 1.1 Guiding principles

- 1.1.1 Overtime should only be used and authorised to meet organisational needs. The responsibility for identifying and justifying these needs lie with Command Teams.
- 1.1.2 Gold Commanders can authorise overtime for an exigency of service when there is an operational need. Prior to Gold authorising any cancelled rest days to resource an exigency the Federation/Trade Unions are to be consulted.
- 1.1.3 Overtime should not be approved unless all alternatives have been considered/rejected and where the failure to use overtime would lead to a loss in operational effectiveness.
- 1.1.4 No overtime should be worked without the formal approval of a manager, or a nominated proxy (for example, where unplanned overtime is caused by an arrest), if operationally possible.

- 1.1.5 Overtime claims will only be approved in accordance with this policy and associated regulations. Where overtime is not applicable or appropriate it will not be approved, for example:
- Individuals who “book on” or “book off” Crown DMS before or after their shift/tour of duty for their own convenience will not be classed as overtime; all unplanned overtime must be approved, if operationally feasible.
  - Overtime must not be used for administrative tasks, unless a failure to do so would lead to a loss of operational efficiency or effectiveness.
- 1.1.6 Overtime may be appropriate for activities regarding the wellbeing or welfare support of colleagues, however as with all overtime – approval must be obtained in the first instance.
- 1.1.7 Individuals are NOT permitted to authorise their own overtime – including overtime taken as Time Off In Lieu (TOIL).
- 1.1.8 Overtime must be recorded on the forces Duty Management System (DMS) for coding, authorising and monitoring purposes. Only overtime worked in accordance with this policy, recorded on DMS and with the appropriate authorisation, will be paid (or converted to TOIL).
- 1.1.9 Overtime should be submitted as worked, by booking on and off, via DMS. If an individual is unable to book on/off at the time – the claim for overtime must be submitted on DMS within one month. Only in exceptional circumstances, where an individual does not have access to force systems, will a manual form for overtime be accepted.
- 1.1.10 The overtime entry(ies) will show on the DMS system when an officer or member of staff books on and off outside of their agreed shift. Their line manager or a member of the Force Resourcing Unit (FRU) will code the overtime correctly in line with Police Regulations and/or Police Staff terms and conditions.
- 1.1.11 If a line manager requires any assistance with interpreting the correct overtime entitlements, they should seek advice from their management team in the first instance, then, if necessary, escalate by raising a HR Service Request on SmartForce Oracle.

## **2. Overtime framework**

### **2.1 Working Time Regulations**

- 2.1.1 When managing overtime, line managers should be aware of the [Working Time Regulations](#) which introduced basic rights for employees and include statutory limits on average hours worked (days and nights), minimum rest periods and minimum annual leave entitlement.

2.1.2 These regulations help to maintain the health and safety of our workforce. Failure to comply with the legal requirements is a breach of Health and Safety legislation and may lead to personal or corporate liability. Compliance with the Working Time Regulations can be reviewed on the “Working Time Details” tab on DMS.

2.1.3 All line managers must recognise and take account of the work/life balance of officers and staff when working overtime. Therefore, line managers should consider the health and wellbeing of individuals and consider workplace flexibility to ensure the appropriate use of overtime.

## **2.2 Overtime definitions**

2.2.1 For the purpose of overtime :

- A week is a period of seven days commencing at 0700 on a Monday and ending at 0659 on the following Monday.
- A Day: is a period of 24 hours commencing at 0700 and ending at 0659, unless otherwise indicated by a Chief Officer, as may be the case for certain specialist roles.

2.2.2 Part-time officers and staff will only be eligible for overtime pay (or TOIL) once they have exceeded the full-time equivalent hours.

2.2.3 The Terms and Conditions relating to the cancellation of Rest Days will be adhered to for all staff and officers. Line managers are reminded that the rostering of Rest Days in Lieu to permit the earning of overtime at premium rate is expressly forbidden.

2.2.4 There are separate arrangements for overtime for police officers and police staff. Line managers must refer to the relevant section below.

## **2.3 Police Regulations**

2.3.1 All police officers’ overtime is governed by Police Regulations (2003). Regulation 25 of the Police Regulations 2003 details the overtime entitlements.

2.3.2 The Secretary of State determines the circumstances and manner in which a member of a police force shall be compensated in respect of overtime worked and confers discretion on Chief Officers to fix the period within which time off, in compensation for overtime, is to be granted.

2.3.3 There is no provision to compensate police officers at “single” (unenhanced) overtime, for TOIL or pay, therefore this practice is not appropriate.

2.3.4 Compensation for working on annual leave days will only be processed once an email has been sent to the Force Resource Unit via the Command Team of the officer. No supplementary alternative system may be used for this purpose. The system will be updated with duties.

- 2.3.5 A summary of regulations on payment of overtime for Officers of the Rank of Constable or Sergeant is as follows:

| Overtime type               | Rate  |
|-----------------------------|---|
| End of shift                | Time and 1/3, minus first 30 minutes depending on notice given  |
| Recalled between shifts     | Time and 1/3, (minimum of four hours payment in certain circumstances)  |
| Working on a rest day       | Time and ½ (for less than fifteen days' notice) (for more than fifteen days another rest day will be allocated) |
| Working on a public holiday | Double time, (however, this is plus a day off in lieu if less than eight days' notice)                          |

## 2.4 Police Staff Terms and Conditions

- 2.4.1 Police Staff overtime (additional hours) is paid in accordance with the [Police Staff Council Handbook](#) (PSC Handbook), supplemented by locally negotiated arrangements.
- 2.4.2 Police Staff up to Grade 'E' may be eligible to claim for overtime worked with approval by the line manager. Police Staff **Grade 'F' and above are not eligible to claim overtime in accordance with the PSC Handbook.**
- 2.4.3 The payments for additional hours worked (overtime) is stipulated in the PSC handbook:

### Payments for working additional hours

| Period          | 07:00 – 19:00   | 19:00 – 07:00   |
|-----------------|-----------------|-----------------|
| Monday – Friday | Plain time      | Time and a half |
| Saturday        | Time and a half | Time and a half |
| Sunday          | Time and a half | Time and a half |
| Public holiday  | Double time     | Double time     |

- 2.4.4 The overtime notification period commences once the individual police staff member has received notification and confirmation of their agreement to volunteer for overtime.

- 2.4.5 Overtime is not payable for Grade Fs and above. In exceptional circumstances where there is a significant business requirement for staff Grade 'F' and above to work overtime, a Business Case must be submitted to the ACC People Services providing the reasons and the timescale to cover the overtime situation. Should approval be given for the business case, the overtime will be paid at the top incremental scale, Grade 'E'.
- 2.4.6 If a member of staff of grade 'F' or above is on call the individual would be eligible to receive remuneration based upon their substantive pay regardless of their grade and spinal column point.
- 2.4.7 On a public holiday, if a Grade F or above is working as part of their rostered pattern they will be paid the compensation at their substantive grade. Any additional hours worked will be voluntary overtime and calculated at the appropriate rate; grade F and above to be paid at the top of an E grade as per local T & C's.
- 2.4.8 Where police staff have volunteered to complete overtime in a role outside of their substantive position; the overtime pay will be paid at the grade of the role performed, not their substantive grade.

## **2.5 Time off in Lieu**

- 2.5.1 When police officers of the rank of Constable or Sergeant worked authorised overtime, they shall be entitled to payment, unless they elect to take time off in lieu of payment.
- 2.5.2 It is the officer's choice to take time for payment or TOIL - the election for TOIL must be made at the time the overtime is claimed. If an officer/staff member has opted for payment for overtime on any day other than a public holiday and wants it changing to toil they can use the Convertible Overtime process on their workbench on Crown DMS before the next payroll date.
- 2.5.3 On occasions when Police Staff are allowed to convert an overtime payment to TOIL, they will only be provided with plain time in TOIL hours, regardless of whether the overtime was worked at time and a half,
- 2.5.4 Every effort must be made to ensure that TOIL may be used within 12 weeks from the time the overtime was worked. After this date the TOIL will automatically go for payment for all staff and officers below the rank of Inspector.

## **3. Responsibilities**

### **3.1 Individual**

- 3.1.1 All individuals working overtime must:
- First obtain approval from a line manager of a higher rank or grade.
  - Record overtime worked on DMS.

- Ensure details of hours worked are correct, once they are recorded on DMS.

3.1.2 For any approved pre-planned or spontaneous deployment, the individual making a claim for overtime, must book on and off on DMS. Any overtime that is worked at the end of a shift will be recorded once an officer or member of police staff has booked off.

### **3.2 Line managers and above**

3.2.1 All line managers have a corporate responsibility to reduce overtime costs and exercise leadership in managing overtime.'

3.2.2 Overtime should be coded by first line managers within 72 hours.

3.2.3 Line managers coding and authorising overtime must ensure timescales are met to ensure overtime payments are captured in the next available payroll. Under no circumstances must overtime for payment be "carried over".

3.2.4 Line managers are responsible for ensuring that enhancements and entitlements are correct.

3.2.5 Line managers should use the [SmartForce guidance](#) on iForce to ensure overtime is recorded correctly. If errors are found, line managers must revisit the guidance and seek support if necessary. If further errors are identified, the matter will be raised with their Command Team to address.

### **3.3 Force Resource Unit (FRU)**

3.3.1 The Force Resource Unit Manager will oversee the dip sampling process, and any discrepancies must be resolved in time for the next available pay month.

3.3.2 The FRU must oversee the correct application of overtime through regular, recorded, dip sampling – at the very least on a quarterly basis.

3.3.3 The FRU are responsible for coding overtime authorised by Gold / Silver Commanders for Operations and Events and from any authorised budget holders.

### **3.4 Command Team**

3.4.1 Budget and overtime management will be a standing agenda item at Monthly Command Team Meetings supported by their Finance Business Partner.

3.4.2 Budget holders are responsible for ensuring overtime is correctly allocated.

3.4.3 Command Teams are required to ensure that banked TOIL is being monitored across areas. Responsibility sits with line managers to review balances regularly.-TOIL will automatically go for payment at 3 months.

- 3.4.4 Each BCU/Dept must take appropriate action to resolve any issues identified from the FRU's dip sampling processes.

#### **4. Authorisation and coding**

- 4.1.1 The authorising manager will need to ensure the correct shift, role and overtime reason is on the system before choosing the correct code in accordance with Police Regulations or Police Staff terms and conditions.
- 4.1.2 Overtime will be processed for payment in arrears in accordance with [payroll schedule](#).
- 4.1.3 Under no circumstances must the officer/staff making a claim for overtime, authorise and code their own overtime.
- 4.1.4 People Services will ensure that overtime processed will be paid in the next available payroll.

#### **5. Audit and Control**

- 5.1.1 The Delphi overtime report is available to all officers in staff which shows what overtime has been submitted for payment or awaiting payment.
- 5.1.2 A monthly management output report is available from the Delphi System to provide an audit trail of who worked overtime, the date and reason and who has authorised the overtime.