

Police Federation  
Of England and Wales



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Lloegr a Chymru

Established by Act of Parliament

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FROM THE GENERAL SECRETARY'S OFFICE

IR/sg

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**JBB CIRCULAR NO : 022/2011**

**To: All JBBs**

Dear Colleagues

**PART TIME INSPECTORS: PAYMENT OF ADDITIONAL HOURS WORKED**

The PFEW has recently been successful in supporting a test case against the Metropolitan Police because of their refusal to pay part time Inspectors and Chief Inspectors for the hours worked in addition to part time hours.

Inspector Clark, who worked part time (32 hours per week) between September 2006 and April 2009, supplied the evidence on which the claim was brought. She often worked additional hours but was paid for 32 hours per week, even in weeks when she worked longer hours. This meant that if she and a full-time Inspector both worked the same number of hours in excess of 32 hours, the full-time Inspector received a higher hourly rate of pay.

The Court identified that not only was there a breach of Police Regulations regarding the payment of part time officers but that the Metropolitan Police's practice was unlawful indirect sex discrimination because the overwhelming majority (96%) of part-time inspectors serving in the Metropolitan Police were women, whilst the overwhelming majority (86%) of full-time Inspectors were men and there was no objective justification for this.

The deadline for appealing this case has now passed and the payment of compensation has been resolved. The woman Inspector has received a sum of money (plus interest) for the additional hours she worked throughout the period of her claim. This has been a long standing claim of PFEW at the Police Negotiating

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Board and we still await confirmation from the Official Side that they will now agree that part-time Inspectors and Chief Inspectors should be paid for any hours worked in excess of their agreed hours up to 40 hours per week. However, I am concerned that some officers may be currently losing out on their entitlement for pay and pension.

All part time Inspectors or Chief Inspectors (male and female) should now be paid for any hours worked in excess of their agreed hours up to 40 hours in a week.

Whilst I am aware that a number of Forces have routinely paid part time Inspectors and Chief Inspectors in this way, I know that some have not.

Part time Inspectors and Chief Inspectors should be advised to submit a claim to their HR department to be paid for any hours worked up a maximum of 40 hours in a week for which they have not been recompensed. Details of additional hours worked should be provided to the Force. The hours worked should be pensionable and this should be actioned by the Force.

Whilst not wishing to advocate litigation, if the force continues to refuse to provide appropriate recompense, officers should be advised to register a claim in the County Court, which should be done on the basis that they have not been paid in accordance with Police Regulations.

It is usual for Courts to limit back-pay in these circumstances to six years. Retired part-time officers who did not receive payment for any additional hours worked up to 40 hours per week should also be contacted and advised to make a claim to the Force.

For a copy of the judgement Forces can be directed to the following link

<http://policeinspectors.org/wp-content/uploads/2011/06/Clark-vs-MPS.pdf>

Yours sincerely



**IAN RENNIE**  
General Secretary