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From the General Secretary's Office

Our Ref:

Your Ref:

JF/EP/sg

12 September 2005

JBB Circular No: 38/2005

To: The Secretary and Chairman
Joint Branch Board

Dear Colleagues,

OFFICERS HELD IN RESERVE AWAY FROM THEIR NORMAL PLACE OF DUTY

On Thursday 1 September a Joint Secretaries' meeting was held to discuss the above issue with particular reference to a request for guidance that had been received from Strathclyde force and JBB.

I can advise that the Sides have agreed a reply in relation to the specific issues raised by Strathclyde. However, it was felt that it would be difficult to reach agreement on a more general basis over and above the existing PNB circulars.

PNB Circulars 83/10 and 95/8 set the conditions for counting hours of duty while held in reserve. Both circulars state:

Where an officer is held in reserve away from their normal place of duty, all hours shall be counted as duty hours except for a period not exceeding 8 hours in every 24, providing that in respect of that period,

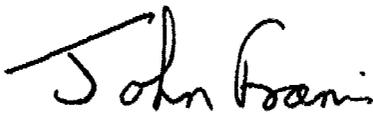
- 1. proper sleeping accommodation is provided, and*
- 2. the officers are stood down from immediate operational availability and according to particular circumstances allowed reasonable freedom of movement while contactable in case an emergency requiring their recall should arise.*

Joint Central Committee

It was therefore noted by the Sides that providing the above conditions are met, a period of less than 8 hours could be deducted. Where either condition 1 or 2 above is not met, the officer should be compensated for all of the 24 hours.

However, it was also the view of the Sides that each case must be considered on its particular circumstances, as "reasonable freedom of movement" is not defined. To take two extreme hypothetical examples, the period might be 7.5 hours and the officer might be allowed total freedom to do whatever he or she wished in that time, and at the other extreme the period might be 1 hour and the officer may have no choice but to try to eat and sleep in that time. Trying to determine what might be a reasonable trigger in terms of time, without details of the particular circumstances, is not something the Sides felt they could give guidance on.

Yours sincerely,

A handwritten signature in black ink that reads "John Francis". The signature is written in a cursive style with a long horizontal stroke at the beginning.

JOHN FRANCIS
General Secretary