



**Report of the Chief Constable to the Chair and Members
of the Operational Policing Panel
16th February 2012**

**Executive & Presenting Officer: Mr Sean White, Assistant Chief Constable
(Crime & Operations)**

Status: For information

**The Management of Time off in Lieu (TOIL)/Rest Days in Lieu
(RDIL)**

1. Purpose

- 1.1 To update Members on the work being undertaken by the Force to manage the levels of time off in lieu (TOIL) and rest days in lieu (RDIL).

2. Recommendations

- 2.1 That Members note the contents of the report.

3. Reasons

- 3.1 The Operational Performance Team (OPT) are responsible for conducting an audit every six months of the outstanding time off in lieu (TOIL) and rest days in lieu (RDIL) retained by Cleveland Police officers.
- 3.2 The use of time off/rest days is an operational necessity and is an effective way of managing unforeseen peaks in demand. However it needs to be balanced against the needs of the individual member of staff and their welfare and well being.
- 3.3 A local agreement between the Force and Police Federation was devised implementing maximum limits of hours and days officers are able to retain. This enables the Force and officers to manage time off in a way that follows the principles of the Police Regulations 2003, whilst taking cognisance of the need to manage the financial liability to the Force.
- 3.4 A number of audits have been conducted previously to determine the level of exposure to this liability and those members of staff who have exceeded the

agreed limits have been held to account through the monthly performance process, **thereby moving on to reduce their TOIL/RDIL.**

- 3.5 Historically there have been a number of different methods by which supervisors have retained their team's balances of TOIL and RDIL including electronic spreadsheets, paper based records and not exclusively through the DMS system.
- 3.6 Previous OPT audits based upon information from the Duty Management System (DMS) cannot be fully relied upon and for this reason the audit conducted in May 2011 was done by contacting supervisors to manually calculate the Forces outstanding balances of TOIL and RDIL.
- 3.7 The 'Self Service' Oracle system went live on 8th August 2011 and was expected to be the only system Cleveland Police would use to record and manage outstanding TOIL and RDIL.
- 3.8 Due to the method of migrating information over to Oracle/DMS and initial faults with the system, as well as training issues and operator error the balances in relation to TOIL and RDIL were inaccurate and could not be relied upon.
- 3.9 This led to a further audit being requested to be undertaken during November 2011.
- 3.10 Prior to the November audit a directive was sent out for all staff to check their outstanding balances against the 'Self Service' balance and to update any discrepancies through their supervision to the 'Self Service Team' for amendment.
- 3.11 The system was 'vouched safe' by Steria (the IT system owners) on 15th November 2011 stating that any faults on the system had been rectified by Cedar (a third party IT contractor). The information for the November 2011 audit was taken from DMS on the 18th November.
- 3.12 The result of the November audit highlighted that there had been an overall increase in TOIL/RDIL hours from May to November 2011 of some 10,477.86 hours.
- 3.13 During this audit it became apparent that there were a number of officers with negative balances of TOIL and RDIL which has not happened previously. Therefore Steria were asked to vouch safe the data in order for a further audit to be undertaken on January 5th 2012.
- 3.14 The audit conducted on the 5th January 2012 concluded that the hours had increased to 111,163.83, an increase of 18069.37 hours since the November audit and 28,547.23 since the May 2011 audit.
- 3.15 The audit included officers of the rank of Police Constable, Sergeant and

Inspector in line with previous audits conducted.

	Commitment (Hrs)
Aug-08	82,580.80
Apr-09	80,403.80
Sep-09	73,921.80
Nov-09	69,249.70
Dec-09	72,375.60
Feb-10	70,287.30
Jun-10	72,074.70
Mar-11	84,498.60
May-11	82,616.60
Nov-11	93,094.46
Jan-12	111,163.83

The above data includes rest days in lieu. These have been calculated on the basis that one RDIL = 8 hours.

- 3.16 To demonstrate that the outstanding balance including all Federated ranks a separate audit was conducted for the rank of Chief Inspector. These figures are not included above and equate to an extra 1,545.83 hours retained by the Force.
- 3.17 On closer examination of the January 5th 2012 data 228 officers had minus balances and a number of others disputed the figures.
- 3.18 The only way of getting any reasonably accurate data was to undertake another manual audit utilising information held by Supervisors across the Force area.
- 3.19 The manual audit has given a clearer picture of the accuracy of the data obtained from DMS and the overall percentage of officers who agree with their balances on DMS is approximately 67.1%.
- 3.20 Due to the number of problems experienced with securing accurate and reliable data on the levels of TOIL/RDIL over the last year, it is possible that previous audit results have not been 100% accurate.
- 3.19 As Members will be aware, overtime budgets have been significantly cut over the last year, and this is having a resulting impact on the levels of TOIL/RDIL carried by officers. Where officers in the past may have taken overtime payment for extra time worked, the limits on the overtime budgets are now causing officers to build up extra 'time on their card' (TOIL/RDIL).
- 3.20 The balances have increased significantly over the Christmas / New Year period with the Bank Holidays falling over a weekend which has meant that the Force was liable for 6 Bank Holidays over this period whereas there will only be 3 next year (2012/13).

- 3.21 In order to address the levels of TOIL/RDIL held across the force, Districts are being held to account for their officers outstanding balances through their MPR process with the ACC. Exception reports will be provided concerning the officers with high levels of TOIL/RDIL for immediate action to be taken to manage these levels down to the agreed level. Progress on managing the levels of TOIL/RDIL will be closely monitored by the Operational Performance Team and reported to future Cleveland Police Chief Officer team meetings and to Cleveland Police Authority.

4. Implications

4.1 Financial

Previously, Cleveland Police Authority was mandated to comply with Section 19 of the International Financial Reporting Standards (IFRS). Under this standard accrued time off and rest days must be charged to the accounts in the year they were incurred. More recent changes to the guidance around IFRS has moved this responsibility from financial liability to requested managerial action to improve.

- 4.2 The Financial risk to the Force in respect of time off owing is calculated at the end of each financial year as part of the preparation of the Statement of Accounts. This financial risk is therefore more 'exemplary' rather than 'actual'.

4.3 Diversity and Equal Opportunities

There are no diversity or equal opportunities implications arising from this report.

4.4 Human Rights Act

There are no Human Rights Act implications arising from this report.

4.5 Sustainability

There are no sustainability implications arising from this report.

4.6 Risk

There are levels of risk involved in the levels of outstanding TOIL/RDIL which currently exceeds acceptable levels. There has previously been a financial implication to the Force if officers retire/resign without the balances being managed effectively. This is being addressed and closely monitored through the MPR process

- 4.7 There is an added risk that whilst the DMS system is not 100% accurate the Force is not in a position to give any degree of certainty to the current outstanding balance of TOIL/RDIL retained by the Force. This is clearly a situation that must be reduced satisfactorily.

5. Conclusion.

- 5.1 The result of the manual audit conducted using locally held paper based records and electronic spreadsheets has highlighted that the data taken from DMS is inaccurate.
- 5.2 All records will be amended as a matter of urgency and further training developed to ensure that the incidents of operator error are reduced significantly.
- 5.3 The Force is working closely with Steria to ensure that Oracle is an accurate record of time off and that a corporate response can easily be given to the amount of hours and days of time off owing to officers.
- 5.4 Future audits will be able to give a more accurate reflection of outstanding time off once the issues surrounding TOIL/RDIL from DMS have been rectified.
- 5.5 Cleveland Police continue to work to manage the levels of time off in lieu held by officers across the Force and a working party has been set up to look at ways to monitor and reduce the outstanding balance. An action plan has been devised and along with exception reporting will feed into the monthly performance review of the Heads of Service Units and will be robustly managed.
- 5.6 Challenges in 2012 around supporting the Olympics (regionally and nationally), the local leg of the Olympic Torch Relay, the Queen's Diamond Jubilee (including additional bank holidays), policing Euro 2012 Football Championships (in the UK) will place **further operational pressure** upon TOIL/RDIL.
- 5.7 A further audit will be completed in the new financial year once the latest financial figures are available.

Jacqui Cheer
Temporary Chief Constable