



Corporate Review Department
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Friday, 13 November 2009

Dear Mr Old

FOI Reference No : FOI-20091/101807

Thank you for your email dated and received by my office on the 13 Nov 2009. You have requested the following information under the terms of the Freedom of Information Act 2000:

Part 9 of Annex "F" (a Determination for Regulation 24 of the Police Regulations 2003) sets out the procedure for the payment of Competence-Related Threshold Payment ("CRTP") to police officers up to the rank of chief inspector. Paragraphs 1 to 6 set out the entitlement for this payment, and paragraphs 7, 8 and 9 set out the circumstances in which payment may be ceased, i.e. re-assessment due to concerns with respect to the maintenance of high professional standards by a member in receipt of the payment, promotion to a higher rank, and temporary promotion to a higher rank, respectively.

There are *no* provisions in the Determination, or under any other statute, that make it lawful for payment of CRTP to be ceased whilst a member of a police force is in receipt of temporary salary under Regulation 27(a) and Annex "I", i.e. the member has been required to perform the duties normally performed by a member of the force of a higher rank than his own ("acting-up").

As a consequence of some forces failing to comply with Regulations as described, agreement of both sides in PNB of the correct interpretation (as set out in PNB Circular 4/2008) led to the issue of Home Office Circular 18/2008 in which forces were advised that paragraph 14 of the PNB Circular ("Officers who are on acting up should receive their CRTP") "*will*" take effect from the 1st July 2008" (my emphasis).

Request

I seek to establish:

(1) whether or not your force complies with Home Office Circular 18/2008 and Police Regulations and Determinations as described above, by continuing to pay CRTP to a member who, having been awarded CRTP, is in receipt of temporary salary (NB - "acting up", NOT temporarily promoted to a higher rank under Regulation 27(b) and Annex "J").

If you do not so comply:

(2) please advise by what legal authority your force ceases making such payments; and

(3) please advise what action you take when an inspector, on pay

point 3 (top rate) and in receipt of CRTP, is required to perform the duties of a chief inspector, whose pay is less than that of such an officer. NB - the exception set out in paragraph 9 of Part 9 of Annex "F" *DOES NOT APPLY* to temporary salary - it applies only to temporary promotion under Regulation 27(b).

Yours faithfully,
William Old

Your request will now be considered and you will receive a response within the statutory timescale of 20 working days as defined by the Act, subject to the information not being exempt or containing a reference to a third party. In some circumstances West Yorkshire Police may be unable to achieve this deadline. If this is likely you will be informed and given a revised time-scale at the earliest opportunity.

In exceptional circumstances, there may be a fee payable for the retrieval, collation and provision of the information you have requested. If this is the case you will be informed and the 20 working day timescale will be suspended until we receive payment from you. If you chose not to make a payment then your request will remain unanswered.

Yours sincerely

Bronwen Salmon
Freedom of Information Project Officer

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Steven Harding
Head of Information Management

The information supplied in connection with this application will be used for the purpose of the administering of this request and to ensure the accuracy of Police systems.