



CUSTODY OFFICERS REFRESHMENT BREAKS

We are aware that many Custody Officers do not get time to take a proper break away from the custody environment which is detrimental to their health and well-being. Under Police Regulation 22 Annex E your entitlement is laid out but is subject to 'exigency' of duty.

Whilst an 'exigency' is not defined a reasonable interpretation is 'a pressing need or urgent requirement which cannot reasonably be avoided'. Therefore during each tour of duty the management should have identified other qualified staff to cover Custody Officers during their refreshment breaks.

However further protection is given by Regulation 12 of the Working Time Regulations which provides that where a worker's daily time is more than 6 hours they are entitled to a rest break. This is a minimum standard and it does not mean that a 20 minute break should be the norm and Police Regulations can be ignored.

Should facilities not be provided bring it to the attention of your line manager and record details. Bring the matter to the attention of your local Federation Representative.

Do it right – Take your breaks

FAQ's

- 1. I do not know if anyone has been identified to relieve me. What should I do?**
At the start of your duty ask your line manager who is relieving you.
- 2. I have been told there is no one available. Is that an exigency?**
No this was foreseeable and they should have made arrangements to cover you.
- 3. I have been told to take my break within the custody suite. Do I have to?**
No. The WTR allow for you to leave your work station.
- 4. There is no other trained officer on duty. Can I still take a break?**
Yes unless this is 'an exigency' through unforeseeable or unforeseen events. The WTR do not make an exception for this. Remember it is an entitlement not a privilege.
- 5. I have told my line manager and recorded details but it is still regularly happening what should I do?**
Individual cases can be dealt with via an Employment Tribunal so it important to ensure your local Fed Rep is aware so they can assist.
- 6. What happens if I do not want to go that far?**
The local Fed Rep should ensure management are taking action to resolve. If it still continues the force can be issued with an improvement notice or even prosecuted by The Health and Safety Executive.

Please also refer to Police Regulations 2003 Regulation 22 Annex E

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