



**Service Policy: LEGPOL06
Part Performance Policy**

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Amendment History:

Version	Date	Author	Reasons for Change
1.0	26/07/2013		Updated changes from restructures
2.0	12/10/2015		Staff changes incorporated
3.0	01/06/17		Annual Review
4.0	01/04/18		Annual Review
5.0	20/08/2020		Updated contact details
6.0	01/04/2022		ANNUAL REVIEW
7.0	01/04/2023		Formatting amended
8.0	01/11/2024		Annual Review

Equalities Impact Assessment:

Initial	Full	Date	Reviewed by	Comments
	X		ED&I TEAM	LOCATED ON PORTAL

Civil Contingencies Impact Assessment:

Date	Reviewed by	Comments

Related Documents:

Doc. Type	Ref No.	Title	Location

Distribution List:

Name	Position	Department

Sign-Off List:

Name	Position

Target Audience:

All MFRS	Principal Officers	Senior Officers	Operational Crews	Fire Safety	Community Fire Safety	Support Staff
x						

Ownership:

FOI exemption required?	Yes	URL
	No	x Reason

Legislation:

Title
The Trade Union and Labour Relations (Consolidation) Act 1992

Contact:

Department	Email	Telephone ext.
Legal		4123

LEGPOL06 Part Performance Policy

1. Policy Introduction and Background:

This policy will apply in situations where employees take industrial action which involves a refusal to comply with the full range of contractual duties (irrespective as to whether the industrial action is “unofficial” or “official”).

2. Policy Explanation:

In such cases, the Authority will ordinarily accept part performance of the remainder of the duties, and will deduct from the salaries of those persons participating in industrial action an appropriate sum to reflect :-

- The proportion of time that they would ordinarily spend on the particular activity, or
- The value to the Authority of that activity, or
- The actual cost to the Authority of having to make alternative arrangements to fulfil the function that those taking industrial action were not performing.

However, the above policy is not a rigid rule, and the Authority may, (should it consider appropriate in the circumstances) refuse to accept partial performance. If the Authority decides that employees will not be required to work the rest of the shift, the employees taking industrial action will be made fully aware in advance that any work that undertaken during the remainder of the shift will be regarded as voluntary and not attract any pay.

Such volunteers will not in any way be requested to carry out work during the unpaid period, unless pay for that period of time is to be reinstated.

The Chief Fire Officer and the Deputy Chief Fire Officer shall have delegated to them the powers of the Authority to determine whether in any particular occasion of industrial action, partial performance will be accepted or refused, and in the case of acceptance or refusal or part performance, the amounts of deductions of pay.

3. Policy Implementation:

There are currently no Service Instructions used to underpin this Policy.

All Policies can be found on the [Website](#)