



Circular 02/2011

This circular is about: Police Officer Recruitment: Eligibility criteria for the role of police constable

From: Workforce Strategy Unit

Date for implementation: 01 March 2011

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This circular is addressed to: Chief Officers of Police

Copies are being sent to: Clerks to Police Authorities

HR Directors

Recruitment Managers

Dear Chief Officer

1. The policy responsibility for police recruitment transferred from the Home Office to the National Policing Improvement Agency (NPIA) on 1st April 2007. The Policy is now owned by the College of Policing.
2. This circular updates NPIA Circular 01/2010 to ensure the guidance conforms to the provisions of the Equality Act 2010.



3. The stated policy and guidance are the result of consultation with the Police Advisory Board for England and Wales National Recruitment Sub-Committee and Human Resources practitioners. They set out the considerations which apply to applications for the role of police constable in respect of:

- Age;
- Previous applications;
- Financial checks;
- Criminal histories;
- References;
- Membership of the British National Party (BNP) and other similar organisations;
- Vetting of candidates who have been living or are resident abroad;
- Nationality;
- Identity verification and right to work;
- Tattoos and body piercing;
- Swimming;
- Driving.

4. The purpose of this policy and guidance is to achieve consistency in the way applications are processed. This should ensure clarity for applicants and make the recruitment process fair and transparent.

George Couch
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Workforce Strategy Unit Manager



Age requirement for police officers

Policy

1. There is no upper age limit for appointment but it should be borne in mind that the compulsory age of retirement is 60 years and that new recruits are required to undertake a two year probationary period. Police forces want to ensure that they receive a reasonable return on their investment in training therefore three years (including the probationary period) may be considered reasonable and it also complies with the Equality Act 2010. Police forces will need to pay particular attention to applications received from those over the age of 57 years. Such applications should be referred to the Director of Human Resources or equivalent.

Guidance

2. Candidates who have attained the age of 18 years may apply to become police officers and may take up appointment if successful.

Previous Applications

Policy

1. Previous applicants can re-apply six months after receiving their letter of rejection from a police force.

Guidance

2. Applicants can only apply directly to one police force at a time for the position of a police constable.



Financial Vetting

Policy

1. Regulation 6, and Schedule 1, paragraph 4 of the Police Regulations 2003 states that a member of a police force shall not wilfully refuse or neglect to discharge any lawful debt.

2. All members of the Police Service are in a privileged position with regard to access to information and could be considered potentially vulnerable to corruption.

3. Applicants to the Police Service should normally be free from undischarged debt or liability and able to manage existing loans. The emphasis should be on sensible management of debt.

4. This policy should sit alongside the Association of Chief Police Officers (ACPO) National Vetting Policy for the Police Community and police force vetting policies and procedures.

Guidance

5. Applicants who have existing County Court Judgments (CCJs) outstanding against them should not be considered.

6. Applicants who have discharged County Court Judgments should be considered.

7. Applicants who are the subject of a current Individual Voluntary Arrangement (IVA) should not be considered.



8. Applicants who have been registered bankrupt and their bankruptcy debts have not been discharged should not be considered.

9. Applicants who have been registered as bankrupt and their bankruptcy debts have been discharged should not be considered until three years after the discharge of the debt.

10. For the purposes of police recruitment, former Directors of limited companies which have become insolvent and who apply to the police force should be treated as if they were bankrupt even though the debts are in the name of the company.

11. Where debts are declared, the financial vetting check should be made at the start of the recruitment process. Otherwise, it may be conducted post assessment but prior to appointment.

12. Careful consideration should be given when a Credit Reference Check reveals applicants have defaulted accounts.

Vetting applicants with criminal histories

Policy

1. The policy is based on the following principles:
 - The public is entitled to expect that the Police Service recruits police officers with proven integrity.



- Police officers and special constables are vulnerable to pressure from criminals and others to disclose information.
- Convictions, cautions and other material information which reflects on personal integrity must be revealed by police officers and others in the evidential chain to the Crown Prosecution Service (CPS) on every occasion that they submit a statement of evidence in a criminal case. This is in accordance with the CPS Prosecution Team Disclosure Manual. This information will be used by the CPS to assess the strength of the police officer's evidence and, if the case proceeds, it is likely to be disclosed to the defence and may be used in open court to attack the credibility of the police officer. Such an occurrence could undermine the integrity of the evidence, the witness and the Police Service.
- Police forces should not recruit those with cautions or convictions, which may call into question the integrity of the applicant or the Police Service. Each case should be dealt with on its own individual merits. This policy should sit alongside National Security Vetting, the ACPO National Vetting Policy for the Police Community and police force vetting policies and procedures.

Guidance

Recruitment process checks

2. Before recruiting anyone to work in a police force, thorough checks must be undertaken to ascertain whether anything is known to the detriment of the applicant, his/her spouse or partner, or close relatives such as parents, in-laws, siblings or others residing or associating with the applicant. Further checks will take place of any self declared or discovered criminal associations which could heighten vulnerability, bring discredit upon, or otherwise cause embarrassment to the Police Service. Checks on the Police National



Computer (PNC), Criminal History System (CHS), Criminal Information System (CIS), police force crime information system, local intelligence and other relevant non-conviction database systems will be appropriate for the applicant and their spouse or partner, close relatives, in-laws, or those residing or associating with the applicant and any self declared or discovered criminal associations. Where appropriate, searches should also be made against Military and Police Professional Standards databases.

3. A Counter-Terrorism Check (CTC) is required for those individuals who are to be employed in posts which:

- Involve proximity to public figures who are assessed to be at particular risk from terrorist attack;
- Give access to information or material assessed to be of value to terrorists;
- Involve unescorted access to certain military, civil, industrial or commercial establishments assessed to be at risk from terrorist attack.

The decision as to whether a CTC is required for an individual is a matter for the Chief Officer.

4. It will be necessary on occasion (where an applicant resides outside the area of the police force to which he/she is applying) for one police force to ask another to conduct checks on the Force Crime Information System and Local Intelligence databases on their behalf. Such checks should be conducted promptly to avoid delays in processing the application.

5. Applicants must declare on the application form whether or not they have any convictions or cautions, spent or otherwise.



6. Applicants should not be informed that they have been "successful pending the satisfactory completion of security checks". Instead they should be informed that any offer of employment will be made on satisfactory completion of all medical, reference, and vetting procedures.

Criminal convictions

7. The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 provides that the Act shall not apply to the Police Service. Police forces are therefore entitled to ask prospective applicants to reveal spent convictions during the recruitment or vetting process.

8. The criminal convictions criteria defined by this policy must be used to assess each application on an individual basis. Eligibility will depend on the nature and circumstances of the offence. It is not possible to set out a full list of convictions that will preclude a person from becoming a police officer. Each case will be considered on its own merits, and if the offence is deemed sufficiently serious a person will be rejected irrespective of age at time of offending. There may be circumstances where an individual does not fall within the criteria, but whose suspected involvement in crime, or criminal associations make an offer of employment inappropriate.

9. Applicants must declare:

- Convictions, cautions, reprimands or warnings;
- Receipt of an absolute/conditional discharge or bind over;
- Receipt of a reprimand, warning, final warning or caution as an adult or juvenile;
- Traffic offences (including fixed penalty notices, excluding parking);
- Penalty notices for disorder or other fixed penalty notices (excluding parking);
- Being the subject of an Anti-Social Behaviour Order, Football Spectator Banning Order, Risk of Sexual Harm Order, Harassment Order;



- Any involvement with the military authorities on disciplinary matters (whether involving court martial or not);
- Involvement in a criminal investigation (whether or not this has led to a prosecution) or having been associated with criminals.

10. Applications should be rejected if an applicant has been convicted or cautioned for an offence such as:

- Treason;
- Murder;
- Manslaughter/culpable homicide;
- Rape;
- Offences under the Sexual Offences Act 2003 punishable by life or more than ten years imprisonment;
- Kidnapping/abduction;
- Incest;
- Sexual activity with a child;
- Hostage taking, hi-jacking or torture;
- Involvement in espionage, terrorism, sabotage or any actions to overthrow/undermine parliamentary democracy by political, industrial or violent means or association (past or present) with any organisation advocating such activities;
- Any driving offences involving “causing death by”;
- Firearms offences;
- Offences with a hate aggravation (race, religion or belief, sexual orientation, transgender or disability);
- Domestic violence offences.

11. Convictions which will lead to rejection unless there are exceptionally compelling circumstances

Violence

- Offences involving serious violence or injury including Grievous Bodily Harm
- (GBH) and Actual Bodily Harm (ABH)*;
- Offences involving unsolicited violence towards others;
- Unlawful possession of weapons, firearms or going equipped to steal;
- Gross indecency;
- Acts of indecency;
- Abuse or neglect of children;
- Public order offences – involvement in riot, violent disorder, affray, causing fear or provocation of violence, causing intentional harassment, alarm or distress.

Dishonesty

- Interference with the Administration of Justice or the investigation of offences;
- Burglary;
- Offences which involve elements or acts of dishonesty, corruption, substantial financial gain or serious loss to anyone including theft, fraud and deception.

* Forces should be aware that previously the infliction of a minor injury would lead to a charge of ABH. The charging criteria have changed, so that the same minor injury would now attract a charge of common assault, and would not necessarily lead to the rejection of the candidate. Convictions for ABH should be examined to see if they would now be classed as common assault. If so, they should be considered under the common assault criteria.

Drugs/driving offences

- Serious involvement in drugs including possession of a class A drug (e.g. heroin, morphine) or more than one Class B drug (e.g. amphetamines) and/or supplying drugs of any kind;
- Reckless or Dangerous Driving within the last ten years;
- One offence of drink driving or drunk in charge or drugs driving within the preceding ten years;
- More than one offence of drink driving or drunk in charge or drugs driving;
- Other serious motoring offences such as convictions within the last five years of driving without insurance, failing to stop after an accident or driving whilst disqualified;
- More than three endorseable traffic convictions (including fixed penalties, excluding parking) within the last five years (for offences on different dates);
- Two or more convictions for regulatory offences such as failure to renew vehicle excise licence within the last five years.

General

- Any offence committed as an adult or juvenile which resulted in a prison sentence (including custodial, suspended or deferred sentence and sentences served at a young offenders' institution or community home);
- Cautions (includes reprimands and final warnings) for recordable offences within the last five years;
- Juvenile convictions within the last five years for any recordable offence;
- Any recordable offence other than listed above within the last five years.

Other Offences for consideration

12. An applicant's age at the time of an offence, the length of time and the aggravating circumstances surrounding the offence will all have a bearing in the following cases

- Drunk and Disorderly - no more than one offence and only after two years have elapsed following a caution or three years have elapsed following a bind over/conviction;
- Minor drugs offences or substance abuse – no more than one offence and only after two years have elapsed following a caution or two years from conviction;
- Common Assault - no more than one offence as a juvenile and only after two years have elapsed from end of bindover/conviction.
- Undisclosed convictions

13. Where it is suspected that an individual has failed to declare a conviction or caution, enquiries should be made to ascertain whether the conviction or caution is attributable to the individual. Such enquiries should include reference to the relevant court to ensure that the conviction has not been overturned on appeal. Where it is established that an individual has deliberately failed to disclose a conviction or caution then his or her application should be rejected.

Outstanding charges and summonses

14. Where an individual discloses an outstanding charge or summons the application should be put on hold until the outcome is known, at which point it will be considered in accordance with this guidance.



HM Forces

15. Serving members of the armed forces who are convicted of any criminal offence by a military tribunal will have any such offences recorded on the PNC. This will include any aspect of a conditional discharge.

Relatives and associates with criminal convictions or cautions

16. Where relatives or the associates of an applicant are found to have unspent convictions or cautions for recordable offences, the following should be considered:

- The likelihood that the applicant's performance and discharge of duty will be adversely affected e.g. through adverse pressure or a conflict of interests;
- The nature, number and seriousness of the offences or involvement in criminal activity and the time over which these took place;
- Whether the circumstances are likely to bring discredit to or embarrass the Police Service or police force;

17. A decision that an applicant is "unsuitable" on the basis of relatives' convictions, intelligence material or his/her criminal associations should be taken at the appropriate level. The results of checks on relatives and associates should not be disclosed to an applicant due to the need for data protection and to avoid potential disclosure of intelligence

References and Character References

Policy

1. It is preferable that references come from an applicant's previous two employers including the current employer, or from school or university as appropriate and cover a minimum of three years.



Enquiries to the current employer should not be taken up until the candidate is recommended for appointment or has given permission for them to be approached.

2. In line with the Section 60 of the Equality Act, sickness or medical information should not be requested from referees until a conditional or unconditional offer of employment is made.

3. The purpose of obtaining references is to verify statements made by candidates and to obtain an indication of whether there is any reason why an applicant should not be employed as a police officer. Essentially, employment references should confirm employment between the specified dates and in the position stated. They should also ascertain whether a candidate attends work regularly and punctually, performs satisfactorily and is not subject to disciplinary problems.

Guidance

4. The Police Regulations 2003 require candidates to produce satisfactory character references. If a candidate has served in any police force, in the armed forces, in the civil service or as a seaman they will be required to produce satisfactory proof of their good conduct while serving.

References: HM Forces

5. Resettlement periods for members of the services can be as much as 18 months. Therefore, police forces may want to consider this before accepting applications from service personnel, if they have more than 12 months before their discharge

6. Discharge certificates or equivalent i.e. a letter from a commanding officer for service personnel will normally be satisfactory proof of good conduct.



7. However, there may be occasions when the Police Service is not wholly satisfied by the assessment. Very careful consideration should be given to any application where there is cause for concern or confusion about why the highest level of discharge assessment was not in fact given.

8. In these cases the Police Service will make further enquiries to satisfy themselves of the candidate's good conduct. The Police Service can, for instance, with the agreement of the applicant, contact the appropriate service to obtain a print of a candidate's record.

9. Police forces should note that drug or alcohol problems will not be reflected in an assessment unless they have had an adverse effect on the applicant's performance.

10. Police forces should also note that the assessment takes account of overall conduct and any offences committed and recorded. Convictions which are spent under the Rehabilitation of Offenders Act 1974 are not taken into account and minor punishments, awards, dispensations which were incurred over five years before the assessment are disregarded.

References: Other police forces

11. References should always be taken from previous Police Service employment.

References: Education

12. The school or college should be contacted if the applicant has not worked before or if there is insufficient employment history, using form B attached.



References: Employment

13. Employment references should always be taken up and should be obtained in a consistent and systematic way, using form A attached.

14. Employment references must cover at least the period of at least three years prior to application and should include the current or previous employer.

15. References should not normally be taken from current employers until an offer of appointment is being considered. References may be taken earlier with the applicant's agreement. (See application form). Medical information such as sickness and absence details should not be requested until a conditional or unconditional offer has been made.

Gaps in dates of employment

16. Gaps in employment should be dealt with as follows:

- Any unexplained or unsatisfactory gaps (over six months) should be checked by telephone or letter (as appropriate) for a satisfactory explanation i.e. redundancy from last job, seeking other work, caring for elderly relative etc. If a satisfactory reason is given, the application form should be noted and the application may proceed.
- If there are several unexplained gaps in employment, the applicant should be asked for an explanation and reasons recorded.
- Queries about employment gaps or employment history should be satisfied prior to assessment.

Other references

17. Although character references (other than from employment) should not be sought as a matter of course, voluntary work or other activities in some



cases can give a good indication of whether an applicant is likely to have the qualities to become an effective police officer. In the absence of employers' references, police forces may, where appropriate, (and with the agreement of the applicant) seek references from individuals who would be in a position to provide information which would assist the assessment of an applicant's suitability for appointment.

18. If an applicant belongs to or has previously belonged to a professional body, references should be obtained to ascertain if the applicant has been subjected to any disciplinary proceedings or been struck off.

..... CONSTABULARY/FORCE

Confidential Referee's Report: EMPLOYMENT

NAME OF APPLICANT

NAME OF EMPLOYER

EMPLOYMENT FROM **TO**

POSITION HELD BY APPLICANT.....

SALARY.....

Please give details of:

i) Any discipline proceedings including poor performance or conduct.
Please include details of any investigations and suspensions:

ii) Reason for leaving:

iii) Any other comments you wish to make:

Name.....

Position held.....**Organisation**.....

Signature.....

Date.....

..... CONSTABULARY/FORCE

Confidential Referee's Report: EDUCATION

NAME OF APPLICANT

NAME OF EDUCATION ESTABLISHMENT

ATTENDANCE FROM **TO**

Please use this space for any other comments you wish to make:

Name

Position held **Organisation**

Signature

Date

Membership of British National Party (BNP) or similar organisations

Policy

1. The Police (Amendment) Regulations 2004 amended paragraph 1 of Schedule 1 to the Police Regulations 2003 (restrictions on the private lives of members of police forces) and came into force on 1 January 2005. The Home Secretary also issued a determination setting out the specific organisations of which membership is banned. These are:

- British National Party (BNP);
- Combat 18;
- National Front.

Police officers should abstain from any activity which is likely to interfere with the impartial discharge of their duties or which is likely to give rise to the impression amongst members of the public that it may so interfere.

Guidance

2. If a candidate is a member of the BNP or similar, the application will result in rejection.

Vetting candidates who have been living or are resident abroad

Policy

1. The Police Service need to carry out recruitment vetting procedures on all applicants to determine an applicant's suitability to have access to sensitive and classified material. This guidance applies to all applicants (including United Kingdom nationals who have been living abroad) and should be read and sit alongside national security and force vetting policy.



Guidance

2. Police forces should ensure that they have obtained adequate and satisfactory vetting information on all applicants. It is for police forces to make decisions on a case by case basis.

3. If a candidate has recently resided abroad the police force should ensure there is a three year checkable history.

4. The full recruitment vetting process should apply to Commonwealth and foreign applicants who are living in the United Kingdom free of restrictions.

5. Applicants who cannot be vetted cannot be appointed.

Guidance on nationality

Policy

1. Section 82 of the Police Reform Act 2002 removed the prohibition on the employment of persons born out of the United Kingdom and the prohibition arising from nationality in the Police Service of England and Wales. Section 82 provides for British citizens, citizens from the European Economic Area (EEA)*, Commonwealth citizens, and other foreign nationals to be eligible for the Police Service.

These criteria are subject to candidates satisfying other qualifications for appointment.

* Current members of the EEA are Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom.



Guidance

2. Candidates for appointment to a police force who are not a member of the EEA are required to have leave to enter or leave to remain in the United Kingdom for an indefinite period. Such applicants must reside in the United Kingdom free of restrictions or have an entitlement to do so. Although

Bulgaria and Romania are members of the EEA, their citizens are not automatically entitled to remain in the United Kingdom. Therefore citizens from Bulgaria and Romania are also required to have leave to enter and leave to remain in the United Kingdom for an indefinite period.

3. Candidates must be sufficiently competent in written and spoken English, and numerate. This must be demonstrated by undertaking and successfully completing the assessment centre. This ensures that all candidates can communicate effectively in both spoken and written English.

Guidance to identity verification and right to work

Policy

1. Under the Immigration, Asylum and Nationality Act 2006 candidates who are subject to immigration control must not be employed unless that person has been given valid and subsisting leave to be in the UK by the government and that leave does not restrict them from taking up employment. Specific documents must be checked and recorded before the individual commences employment.

Guidance

2. Only the following original documents are acceptable to demonstrate an ongoing right to work in the UK:

- A passport showing the holder is a British citizen;
- A passport or National Identity Card showing the holder to be a national of a European Economic Area (EEA) country or Switzerland;
- A residence permit, registration certificate or document certifying permanent residence issued by the Home Office or the Border & Immigration Agency (BIA) to a national of an EEA country or Switzerland;
- A permanent residence card issued by the Home Office or BIA to the family member of a national of an EEA country or Switzerland;
- A Biometric Immigration Document issued by the BIA to the holder that indicates that the named person is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK;
- A passport or other travel document endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

3. Alternate Documentation

If an applicant is unable to provide one of the original documents, listed at paragraph 2:

- He/she must be in possession of an official document issued by a previous employer or Government agency, e.g. HM Revenue & Customs (HMRC), which contains the permanent National Insurance number and name of the person.



Plus one of the following:

- An Immigration Status Document issued by the Home Office or BIA to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK;
- A full birth certificate issued in the UK that includes the names of at least one of the applicant's parents. Short birth certificates are no longer acceptable;
- A full adoption certificate issued in the UK that includes the names of at least one of the holder's adoptive parents;
- A birth certificate or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland;
- A certificate of registration or naturalisation as a British citizen;
- A letter from the Home Office or BIA to the holder that indicates the named person is allowed to stay indefinitely in the UK.

Guidance on tattoos and body piercing

Policy

1. Candidates for the Police Service and serving police officers' appearance should be in keeping with the Standards of Professional Behaviour for police officers. They must also demonstrate that they are sensitive to the impression they will make on those with whom they come into contact. Under the Standards of Professional Behaviour, police officers have a particular responsibility to act with fairness and impartiality in all their dealings with the public and with their colleagues. They should also treat members of the public and colleagues with courtesy and respect, avoiding abusive or deriding attitudes or behaviour.



They must avoid favouritism of an individual or group, all forms of harassment, victimisation or unreasonable discrimination and overbearing conduct. It is necessary to ensure as far as possible therefore that a serving police officer or candidate's ability to act within the parameters of the Code cannot be called into question.

Guidance

2. Candidates with visible tattoos or facial piercing may be eligible for appointment. Each case must be considered on its own merits. It will be for managers to consider whether the acquisition of a tattoo or facial piercing by a serving police officer might constitute a breach of the Standards of Professional Behaviour or constitute a risk to the health and safety of the police officer.

3. The nature, location, prominence and appearance of tattoos will need to be considered against the overall requirements set out above. For example, tattoos on the lower arm, hand and face are more prominent. The number and size of tattoos will also be factors to consider in terms of the impression they may give to members of the public or colleagues. Similarly, there will be a need to consider whether the prominence and location of facial piercings would undermine the dignity and authority of the police officer and whether there may be implications for an officer's safety.

4. Tattoos and facial piercing become relevant if they could reasonably cause offence to members of the public or colleagues. The recruitment process should seek to establish, as far as possible, that candidates do not have or are liable to be perceived as having unacceptable attitudes towards any section of the community; or that they are aligned (or appear to be aligned) with a particular group which could give offence to members of the public or colleagues. A candidate with a tattoo that is considered to be rude, lewd,



crude, racist, sexist, sectarian, homophobic, violent or intimidating will not be acceptable.

5. It is possible that in some instances applicants will volunteer to have their tattoos removed. This is not an easy operation and usually involves a skin graft and/or laser treatment (i.e. burning off) of the tattoo. There is no guarantee that such treatment would be successful and there are known cases where patients have been left with permanent scarring. On no account must an applicant be told that an application will be considered favourably if tattoos are removed or toned down. Should an applicant insist on proceeding with treatment, he/she should be informed by letter that the police force regards the decision as entirely one for the candidate and that the police force cannot accept liability for any outcome. Additionally no guarantee could be given that a further application would ultimately be successful.

Swimming

Policy

1. Following consultation with police forces and the Police Advisory Board for England and Wales National Recruitment Sub-Committee, it was acknowledged that in some police force areas the ability to swim is an essential part of a police officer's duties.

Guidance

2. Applications should not be rejected due to an inability to swim unless the police force concerned can justify why this is as an essential requirement.



3. The decision on whether swimming is an essential requirement should therefore be made locally and a risk assessment and Equality Impact Assessment conducted.

Driving

Policy

1. Following consultation with police forces Police Advisory Board for England and Wales National Recruitment Sub-Committee it was acknowledged that in some police force areas being able to drive is an essential part of a police officer's duties.

Guidance

2. Police forces should use their discretion as to whether the ability to drive is an essential requirement.

3. The decision on whether driving is an essential requirement should therefore be made locally and an Equality Impact Assessment conducted.