EXPLANATORY MEMORANDUM TO

THE POLICE (AMENDMENT) REGULATIONS 2020

2020 No. 546

1. Introduction

1.1 This explanatory memorandum has been prepared by Home Office and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 The amendments to the Police Regulations 2003 made by this Statutory Instrument will enable police forces in England and Wales to accept applications to the police service from candidates who have reached the age of 17 years, in order to take up appointment on reaching the age of 18 years.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

Matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business (English Votes for English Laws)

3.2 As the instrument is subject to negative resolution procedure there are no matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business at this stage.

4. Extent and Territorial Application

4.1 The territorial extent of this instrument is England and Wales.

4.2 The territorial application of this instrument is England and Wales.

5. European Convention on Human Rights

5.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

6. Legislative Context

6.1 The Police Regulations 2003 make provision about the terms and conditions of service of police officers in England and Wales. Regulation 10 makes provision about the qualifications required for appointment to a police force.

7. Policy background

What is being done and why?

7.1 The Police Regulations 2003 currently provide that a candidate for appointment to a police force must be 18 years. This instrument amends the Police Regulations 2003 to provide that the age at which someone can be a candidate to apply to join the police

service in England and Wales is 17 years and the age of appointment to the police service is 18 years.

7.2 The current regulations mean that police forces may be disadvantaged compared to other employers who accept applications from people under 18 years during their final year of compulsory education. Without this amendment, police forces risk excluding and ultimately losing out on potential candidates who have completed compulsory education and are considering career pathways before turning 18. These changes will ensure there is no barrier for individuals to apply to join the police at 17 years for appointment on reaching 18 years.

7.3 The introduction of the Policing Education Qualifications Framework and new initial entry routes into policing, particularly the Police Constable Degree Apprenticeship (PCDA), is likely to attract students at the end of their compulsory education who want to progress to degree pathways. Early adopter forces of the PCDA were first to identify the inconsistency between the appeal of the PCDA to school leavers, and the minimum age restriction on applicants. The PCDA is now live in a number of forces across the country and is an established entry route into policing, therefore this change should help to remove barriers for potential candidates interested in this route.

7.4 This amendment provides that a candidate needs to have the selected qualification or experience before being appointed to a police force. This means that forces will be able to accept applications from candidates with predicted grades in the first instance. Once the required qualifications have been achieved, a candidate may be appointed.

7.5 Candidates aged 17 years will be permitted to undertake the usual pre-employment checks required to join the police service. All necessary training and assessments will take place after the officer has been appointed, aged 18 years.

7.6 This change supports the efforts that aim to attract people with a wide range of talent, skills and backgrounds to ensure policing is a career of choice for all. This amendment is a helpful measure in widening the gate to policing whilst maintaining standards.

8. European Union (Withdrawal) Act/Withdrawal of the United Kingdom from the European Union

8.1 This instrument does not relate to withdrawal from the European Union / trigger the statement requirements under the European Union (Withdrawal) Act.

9. Consolidation

9.1 This instrument makes reasonably limited amendments to the Police Regulations 2003 and is therefore not an appropriate instrument in which to consolidate previous changes.

10. Consultation outcome

10.1 The proposal was agreed in principle at the College Regulatory Consultative Group (CRCG) in February 2020 which includes representatives from across policing.

10.2 The amendments were considered further at the College Professional Committee on 03 March 2020 before being formally approved at the College Board on 18 March 2020.

10.3 On 21 May 2020, in accordance with section 50 of the Police Act 1996 (as amended by section 123 of the Anti-social Behaviour, Crime and Policing Act 2014), the College of Policing formally wrote to the Policing Minister to request these amendments to Regulation 10 (Qualifications for appointment to a police force) of the Police Regulations 2003.

11. Guidance

11.1 The College of Policing is responsible for issuing guidance and will update the 'Eligibility criteria for the role of police constable 2019' document available to police forces to make specific reference to the age requirement for police officers. In addition, the relevant sections of the College website and the national recruitment website will be updated.

12. Impact

12.1 There is no, or no significant, impact on business, charities or voluntary bodies.

12.2 The impact on the public sector is limited to an anticipated positive impact on the police workforce by removing recruitment barriers to potential candidates.

12.3 An Impact Assessment has not been prepared for this instrument because there is no impact on business.

13. Regulating small business

13.1 The legislation does not apply to activities that are undertaken by small businesses.

14. Monitoring & review

14.1 The approach to monitoring of this legislation will be managed by the College of Policing.

15. Contact

15.1 Sylvia Morrissey at the Home Office Telephone: 03000736313 or email: sylvia.morrissey@homeoffice.gov.uk be contacted with any queries regarding the instrument.

15.2 Amina Khan, Deputy Director, at the Home Office can confirm that this Explanatory Memorandum meets the required standard.

15.3 Kit Malthouse, Minister of State for Crime and Policing can confirm that this Explanatory Memorandum meets the required standard.