EXPLANATORY MEMORANDUM TO

THE POLICE (AMENDMENT) REGULATIONS 2014

2014 No. 2372

AND

THE POLICE (PROMOTION) (AMENDMENT) REGULATIONS 2014

2014 No. 2373

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

2. Purpose of the instrument

2.1 These instruments amend the Police Regulations 2003 and the Police (Promotion) Regulations 1996 to permit individuals to join the police force at the rank of superintendent as part of the Direct Entry (Superintendent) Programme and to permit those taking part in the Fast Track Programme to be promoted more quickly from the rank of constable to inspector.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Legislative Context

4.1 The Police Regulations 2003 ("the 2003 Regulations") make provision about the terms and conditions of service of police officers in England and Wales. Regulation 10 of the 2003 Regulations makes provision about the qualifications required for appointment to a police force. Regulation 12 provides for probationary period for police officers and regulation 13 sets out when a probationer may be discharged.

4.2 The Police (Promotion) Regulations 1996 ("the 1996 Regulations") make provision about promotion to the ranks of sergeant and inspector for police officers in England and Wales. Regulation 3 makes provision in relation to when officers are qualified for promotion and Schedule 1 sets out detailed provision in respect of qualifying assessments for promotion.

5. Territorial Extent and Application

5.1 This instrument applies to England and Wales.

6. European Convention on Human Rights

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

7. Policy background

- ***What is being done and why***

7.1 This instrument amends the 1996 and 2003 Regulations to implement the fast track and direct entry schemes which were initially recommended in the Independent Review of Police Officer and Staff Remuneration and Conditions: Final Report (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/250812/8325_i.pdf.). These schemes are intended to open up police leadership to a diversity of experience in order to bring about cultural change within policing. There was a public consultation on the schemes last year and the College of Policing has responsibility for the design and delivery of them which includes approving the regulations.

7.2 The fast track to inspector scheme will be open externally to graduates and internally to serving police officers, staff and police community support officers. Candidates will undergo rigorous development and assessment and will be promoted to inspector within two to three years. The direct entry to superintendent scheme is aimed at bringing into police forces those who have been successful in other sectors. They will already have strong leadership skills and the training programme will teach them how to apply those skills in a policing context. It is hoped that those who are recruited on this scheme will go on to reach the very top ranks in policing.

7.3 These amendments will ensure that that those participating in the schemes will:

- pass the assessment centre approved by the College of Policing to start the scheme;
- be subject to a probationary period as determined by the Secretary of State (constables are already subject to such a probationary period and the instruments ensure that superintendents appointed via the Direct Entry (Superintendent) Programme will be subject to such a period). Such probationers will be subject to discharge in the probationary period in the same way as other probationary officers (if he or she is not fitted, physically or mentally, to perform the duties of his office, or that he or she is not likely to become an efficient or well conducted superintendent);
- be able, in the case of constables and sergeants in the fast track scheme, to take Part 1 of the promotion exam to the next rank. This contrasts with the usual position whereby, for example, constables in forces using the Part IIA assessment process (practical tests) are only eligible to take the exam after completing their probation period and 2 years' service (including the probation period).

- be able, in the case of those on fast track scheme, to take the Part I of the inspectors' promotion exam whilst a constable;
- be able, in the case of constables on the fast track scheme, to take part IIB (a 12 month period of work-based assessment) only if he or she has passed Part I.

- ***Consolidation***

7.4 These regulations make limited amendments to the 1996 and 2003 Regulations. This is not regarded as a suitable opportunity to consolidate these and other amendments that have been made to the 2003 Regulations.

8. Consultation outcome

8.1 The text of these Regulations has been approved by the College of Policing as required by section 50(2ZC) of the Police Act 1996.

9. Guidance

9.1 Given the nature of the amendments made by these instruments, it is not considered necessary to issue any guidance.

10. Impact

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

10.2 There is a minimal impact on the public sector. The instruments provide additional entry avenues to candidates wishing to join the police but do not place an obligation of police forces to recruit in this way.

10.3 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring & review

12.1 The 2003 Regulations make extensive provision about the terms and conditions of service of police officers in England and Wales, and the effective operation of the Regulations is the subject of ongoing monitoring and review by the Home Office.

13. Contact

13.1 Claire Curneen at the Home Office Tel: 0207 035 3424 or email: claire.curneen1@homeoffice.gsi.gov.uk for any queries regarding the instrument.