



# **Community and Railway Safety Accreditation Schemes (CSAS)(RSAS) Guidance.**

**The National Police Chief's Council have agreed to this guidance being circulated to, and adopted by, Police Forces in England and Wales.**

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# Document information

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Author	<b>DCC Tim Madgwick</b>
Force/Organisation	<b>North Yorkshire Police</b>
National Policing Business Area	<b>Local Policing and Partnerships</b>
Contact details	<b>(01609) 789030</b>
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**This Guidance has been produced by the National Policing Local Policing and Partnerships Business Area and has been endorsed by Cabinet/Chief Constables' Council. NPCC has agreed to this guidance being circulated to and adopted by Police Forces in England and Wales. It will be updated according to legislative and policy changes and re-published as required.**

**Any queries relating to this document should be directed to either the author detailed above or the NPCC Programme Support Office on 020 7084 8958/8959.**

<b>Section</b>	<b>Page</b>
<b>1 Introduction</b>	4
<b>2 Background</b>	4
<b>3 Legislation</b>	5
<b>4 Role of CSAS</b>	7
<b>5 Setting Up a Scheme</b>	9
<b>6 Vetting and Training Standards</b>	11
<b>7 Uniform and Designation</b>	18
<b>8 Decision Making</b>	19
<b>9 Evaluation</b>	19
<b>10 Review, Amendment, Suspension and Revocation</b>	20
<b>11 Weights and Measures Inspectors</b>	24

<b>Appendix A</b>	<b>Police Reform Act Extracts</b>
<b>Appendix B</b>	<b>NPCC FUNDAMENTAL PRINCIPLES relating to WARDEN SCHEMES</b>
<b>Appendix C</b>	<b>Extract from Home Office Guidance on Applicants with Criminal Convictions</b>
<b>Appendix D</b>	<b>NPCC Workbook</b>

## **1. INTRODUCTION**

- 1.1 The purpose of this document is to assist forces in introducing Community Safety Accreditation Schemes (CSAS) and Railway Safety Accreditation Schemes (RSAS), thereby reducing the need for individual forces to develop their own policies, and to ensure a degree of commonality of approach across the country.
- 1.2 The document is not prescriptive, and forces may diverge from it on points. They should, however, have clear reasons for doing so and should not change the principles of the policy. CSAS has been in place in some forces since 2003, so collectively there is substantial experience of operating schemes. This guidance has been reviewed in light of that experience and provides links to examples of effective practice.
- 1.3 This document could not have been produced without the cooperation and contribution of staff from several forces and agencies and we would like to thank them all for their contributions.

## **2. BACKGROUND**

- 2.1 Prior to the enactment of the Police Reform Act 2002 (PRA), police officers, supported by special constables and traffic wardens, were the only means for the service to provide the routine patrol presence which the 'public expects'; The PRA has provided the opportunity to endow police staff with limited powers to undertake a variety of uniformed patrolling tasks. These staff are police community support officers (PCSOs), and are now embedded successfully in neighbourhood policing teams across the country.
- 2.2 The PRA also enables chief officers to accredit and quality assure other members of the extended police family who, unlike PCSOs, are not directly employed by the police, with the intention of harnessing the commitment of those already involved in community safety crime reduction and reassurance. The Police will accredit relevant individuals, employed by suitable organisations, and co-ordinate local schemes. The Commencement Order for this aspect of the PRA came into operation on 2<sup>nd</sup> December 2002.
- 2.3 Since the introduction of Community Safety Accreditation Schemes, the national policing context has shifted substantially. The 'extended policing family' is now an accepted and appreciated part of the police service; the emphasis on team working between police and other agencies in local neighbourhoods has never been so

strong, and groundwork led by NPCC (previously ACPO) and others has increased the pool of potential accredited persons substantially and improved access to relevant qualifications. The British Transport Police also offer an accreditation scheme, referred to as Railway Safety Accreditation Schemes (RSAS) under the "Railway Safety Accreditation Scheme Regulations 2004".

- 2.4 CSAS provides for people involved in the provision of overt community safety services to engage more closely with forces at strategic and tactical level and to exercise a limited range of powers designed to enable them to assist the police in tackling incivilities and anti social behaviour. The Railway Safety Accreditation Scheme equally contributes to railway safety and security in co-operation with the British Transport Police, combating crime and disorder, public nuisance and other forms of anti-social behaviour. The provision of uniformed presence in communities contributes to increasing public reassurance and confidence.
- 2.5 A thriving and well populated Community Safety Accreditation Scheme can make a significant contribution to tackling low level crime and anti-social behaviour, improving intelligence, working in partnership, and maximising public confidence.

### **3. LEGISLATION**

- 3.1 Under Section 40 of the Police Reform Act 2002, the chief officer of any police force may establish and maintain a CSAS in order that some powers normally available to constables or others, may be conferred on persons accredited under the scheme.
- 3.2 Section 40 stipulates that a CSAS can be established if the chief officer considers it appropriate for the purposes of:
  - (a) contributing to community safety AND
  - (b) in co-operation with the police force for the area, combating crime and disorder, public nuisance and other forms of antisocial behaviour.
- 3.3 Section 41 of the PRA 2002 sets out the arrangements for the grant of accreditation. It is important to note that whilst arrangements are made between the chief officer and an employer, it is the employee who receives the actual accreditation, hence the term 'accredited person' (AP). Section 41 goes on to list criteria to be considered by the chief officer when considering applications for accreditation. For both considering and/or granting an application, the chief officer may charge a fee and chief officers may impose restrictions and conditions on accredited persons.
- 3.4 Section 42 of the PRA makes various supplementary, but crucial, provisions in respect of accredited persons, notably;

- The requirement for accredited persons to produce, upon request, their accreditation if exercising a power.
  - Powers exercisable only by accredited persons wearing a uniform approved or determined by the chief officer granting the accreditation together with a badge approved by the Secretary of State.
  - Power of a chief officer to modify or withdraw the accreditation.
  - In determining liability for the unlawful conduct of accredited persons employed by a person with who the chief officer has entered into any arrangements for the purpose of CSAS, and exercising conduct under that accreditation, the conduct is taken to be in the course of his/her employment by that employer and in the case of a tort, the employer shall fall to be treated as a joint tortfeasor accordingly. (This is a key issue for chief officers as liability for conduct occurring whilst acting under the terms of accreditation rests with the employer and employee NOT the Chief Constable, unless the individual concerned is actually employed by the Chief Constable).
- 3.5 Section 43 makes provision for Railway Safety Accreditation Schemes, accredited by the Chief Constable of British Transport Police.
- 3.6 Section 46 creates various offences committed by and against accredited persons exercising their powers.
- 3.7 The powers of an accredited person are set out in Schedule 5 to the PRA as amended by the Criminal Justice and Police Act 2001; and the Anti Social Behaviour Act 2003; the Serious Organised Crime and Police Act 2005. These powers are shown in Appendix A, Table 1.
- 3.8 Sections 40, 41, 42 and 46, together with Schedule 5 of the Police Reform Act 2002 are set out in full at Appendix A.
- 3.9 This legislation provides significant opportunities to expand the capability of partner agencies to work within neighbourhood policing teams. Neighbourhood wardens and members of the private security industry are among those who have already been accredited. Accreditation therefore is capable of facilitating better neighbourhood policing and is an important component in any neighbourhood policing programme.
- 3.10 Numerically, the security industry presents the most significant opportunities for closer working relations, with over 210,000 door supervisors and well over 125,000 guards. Legislations contained within the Private Security Industry Act 2001, and the activities of the industry regulator, The Security Industry Authority (SIA), are designed to raise the identity, good character and appropriate training of security companies for which they work. Forces should make plans fully to exploit

relationships with the private security industry, with CSAS as an appropriate vehicle for doing so.

- 3.11 CSAS is not applicable to voluntary community safety schemes, such as Neighbourhood Watch, because the legislation requires arrangements to be made with employers and for accredited persons to be the employees.
- 3.12 Applicants for accreditation may only exercise the specific powers included in their accreditation and only in the force area where they are accredited (except in the case of abnormal loads). Chief officers are not obliged to confer all, or indeed any, of the available powers on an employee. Some applicants may only seek limited powers, whereas others may seek none at all, merely wishing to be associated with the police 'brand'. Granting accreditation without powers can bring major strategic benefits by enhancing partnership working.
- 3.13 In the case of abnormal loads, the power of escort applies throughout England and Wales, although the person must be accredited in the force area covering **either** the departure point of the load **or** its destination.

#### **4. ROLE OF CSAS**

- 4.1 Community Safety Accreditation Schemes have the potential to be a major factor in the success of neighbourhood policing. Nonetheless, chief officers are urged to consider and apply clear lines of demarcation between accredited persons and police staff.
- 4.2 The role of CSAS is a major innovation, which must be explained to internal and external audiences. A communication strategy, outlining the right key messages and exploiting a variety of media, will help to achieve this aim. Options to consider include;
- Global emails to all staff
  - Dedicated intranet site
  - Briefing leaflets for staff
  - Item in Routine Orders
  - Letters to Special Constables / Traffic Wardens / PCSOs
  - Briefing pack for line managers
  - Press announcement
  - Letters / briefings to partners

- Website
- Social Media
- Features in local media
- Posters and leaflets
- Police community forums

## **Control and Tasking**

- 4.3 With the development of a national template for neighbourhood policing, and greater clarity of the role for accredited persons within neighbourhood policing teams, methods of tasking and control will be similar to those applied to neighbourhood teams.

Wherever possible, accredited persons should take part in joint briefing and tasking processes. Alternatives to this, such as the circulation of emails, text messages or video conferencing, have been put into practice with success in some areas.

- 4.4 It must be remembered that although schemes are maintained through local forces, employers will often be accountable to their customers, giving rise to possible conflicts of interests with the local police. The management of such conflict is key to developing effective working relationships. Accreditation does not mean that the police service will be able to direct accredited persons nor control their roles, or day to day activities, as their employers remain entirely responsible for these matters.
- 4.5 There is significant merit in involving accredited persons in the tasking and co-ordination process, either directly or indirectly. The activity of accredited persons could potentially be linked with the National Intelligence Model (NIM) tasking and co-ordination processes. It will invariably be in the interests of all partners to work towards the same aims, but this will only occur if free and open lines of communication are maintained.
- 4.6 Forces will need to consider what level of access, if any, they will allow accredited persons to briefing information, regarding for example crime hot spots and persistent offenders. Some forces have coordinators to work with existing warden schemes to ensure a free exchange of information in both directions. The dissemination of intelligence to accredited persons must be carefully managed and risk assessed beforehand (obligations under the Data Protection Act will be of significance in this respect). The emphasis should be on sharing information to make communities safer, however this should be done in line with information sharing protocols.

- 4.7 Accredited persons will be in a position to gather considerable intelligence, which will need to be processed in accordance with the NIM. The likelihood of accredited persons gaining access to individuals who would not countenance giving information to the police should not be underestimated. To that end, forces will need to ensure that information sources are handled and overseen in accordance with prevailing legislation (The Regulation of Investigatory Powers Act 2000) and local procedure.
- 4.8 It should be recognized that accredited persons working in vulnerable areas such as shopping centres and universities make a significant contribution to counter-terrorism initiatives, such as the Government's CHANNEL and PREVENT strategies.
- 4.9 It should not be overlooked that accredited persons can play a part in helping forces achieve key performance indicators on fear of crime, feelings of public safety and public satisfaction levels (Public Service Agreement 2, National Policing Plan). Furthermore, they can support overall performance in most of the domains within the Policing Performance Assessment Framework, including citizen focus, helping the public, reducing crime and promoting public safety.
- 4.10 With well-managed police involvement, accredited persons can:
- Support local community policing, often working in conjunction with designated beat officers to increase both accessibility and visibility
  - Contribute to the PREVENT aspect of the Government's Counter-Terrorism strategy
  - Patrol hot spots
  - Work towards social cohesion and community regeneration with medium and long term planning
  - Help to improve the physical appearance and management of local areas
- 4.11 Some existing warden schemes have agreed to police input into their tasking and co-ordination. Accreditation should not be dependent upon such a close agreement being reached, but, as a minimum, an appropriate protocol on communication and response between the police service and accredited persons should be in place.
- 4.12 A protocol for communication between police officers and accredited persons will need to be established in each force. Accredited persons can reasonably expect easy contact with police officers and back up where required. The option of allowing accredited persons access to police radios has risks and financial constraints, but forces must develop a coherent policy in this area according to local procedure and need.

## **5. SETTING UP A SCHEME**

- 5.1 Every police force in the country will already have in place consultative mechanisms. There is merit in utilising these when ascertaining whether to establish CSAS in their own force areas. This is a key component of the CSAS process, as identifying the number of potential applicants will shape a force's response. How consultation is pursued is not a subject for national guidance, and will vary depending on each force's unique partnership arrangements. It is highly advisable to engage Crime Reduction Disorder Partnerships (CRDPs) and partners generally in understanding of the role of CSAS. This may prevent confusion over the variety of patrol schemes, which might co-exist and help to demarcate their roles.
- 5.2 Whilst preliminary indications are that demand exists for accreditation with powers, there is also evidence to suggest that some existing warden schemes will not seek accreditation, as they do not wish to benefit from enforcement powers, nor be associated with the police.
- 5.3 To assist applicants for accreditation in understanding the procedures adopted, forces should prepare and disseminate an information and application pack to all prospective CSAS employers detailing the above and including information as to the fee involved.
- 5.4 There is significant sensitivity surrounding the issue of cost recovery. The guidance can offer no definitive advice in this respect other than to say that any fees levied should not be prohibitive to applicants. Instead it is a matter for chief officers to consider unilaterally when set against the potential benefits offered by establishing and maintaining a CSAS. Given that there is no additional funding available to the service when establishing CSAS, chief officers will wish to recover their costs through the 'consideration' and 'granting' processes. Current best practice is for forces to agree fees at a regional level.
- 5.5 One option for the routing of accreditation applications after initial consideration by the chief officer, is through local Crime and Disorder Reduction Partnerships (CDRP's). This will allow for additional local consultation to ensure that employers and prospective schemes link in with local strategies and objectives. Privacy of individual employees is to be respected and accordingly, such details should not be forwarded to the CDRP for consultation purposes. The chair of the CDRP and/or the divisional police commander should endorse, in detail, the application prior to returning it to the chief officer for a final decision. Such a process ensures that the chief officer is not merely a rubber stamp, but has a clearly defined role as the ultimate decision-maker.
- 5.6 Whilst many CSAS are likely to be local in nature, national or regional organisations also seek accreditation for their staff. In doing so, it must be accepted however that individual chief officers retain autonomy and are able to decline an application if it does not meet their criteria. However, if an organisation can demonstrate that

it meets nationally accepted standards, it is likely that a chief officer will be able to endorse the accrediting decision taken by his/her colleagues elsewhere.

- 5.7 ACPO CPI Ltd, has been nominated by the NPCC to undertake the assessment of all private sector companies seeking approval and then make recommendations to chief officers as to whether, in a particular force area, a private sector company should have their staff accredited. Both the CSAS and the RSAS application packs can be downloaded from the Secured by Design website: [www.securedbydesign.com](http://www.securedbydesign.com). N.B. It is anticipated that ACPO CPI will shortly be changing its name.
- 5.8 "Private Company" shall mean limited companies, Plc's, trusts and charities who wish to operate a Community Safety Accreditation Scheme.

## **6. VETTING AND TRAINING STANDARDS**

- 6.1 The Police Reform Act sets out a number of requirements that must be met by employers before employees of their organisation may be granted accreditation. There are also specific requirements that must be met by the individual employee. The requirements are summarised below.

### **Employer Requirements**

- The employer is a fit and proper person to supervise the carrying out of the functions for the purpose of which accreditation is to be granted. Sec 41 (4) (a)
- Employers have established and maintain satisfactory arrangements for the handling of complaints. Sec 40 (9)
- Provision for employers to supervise the carrying out by their employees of the community safety functions for the purpose of which powers are conferred by the grant of accreditations. Sec 40 (8)
- Recruitment policy
- Code of conduct
- Public liability insurance

### **Employee Requirements**

- The minimum age for an Accredited Person is 18 years of age
- That the person him/her self is a suitable person to exercise the powers that will be conferred on him/her by virtue of the accreditation

- That the person is capable of effectively carrying out the functions for the purposes of which those powers are to be conferred on him/her
- That the person has received adequate training for the exercise of those powers

### **Employees and Office Holders**

- 6.2 The Police Reform Act allows only employees or office holders to be accredited persons. So far as employment legislation is concerned, an office holder is commonly a director of a company, a company secretary or a manager responsible for the whole affairs of the company. If it was found that an accredited person was not an employee or office holder, then there could be a legal challenge to any power/ penalty notice that person had issued. Hence, it is important for a chief officer to be satisfied that an applicant for accreditation really is an employee or office holder.
- 6.3 Employees applying for accreditation should be asked to submit a copy of their terms and conditions of employment with their application (office holders should provide proof that they hold an office). It is for the employer to satisfy the chief officer that the applicant is an employee. If there is any doubt, the person should not be accredited. If an employer wishes to obtain legal advice in support of an application, that advice should be considered.

### **Accredited Persons acting also as Special Constables**

- 6.4 There may be occasions when employees who are accredited under CSAS are also Special Constables. This is not considered best practice and any decision to employ an individual as a police special should be done so in accordance with current NPCC guidance.

### **Standards**

- 6.5 Chief officers should publish within their force areas, clearly defined minimum standards required in respect of training, vetting, management, professional qualifications and accountability. This has several benefits; it allows local authorities to comment on the standards during the consultation phase, it enables employers and employees to check whether they are likely to reach the standards and avoids unrealistic applications, and it helps to create a process which should facilitate objective decision making.

### **Setting Suitable Standards**

#### **Fit and Proper Employer Standard**

**Please note these checks will be undertaken by ACPO CPI as part of their processes.**

- 6.6 In order to ascertain that an employer is a fit and proper person, it is suggested that a range of checks may be performed and that these should be appropriate to the nature and size of the organisation;
- Police forces may wish to check their intelligence databases regarding organisations seeking accreditation
  - All private companies should be checked to ensure that they are not bankrupt
  - Consultation with other CDRP partners where they are likely to have had dealings with private companies or voluntary sector employers, such as housing authorities, may assist in providing information on their fitness as employers
  - Companies will be asked to provide documentation to demonstrate that they have policies in relation to equal opportunities, health and safety, racial equality/diversity/fair service provision, and staff appraisal; that these are known to and understood by all staff and that they are complied with
  - A criminal records check on the employer will be required
- 6.7 Chief Officers will wish to require an employer, as part of the arrangements made with them, to notify any change in circumstances that may affect their status as a fit and proper person.

### **Handling of Complaints Standard**

- 6.8 All employers working in the community safety and security sector should be familiar with the need to have good customer relations, as this is a standard feature of good business practice. It is suggested that the following draft standard may be useful.
- To meet this standard an organisation must show that it deals effectively with complaints and take action to address failures if they are identified.
- 6.9 Chief officers may wish to stipulate that if a set number of complaints have been made and proven against an individual, or set number of instances of misconduct have been found to have occurred, the employer should notify the force so that the accreditation may be reviewed (see section 10 for further advice)
- 6.10 Complaints made against accredited members should be dealt with by employers and it is recommended that any allegations made against accredited members should be highlighted to force coordinators (or other relevant force contact).

**Supervision Standard**

6.11 This requirement is most relevant to organisations seeking to exercise powers and it is suggested that for those organisations a written agreement on supervision should be created. Some areas that such an agreement should cover are;

- The role requirement of an existing supervisor is amended to include supervision of the exercise of powers
- That the supervisor is trained in the use of the powers whether or not he/she is accredited
- That documents produced in the course of the use of powers are supervised to ensure powers have been used properly and that the documents are completed to a satisfactory standard
- That 'on street' supervision is carried out from time to time
- That records are kept by the employer of the use of powers by Accredited Persons

6.12 For organisations that are not seeking to exercise powers, a less rigorous approach is appropriate. In these cases it may simply be useful to ask for information on supervision ratios, and a copy of a supervisor's role requirement to ensure it contains 'on street' supervision and a commitment to helping staff to improve performance. The existence of an appraisal or work assessment process should also demonstrate that supervision takes place.

<b>Criteria</b>	<b>Acceptable Evidence</b>
You should have a Code of Conduct for employees, which each member of your staff has read, understood and signed off to this effect and of which they have been given a copy.	Documents containing the Code. Documents containing the procedures and sanctions if it is breached by a member of staff. Give details of staff and management training on the Code and consequences of breaches.
You have a written, easy to use, complaints procedure that is available to the public. It should include a commitment to deal with complaints whenever possible.	Documents containing the procedure. The stages of the process should be set out clearly. Complainants should be able to register their complaint in a variety of ways including in person and

	in writing. Documents detailing any review procedure if a complainant is not satisfied with the initial procedure should be included.
You should give staff guidance and training in handling and recording complaints.	Include guidance documents provided for staff. Provided details of training in complaints resolution for staff or management.
You keep records of complaints and the action taken to deal with them.	Documents used for recording complaints and any guidance provided on their use. Details of complaints received in the last year should be provided. Access to inspect your complaints records may be required.

## **Accredited Person Standards**

### **Vetting Standard**

- 6.13 The purpose of vetting is to maintain transparency and confidence that members of the police community and those with access to our assets are fit to hold that responsibility. Effective vetting systems reduce the possibility of inappropriate applicants, those with links to criminality or those susceptible to corruption gaining employment or access to police information. We have a duty of care to all in society and the underpinning principle is to ensure that the safety of the public and sensitive information relating to them and our national security is in safe hands.
- 6.14 This guidance sets out the minimum acceptable vetting levels for accredited persons and also sets out circumstances in which chief officers may wish to apply a higher level of vetting based on access to sensitive police assets or proximity to critical infrastructure.
- 6.15 Prior to vetting enquiries being undertaken by force vetting officers, the employer of the applicant must have completed initial recruitment checks in accordance with the Authorised Professional Practice (APP) Vetting and the Code of Practice for Vetting. Authentication is a prerequisite for all levels of Force Vetting and National Security Vetting (NSV). Authentication, when supported by Recruitment Vetting (RV), incorporates all aspects of the Her Majesty's Government (HMG) Baseline Personnel Security Standard.

Authentication is used to confirm an individual's:

- Identity
- Nationality
- Employment eligibility
- Residency qualification

The obtaining of employment and personal references will be the responsibility of the applicant's employer.

6.16 Accredited persons vetting will be in accordance with Non Police Personnel Vetting (NPPV) as identified in APP Vetting. The level of vetting in all cases should be risk based on the applicant's access to police estates and protectively marked assets. NPPV Level 2 full, is recommended as the minimum standard to those applying for accreditation, where systems/premises access is required. Where there is no systems access and no unsupervised, unrestricted access to police premises, NPPV level 2 abbreviated should be considered.

6.17 Accredited persons fall under the exception to the Rehabilitation of Offenders Act 1974 Order (1975/1023) Schedule 1, Part II, paragraph 6, covers, 'persons employed for the purpose of, or to assist the constables of, a police force established under any enactment'. This allows spent convictions to be checked and taken into consideration in accordance with APP Vetting.

Any appeal against a decision to not award vetting clearance should be made in accordance with APP Vetting.

6.18 Accredited persons may have undergone police security clearance already in order to be employed in a community safety role. If a person has been vetted in the course of their employment within the last 6 months, forces may wish to consider building the results into the process of vetting for accreditation in order to avoid duplicating work unnecessarily. It should be taken into consideration that in order to receive an SIA license less rigorous standards are set on past convictions.

6.19 Driver and Vehicle Standards Agency (DVSA) employees who are accredited with the single power to stop vehicles for testing have little or no access to police information, assets or premises and have no routine day to day contact with children or vulnerable persons. Therefore NPPV 1 is the most appropriate and the relevant checks should be undertaken in accordance with APP Vetting.

6.20 Aftercare is arguably the most important part of any vetting clearance. Vetting is based on a 'snapshot in time'. The subject's personal circumstances can, and often will, be subject to a significant change over time

and this may affect their suitability to maintain their clearance. It is therefore vital that the individual's suitability is assessed over time through a comprehensive aftercare regime. This is the responsibility of, and is facilitated by the employer, for this level of vetting.

- 6.21 Accredited persons must notify their employer of any changes in their personal circumstances. Employers will then notify the relevant police force vetting unit.
- 6.22 Individuals must be informed that adverse changes in circumstances, or failure to notify such changes, could result in the withdrawal of their vetting clearance and accreditation.

### **Training Standard**

- 6.23 The baseline for an assessment of employee capability is as follows;
- The employer should support an employee seeking accreditation and a recommendation from that employer may assist chief officers in determining capability
  - The employer should be asked to verify that the employee has performed their role to a satisfactory standard
  - Or that they have met the role requirements through a recruitment process if they are newly employed
- 6.24 A further aspect of capability is skills and competence in the role. This should be achieved through successful completion of an approved training program.
- 6.25 Training can be provided by a number of external approved trainers. In addition, forces can opt to deliver their own training. Whilst the manner of training provision will be reliant on individual force circumstances, flexibility is preferable as long as the standards are adhered to and individual Chief Constables can be confident that accredited persons have undertaken and passed appropriate training commensurate for the role.
- 6.26 The specification for the Core Competency Training and Qualification for accredited persons under Community Safety Accreditation Schemes was revised in 2013 in consultation with: ACPO, Skills for Security, the Home Office, and the Metropolitan police.
- 6.27 The specification sets out minimum requirements of delivery, content, assessment and auditing of training courses.
- 6.28 A specific training requirement for DVSA employees covers all aspects of the power to stop vehicles including driving skills (currently provided by North Wales Police). All DVSA employees applying for accreditation should have successfully completed this training.

### **The Security Industry Authority (SIA)**

- 6.29 Increasingly, personnel from security companies who have a licence from the Security Industry Authority (SIA) are being nominated for accreditation. The accreditation of prior learning may be invoked in such circumstances and certified training that has already been received may be mapped against the CSAS training standard and adapted training provided either by external providers or the relevant force.

### **Counter-terrorism training**

- 6.30 All Forces should ensure that Accredited Persons receive input regarding the PREVENT strand of the Government's counter-terrorism strategy. The exact nature and level of input would be at a Chief Officer's discretion and dependent upon the vulnerabilities and risks that the Accredited Person may encounter in the normal course of their business.

### **Refresher training**

- 6.31 CSAS refresher training is the responsibility of employers and one day every 3 years is the recommended minimum training requirement.

### **Period of Accreditation**

- 6.32 Police forces should offer accreditation for an initial period of 1 year, followed by periods of no longer than 3 years with an understanding that criteria for renewal may differ from those applied initially and may be subject to annual review.
- 6.33 Furthermore, chief officers must keep records of accredited persons and good practice suggests publishing the names and working locations of approved organisations whose staff will be accredited on Force Internet Web sites.

## **7. UNIFORM AND DESIGNATION**

- 7.1 Section 42(2) of the PRA states that a power exercisable by any person in reliance of their accreditation under Section 41 of the PRA shall be exercisable only by a person wearing such identifiable clothing as may be;

Determined or approved by the chief officer who granted the accreditation and identified or described in the accreditation and, such a power will only be exercisable if the accredited person is wearing a badge as specified by the Secretary of State, and wearing it in such manner or in such a place as may be so specified. Chief officers are encouraged to make changes to established uniforms or identifiable clothing only where absolutely necessary.

- 7.2 It is not considered that "plain clothes" can constitute a uniform, the normal meaning of being in "plain clothes" is that a person is not wearing a uniform.
- 7.3 Each chief officer will need to ensure that identifiable clothing worn by accredited persons are distinct from that worn by police officers or police community support officers (PCSOs).
- 7.4 The Home Office has produced the required badge, including colours and proportions, and Welsh translation if appropriate. The badge must replicate the proportions and colours of the published badge and be worn in the chest region or on the upper sleeve, at chest height, of the clothing to ensure proper visibility when dealing with the public. It must be a minimum size of 73mm x 80mm. The Home Office can supply the woven badges to forces on request. Badges are not supplied direct to employers. Companies may incorporate embroidered badges onto their identifiable clothing, so long as the badges still meet the criteria above.
- 7.5 The Home Office required badge must only be worn by accredited persons. While a force enters into an agreement with an employer, it is the individual employee that is accredited. Unaccredited employees of an organisation involved in a CSAS scheme must not wear the Home Office required badge.
- 7.6 Section 42(1) of the PRA states that any person who exercises their power or duty in relation to any person in reliance on their accreditation under Section 41, or who purports to do so, shall produce that accreditation to that person if requested to do so. It is required that accredited persons carry a card detailing this information on their person. Consideration should be given for the provision of identity cards that minimise the risk of copying.

## **8. DECISION MAKING**

- 8.1 The PRA contains no provisions for the consideration of appeals against unsuccessful applications. The power to accredit individuals rests solely with the chief officer (or Commissioner). Given the wording of the PRA, he/she is not empowered to allow any other person to make that decision, as to do otherwise would be *ultra vires*. In light of the potentially adverse effect of refusal on a commercial enterprise, it is possible that such a refusal will be challenged, although the grounds for doing so are limited. In the absence of clear guidance to the contrary, it is considered appropriate to advise unsuccessful applicants, as a last resort, to seek judicial review of chief officer's decisions.

## **9. EVALUATION**

- 9.1 Forces will wish to develop systems to monitor the effectiveness and impact of their accreditation schemes. In setting up an accreditation scheme a force should set out clear objectives that the scheme is intended to achieve. It is therefore important that forces should be able to track whether their schemes are

meeting their intended aims.

9.2 While the diversity of CSAS limits the scope to standardise measurement between forces, the two key aims of accreditation schemes will generally be to:

- reduce crime and anti-social behaviour
- increase public reassurance

Forces will broadly want to measure the impact of accreditation on these two areas. Data collection should therefore be targeted towards relevant indicators to maximise the value of the results.

9.3 There are a variety of data sources that can be used in order to assess the impact of accreditation. In particular forces should consider collecting data on;

- The workforce profile of accredited persons in terms of gender, age and ethnicity
- The number of powers designated upon accredited persons and frequency of use - in particular FPNs
- Number of intelligence reports filed
- Number of problem solving plans, ASBOs and ABCs involved in
- Number of assaults on accredited persons
- Staff surveys and interviews with accredited persons, police staff and police officers
- Public satisfaction surveys
- Number of complaints against Accredited Persons

Other sources of data that forces might wish to draw on are;

- Issue of FPNs with regard to proportionality
- Number of incidents attended solely by accredited persons
- Number of persons and organisations that apply for consideration and number rejected
- CDRP surveys
- Number of accredited persons leaving scheme
- Briefing sessions attended by accredited persons

- Activity analysis/ cost benefit analysis
- Patrolling hours

9.4 Effective evaluation schemes will be a key part of the re-accreditation process and forces will wish to carry out regular evaluation. One means of achieving successful monitoring would be to stipulate as a condition of successful accreditation, that employers build in a process of evaluation themselves, focusing on specific areas as indicated by the respective chief officer.

## **10. REVIEW, AMENDMENT, SUSPENSION AND REVOCATION**

### **Renewing Accreditation**

- 10.1 It is recommended in paragraph 6.37 that accreditation should be granted for twelve months in the first instance. Thereafter, no longer than three years is recommended. At the time of any re-accreditation, the host force will need to be fully informed of the number of complaints made against accredited persons and the employer, together with their outcomes. Consideration should be given to the accredited person's and the employer's ability to provide an effective public service. Where performance has been below the standard expected, alternatives to denying renewal, such as retraining and/or closer supervision, should be considered. Forces should also be open to other options suggested by the employer for the positive management of its accredited persons.
- 10.2 Forces may wish to consider not renewing an accreditation where no immediate improvement appears likely or where the number of complaints is so great that this indicates a corporate failure to provide a service. Clear and robust ongoing assessment processes will be required to continue an accreditation in these circumstances: alternatives for consideration may include refusal to re-accredit, temporary suspension of accreditation pending a full review, restriction or removal of powers and/or a shortened period before the next re-accreditation procedure is due.

### **Suspension and Revocation**

#### **Overview**

- 10.3 From time to time, concerns surrounding accredited persons or their employers will come to light that will require the host force to take action. Employers should notify their host force at the time a complaint is received if it involves a criminal allegation or other serious misconduct, where the reputation of the partnership may suffer. Forces may wish immediately to review the person's accredited status, referring to the standards on vetting and take advice from their vetting unit to ensure a consistent national approach for accredited persons.

10.4 Where an accredited person is employed in a particularly sensitive role or where an enhanced level of vetting was initially required, this will be taken into account when reviewing the individual's suitability and a higher standard of behaviour will be expected. The Chief Constable can refuse to accredit or withdraw an accreditation at any time without appeal.

### **Suspension of Accredited Persons**

10.5 Individuals may need to have their accreditation suspended if their suitability and competence falls below standard, or during any investigation into allegations of sub-standard behaviour. Two forms of suspension are possible; Suspension of accreditation and suspension of powers.

10.6 An individual may have their accreditation suspended pending an investigation if;

- a. They have been arrested or received a PND (for a recordable offence) where, if convicted of the offence they would fail to meet the vetting standard
- b. Where the circumstances of the accredited person have changed in such a way as to bring their vetting status into question
- c. Where there is suspicion or information that the accredited person is in the process of becoming bankrupt, insolvent, or has an impending CCJ
- d. Where the accredited person has been the subject of multiple complaints by clients or members of the public and there is cause for concern over civility, integrity or honesty
- e. Where there is suspicion or information identifying misuse or unauthorised access to police premises or IT systems
- f. Where there is suspicion or information identifying an accredited person in breaches of data protection act legislation
- g. Where there is suspicion or information that the accredited person has abused their authority as an accredited person

10.7 The investigation may be undertaken by either the force or by the employer. If investigated by the employer, it should be with the understanding that the force will be kept informed of progress and be informed of the results in sufficient detail to enable a decision on how to resolve the suspension.

### **Suspension of Powers**

10.8 Where a shortfall in standard can be attributed to a training deficit or could be positively improved by training, mentoring or coaching, it may be more appropriate to consider suspension of some or all powers while the necessary training is provided.

### **Revocation of Accreditation**

- 10.9 There are circumstances in which immediate revocation of an individual's accreditation will be appropriate. These are where the Accredited Person;
- a) Changes employer or becomes unemployed (see also paragraph 10.14)
  - b) Is convicted of an offence that would cause them to fail to meet the vetting standard
  - c) Has a change of circumstances that alters their vetting status
  - d) Is confirmed bankrupt, insolvent, or CCJ would result in a vetting failure
  - e) Has proven complaints against them, which indicate that they lack the civility, integrity or honesty to undertake the role
  - f) Has been found to have misused or had unauthorised access to police premises or IT systems
  - g) Has been found to have breached data protection legislation
  - h) Has been found to have abused their authority as an accredited person

### **Revocation of Powers**

10.10 Paragraph 10.8 above describes how it may be appropriate to suspend an accredited person's powers where a shortfall in their performance might be corrected by training. In circumstances where that training fails to achieve the required improvement, then the force may wish to revoke that individual's powers. The force and the employer should be aware that having accredited persons with different powers within the same organization may create management issues.

### **Reviewing the Status of Employers**

10.11 Employers previously approved as fit and proper can have that status reviewed in the following circumstances;

- a) Failure to adhere to the CSAS principles of reducing crime, disorder and anti-social behaviour
- b) Poor control and supervision of staff
- c) Unsatisfactory implementation of joint working initiatives
- d) Number of complaints registered by clients/customers about either the employer or their employees
- e) Identification of financial problems, i.e. bankruptcy, insolvency
- f) Identification of improper practices

10.12 If the conclusion of a review is that an employer no longer meets the fit and proper standard (see paragraph 6.10), then action should be taken. This may amount to an agreed plan for remedial action or, in cases of most serious or prolonged deficiency, can be treated as grounds for terminating the joint operating and information sharing protocols with that employer and for revoking the accreditation of its employees.

### **Staff changes**

10.13 Staff changes affect all organisations. It should be anticipated that persons would need to be both added to and removed from an employer's complement of accredited persons. Employers must notify their host force immediately of any accredited person leaving their employment or otherwise ceasing to carry out the functions for which accreditation was granted. That person's CSAS identification card must be returned. New employees seeking accreditation will need to meet the required training standards and will be vetted to the appropriate level (see section 6 for vetting and training standards).

10.14 When an accredited person changes employer and wishes to remain accredited, the standard process for vetting the new employer will normally be undertaken. This can happen when security personnel are contracted out and there is a change in service provider albeit the same staff are utilised both pre and post contract change.

### **Changes to Accredited Persons' powers**

10.15 Employers may wish to add or remove powers available to their accredited staff under Schedule 5 Police Reform Act 2002. These will be considered upon receipt of a written request to the relevant Chief Constable, explaining why additional powers are needed, what training will be provided and setting out any changes to supervisory arrangements. Consideration should be given to how the anticipated use of these powers will impact on existing police systems before denial or approval, with or without conditions.

10.16 Powers requested to be withdrawn can be effected immediately without the need for further evidence.

10.17 Forces may wish to consider recovering costs for the administration involved.

## **11. WEIGHTS AND MEASURES INSPECTORS**

Chief Officers are empowered to accredit weights and measures inspectors with the power to issue Penalty Notices for Disorder (PNDs). This means that the police no longer have to provide an accompanying officer for 'test purchase' operations.

### **Legislation**

11.1 The Police and Justice Act 2006 introduced Section 41A to the Police Reform Act. This enabled forces to accredit weights and measures inspectors to issue Penalty Notices for Disorder (PNDs) for a limited number of offences.

11.2 This form of accreditation is separate from the Community Safety Accreditation Scheme, however some sections of the Police Reform Act do apply to accredited weights and measures inspectors. These are :

- Section 41A (Accreditation of Weights and Measures Inspectors)
- Section 42 (Supplementary provisions relating to designations and accreditations)
- Section 46 (Offences against designated and accredited persons, etc.)

11.3 Section 40 (Community Safety Accreditation Schemes) does not apply to weights and measures inspectors. This means that forces do not have to set up the equivalent of a Community Safety Accreditation Scheme for weights and measures inspectors.

### **Vetting**

11.4 Accredited weights and measures inspectors may, on occasion, have unescorted access to police premises and assets. The correct standard of vetting in accordance with the Government guidance on protective marking is therefore relevant.

11.5 The vetting standard for weights and measures inspectors should be the same standard as for CSAS, ie: Non-Police Personnel vetting, level 2 (NPPV2). For further information on vetting, see Chapter 6.

## **Applications**

- 11.6 The legislation places a duty on the chief officer to be satisfied that a weights and measures inspector is a suitable person to exercise the power that will be conferred upon them by virtue of accreditation. A chief officer should not accredit a person unless they are so satisfied.
- 11.7 Given the limited powers attached to the accreditation of weights and measures inspectors and the fact that they are professionally qualified employees of local government, forces may wish to consider a more streamlined application process than that for standard CSAS schemes.

## **Training**

- 11.8 Accredited weights and measures inspectors will require training in the issue of PNDs, and the administrative process following their issue.

## **Uniform and Designation**

- 11.9 There is no requirement for weights and measures inspectors to wear a uniform, identifiable clothing or accreditation badge.
- 11.10 A weights and measures inspector using their accredited powers must be able to produce their accreditation on request.

## **Monitoring and Review**

- 11.11 The monitoring and review of accredited weights and measures inspectors should be the same as that for CSAS schemes described in Chapter 9.

## **APPENDIX A**

### **Police Reform Act Extracts**

- 40(1) The chief officer of police of any police force may, if he considers that it is appropriate to do so for the purposes specified in subsection (3), establish and maintain a scheme ("a community safety accreditation scheme").
- 40(2) A community safety accreditation scheme is a scheme for the exercise in the chief officer's police area by persons accredited by him under section 41 of the powers conferred by their accreditation under that section.
- 40(3) Those purposes are-
- (a) contributing to community safety and security; and
  - (b) in co-operation with the police force for the area, combating crime and disorder, public nuisance and other forms of anti-social behaviour.
- 40(4) Before establishing a community safety accreditation scheme for his police area, a chief officer of any police force (other than the Commissioner of Police of the Metropolis) must consult with-
- (a) the police authority maintaining that force, and
  - (b) every local authority any part of whose area lies within the police area.
- 40(5) Before establishing a community safety accreditation scheme for the metropolitan police district, the Commissioner of Police of the Metropolis must consult with-
- (a) the Mayor's Office for Policing and Crime;
  - (b) the Mayor of London; and
  - (c) every local authority any part of whose area lies within the metropolitan police district.
- 40(6) In subsections (4)(b) and (5)(c) "local authority" means:
- (a) in relation to England, a district council, a London borough council, the Common Council of the City of London or the Council of the Isles of Scilly; and
  - (b) in relation to Wales, a county council or a county borough council.

- 40(7) Every police plan under section 8 of the 1996 Act which is issued after the commencement of this section, and every draft of such a plan which is submitted by a chief officer of police to a police authority after the commencement of this section, must set out:
- (a) whether a community safety accreditation scheme is maintained for the police area in question;
  - (b) if not, whether there is any proposal to establish such a scheme for that area during the period to which the plan relates;
  - (c) particulars of any such proposal or of any proposal to modify during that period any community safety accreditation scheme that is already maintained for that area;
  - (d) the extent (if any) of any arrangements for provisions specified in Schedule 4 to be applied to designated persons employed by the police authority; and
  - (e) the respects in which any community safety accreditation scheme that is maintained or proposed will be supplementing those arrangements during the period to which the plan relates.
- 40(8) A community safety accreditation scheme must contain provision for the making of arrangements with employers who-
- (a) are carrying on business in the police area in question, or
  - (b) are carrying on business in relation to the whole or any part of that area or in relation to places situated within it,
- for those employers to supervise the carrying out by their employees of the community safety functions for the purposes of which powers are conferred on those employees by means of accreditations under section 41.
- 40(9) It shall be the duty of a chief officer of police who establishes and maintains a community safety accreditation scheme to ensure that the employers of the persons on whom powers are conferred by the grant of accreditations under section 41 have established and maintain satisfactory arrangements for handling complaints relating to the carrying out by those persons of the functions for the purposes of which the powers are conferred.
- 41(1) This section applies where a chief officer of police has, for the purposes of a community safety accreditation scheme, entered into any arrangements with any employer for or with respect to the carrying out of community safety functions by employees of that employer.

- 41(2) The chief officer of police may, on the making of an application for the purpose by such person and in such manner as he may require, grant accreditation under this section to any employee of the employer.
- 41(3) Schedule 5 (*which sets out the powers that may be conferred on accredited persons*) shall have effect.
- 41(4) A chief officer of police shall not grant accreditation to a person under this section unless he is satisfied-
- (a) that that person's employer is a fit and proper person to supervise the carrying out of the functions for the purposes of which the accreditation is to be granted;
  - (b) that the person himself is a suitable person to exercise the powers that will be conferred on him by virtue of the accreditation;
  - (c) that that person is capable of effectively carrying out the functions for the purposes of which those powers are to be conferred on him; and
  - (d) that that person has received adequate training for the exercise of those powers.
- 41(5) A chief officer of police may charge such fee as he considers appropriate for one or both of the following-
- (a) considering an application for or for the renewal of an accreditation under this section;
  - (b) granting such an accreditation.
- 41(6) A person authorised or required to do anything by virtue of an accreditation under this section-
- (a) shall not be authorised or required by virtue of that accreditation to engage in any conduct otherwise than in the course of his employment by the employer with whom the chief officer of police has entered into the arrangements mentioned in subsection (1); and
  - (b) shall be so authorised or required subject to such other restrictions and conditions (if any) as may be specified in his accreditation.
- 41(7) An accreditation under this section, unless it is previously withdrawn or ceases to have effect in accordance with subsection (8), shall remain in force for such period as may be specified in the accreditation; but it may be renewed at any time with effect from the time when it would otherwise expire.

41(8) An accreditation under this section shall cease to have effect-

- (a) if the accredited person ceases to be an employee of the person with whom the chief officer of police has entered into the arrangements mentioned in subsection (1); or
- (b) if those arrangements are terminated or expire.

Section 42 of the Police Reform Act 2002 makes supplementary provision in respect of designated and accredited persons. The section is mainly concerned with the identity of designated persons and the power of chief constables and Directors General to modify or withdraw civilian powers.

42(1) A person who exercises or performs any power or duty in relation to any person in reliance on his designation under section 38 or 39 or his accreditation under section 41, or who purports to do so, shall produce that designation or accreditation to that person, if requested to do so.

42(2) A power exercisable by any person in reliance on his designation by a chief officer of police under section 38 or 39 or his accreditation under section 41 shall be exercisable only by a person wearing such uniform as may be-

- (a) determined or approved for the purposes of this Chapter by the chief officer of police who granted the designation or accreditation; and
- (b) identified or described in the designation or accreditation;

and, in the case of an accredited person, such a power shall be exercisable only if he is also wearing such badge as may be specified for the purposes of this subsection by the Secretary of State, and is wearing it in such manner, or in such place, as may be so specified.

42(3) A chief officer of police who has granted a designation or accreditation to any person under section 38, 39 or 41 may at any time, by notice to the designated or accredited person, modify or withdraw that designation or accreditation.

42(4) A Director General may at any time, by notice to a person he has designated as an investigating officer under section 38, modify or withdraw that designation.

42(5) Where any person's designation under section 39 is modified or withdrawn, the chief officer giving notice of the modification or withdrawal shall send a copy of the notice to the contractor responsible for supervising that person in the carrying out of the functions for the purposes of which the designation was granted.

- 42(6) Where any person's accreditation under section 41 is modified or withdrawn, the chief officer giving notice of the modification or withdrawal shall send a copy of the notice to the employer responsible for supervising that person in the carrying out of the functions for the purposes of which the accreditation was granted.
- 42(7) For the purposes of determining liability for the unlawful conduct of employees of a police authority, conduct by such an employee in reliance or purported reliance on a designation under section 38 shall be taken to be conduct in the course of his employment by the police authority; and, in the case of a tort, that authority shall fall to be treated as a joint tortfeasor accordingly.
- 42(8) For the purposes of determining liability for the unlawful conduct of employees of a Service Authority, conduct by such an employee in reliance or purported reliance on a designation under section 38 shall be taken to be conduct in the course of his employment; and, in the case of a tort, the Service Authority shall fall to be treated as a joint tortfeasor accordingly.
- 42(9) For the purposes of determining liability for the unlawful conduct of employees of a contractor (within the meaning of section 39), conduct by such an employee in reliance or purported reliance on a designation under that section shall be taken to be conduct in the course of his employment by that contractor; and, in the case of a tort, that contractor shall fall to be treated as a joint tortfeasor accordingly.
- 42(10) For the purposes of determining liability for the unlawful conduct of employees of a person with whom a chief officer of police has entered into any arrangements for the purposes of a community safety accreditation scheme, conduct by such an employee in reliance or purported reliance on an accreditation under section 41 shall be taken to be conduct in the course of his employment by that employer; and, in the case of a tort, that employer shall fall to be treated as a joint tort-feasor accordingly.

**Section 46: Offences against designated and accredited persons etc.**

- (1) Any person who assaults-
- (a) a designated person in the execution of his duty,
  - (b) an accredited person in the execution of his duty, or
  - (c) a person assisting a designated or accredited person in the execution of his duty, is guilty of an offence and shall be liable, on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale, or to both.

(2) Any person who resists or wilfully obstructs-

- a) a designated person in the execution of his duty,
- b) an accredited person in the execution of his duty, or
- c) a person assisting a designated or accredited person in the execution of his duty, is guilty of an offence and shall be liable, on summary conviction, to imprisonment for a term not exceeding one month or to a fine not exceeding level 3 on the standard scale, or to both.

(3) Any person who, with intent to deceive-

- (a) impersonates a designated person or an accredited person,
- (b) makes any statement or does any act calculated falsely to suggest that he is a designated person or that he is an accredited person, or
- (c) makes any statement or does any act calculated falsely to suggest that he has powers as a designated or accredited person that exceed the powers he actually has, is guilty of an offence and shall be liable, on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale, or to both.

(4) In this section references to the execution by a designated person or accredited person of his duty are references to his exercising any power or performing any duty which is his by virtue of his designation or accreditation.

### **Police Reform Act 2002 - Schedule (5)**

Schedule 5 of the Police Reform Act 2002 has been amended by several subsequent pieces of legislation. The below table is an extract from the Home Office<sup>10</sup>, listing the current powers available to

Chief officers may choose to give accredited persons all, some or none of the below powers.

If a chief officer of police accredits an accredited person with powers under paragraph 1 of Schedule 5 of the Police Reform Act 2002 he or she may choose whether to give the accredited person the power to issue fixed penalty notices for all of the available fixed penalty offences or a selection of them.

This list of powers provides only a broad outline of the available powers. For further detail please look at the relevant legislation and accompanying explanatory notes.

## Community Safety Accreditation Scheme powers – updated February 2015

Chief Officers may choose to give accredited persons all, some or none of the below powers.

**TABLE 1** lists the powers that Chief Officers may confer on accredited persons (NB: powers that have been repealed since this list was last updated are also included for information).

**TABLE 2** lists the offences under Chapter 1 Part 1 of the Criminal Justice and Police Act 2001 for which accredited persons may be accredited with a power to issue a fixed penalty notice for disorder. If a Chief Officer of police accredits an accredited person with powers under paragraph 1 of Schedule 5 of the Police Reform Act 2002, he or she may choose whether to give the accredited person the power to issue fixed penalty notices for all of the available fixed penalty offences or a selection of them (NB: powers that have been repealed since the last update are also included for information).

**TABLE 1**

<b>Power</b>	<b>Relevant Legislation</b>
<b>Power to issue penalty notices for disorder:</b> Power of a constable to give a penalty notice under Chapter 1 of Part 1 of the Criminal Justice and Police Act 2001 (fixed penalty notices in respect of offences of disorder) except in respect of an offence under section 12 of the Licensing Act 1872, section 91 of the Criminal Justice Act 1967, section 1 of the Theft Act 1968, section 1(1) of the Criminal Damage Act 1971 and section 87 of the Environmental Protection Act 1990.(See below for a list of penalty notices for disorder that accredited persons can issue)	Paragraph 1(2)(aa) of Schedule 5 to the Police Reform Act 2002 (inserted by section 89(1) of the Anti-Social Behaviour Act 2003)
<b>Power to issue fixed penalty notices for truancy:</b> Power of a constable to give a penalty notice under section 444A of the Education Act 1996 (penalty notice in respect of failure to secure regular attendance at school of registered pupil).	Paragraph 1(2)(ab) of Schedule 5 to the Police Reform Act 2002 (inserted by section 23(6) of the Anti-Social Behaviour Act 2003)
<b>Power to issue fixed penalty notice in respect of an excluded pupil in a public place:</b> Power of a constable to give a penalty notice under section 105 of the Education and Inspections Act 2006 (penalty notice in respect of presence of excluded pupil in public place).	Paragraph 1(2)(ac) of Schedule 5 to the Police Reform Act 2002 (inserted by section 107(4) of the Education and Inspections Act 2006)

<p><b>Power to issue fixed penalty notices for cycling on a footpath:</b> Power of a constable in uniform to give a person a fixed penalty notice under section 54 of the Road Traffic Offenders Act 1988 (fixed penalty notices) in respect of an offence under section 72 of the Highway Act 1835 (riding on a footway) committed by cycling.</p>	<p>Paragraph 1(2)(a) of Schedule 5 to the Police Reform Act 2002</p>
<p><b>Power to issue fixed penalty notices for dog fouling (REPEALED – see exception below):</b> Power of an authorised officer of a local authority to give a notice under section 4 of the Dogs (Fouling of Land) Act 1996 (fixed penalty notices in respect of dog fouling). This power (and the 1996 Act) has now been repealed in relation to England and Wales by section 107 and Schedule 5 Part 5 of the Clean Neighbourhoods and Environment Act 2005. However the power continues to have effect in respect of any land which remains designated land under the 1996 Act (see article 4 of Statutory Instrument 2006/795).</p>	<p>Paragraph 1(2)(b) of Schedule 5 to the Police Reform Act 2002 (<b>REPEALED</b> but see aside exception)</p>
<p><b>Power to issue fixed penalty notices for graffiti and fly-posting:</b> Power of an authorised officer of a local authority to give a notice under section 43(1) of the Anti-social Behaviour Act 2003 (penalty notices in respect of graffiti or fly-posting).</p>	<p>Paragraph 1(2)(ba) of Schedule 5 to the Police Reform Act 2002 (inserted by section 46(2)(b) of the Anti-Social Behaviour Act 2003)</p>
<p><b>Power to issue fixed penalty notices for littering:</b> Power of an authorised officer of a litter authority to give a notice under section 88 of the Environmental Protection Act 1990 (fixed penalty notices in respect of litter).</p>	<p>Paragraph 1(2)(c) of Schedule 5 to the Police Reform Act 2002</p>
<p><b>Power to issue fixed penalty notices in respect of offences under dog control orders (REPEALED):</b> Power of an authorised officer of a primary or secondary authority, within the meaning of section 59 of the Clean Neighbourhoods and Environment Act 2005, to give a notice under that section (fixed penalty notices in respect of offences under dog control orders).</p>	<p>Paragraph 1(2)(d) of Schedule 5 to the Police Reform Act 2002 (inserted by section 62(3) of the Clean Neighbourhoods and Environment Act 2005) <b>REPEALED</b> by Anti-social Behaviour, Crime and Policing Act 2014, s181(1), Schedule 11, Part 1, Paragraph 33 as of 20 October 2014</p>
<p><b>Power to issue fixed penalty notices in relation to offences against certain byelaws:</b> Power of an authorised officer of an authority to give a notice under section</p>	<p>Paragraph 1A of Schedule 5 to the Police Reform Act 2002 (inserted by section 133 of the Local Government and Public Involvement in Health Act 2007). In force from 27 January</p>

<p>237A of the Local Government Act 1972 where the accredited person has reason to believe an individual has committed an offence against a relevant byelaw.</p>	<p>2010, except for para 1A(3) and (5)(a) - see Local Government and Public Involvement in Health Act 2007 (Commencement No 9) Order 2010 (SI 2010/112), article 2(e)</p>
<p><b>Power to require giving of name and address:</b> Power to require the name and address of a person whom an accredited person has reason to believe has committed a relevant offence (Relevant offences are defined under paragraph 2(3) of Schedule 5 of the Police Reform Act 2002 as relevant fixed penalty offences in relation to which the accredited person is able to give a fixed penalty notice under paragraph 1 of Schedule 5 or an offence that appears to the accredited person to have caused injury, alarm or distress to another person or loss of or damage to another person's property. It also includes an offence under a relevant byelaw within the meaning of paragraph 1A). It is an offence to fail to comply with an accredited person's requirement.</p>	<p>Paragraph 2 of Schedule 5 to the Police Reform Act 2002</p>
<p><b>Power to deal with begging:</b> The Serious Organised Crime and Police Act 2005 makes offences under sections 3 and 4 of the Vagrancy Act 1824 into relevant offences, giving accredited persons the power to request the name and address of someone who has committed such an offence.</p>	<p>Paragraph 2(3)(aa) of Schedule 5 to the Police Reform Act 2002 (see paragraph 18 of Schedule 8 to the Serious Organised Crime and Police Act 2005)</p>
<p><b>Power to require name and address for anti-social behaviour:</b> Power of a constable in uniform under section 50 of the Police Reform Act 2002 to require a person whom he has reason to believe to have been acting, or to be acting, in an anti-social manner (within the meaning of section 1 of the Crime and Disorder Act 1998) to give his name and address.</p>	<p>Paragraph 3 of Schedule 5 to the Police Reform Act 2002</p>
<p><b>Power to require name and address for road traffic offences:</b> Power of a constable under sections 165(1)(c) and 169 of the Road Traffic Act 1988 to require the name and address where the accredited person has reasonable cause to believe certain offences under that Act have been committed.</p>	<p>Paragraph 3A of Schedule 5 to the Police Reform Act 2002 (inserted by paragraph 19 of Schedule 8 to the Serious Organised Crime and Police Act 2005)</p>

<p><b>Power to require persons drinking in designated places to surrender alcohol:</b> Power of a constable under section 12 of the Criminal Justice and Police Act 2001 (alcohol consumption in public places) to require a person whom an accredited person reasonably believes is, or has been, consuming alcohol in a designated public place or intends to do so, to not consume that alcohol (anything which is, or which the accredited person reasonably believes to be alcohol, or a container for alcohol) and to surrender any alcohol or container for alcohol. Power to dispose of alcohol surrendered to him.</p>	<p>Paragraph 4 of Schedule 5 to the Police Reform Act 2002</p>
<p><b>Power to require persons aged under 18 to surrender alcohol:</b> Power of a constable under section 1 of the Confiscation of Alcohol (Young Persons) Act 1997 (confiscation of intoxicating liquor) to require a person in a relevant place who he reasonably suspects is in possession of alcohol and is either aged under 18 or is or has been supplying alcohol to a person aged under 18 to surrender any alcohol in his possession and to give their name and address. Power to require such a person to surrender sealed containers of alcohol if the accredited person has reason to believe that the person is, has been or intends to consume alcohol. Power to dispose of alcohol surrendered to him.</p>	<p>Paragraph 5 of Schedule 5 to the Police Reform Act 2002</p>
<p><b>Power to seize tobacco from a person aged under 16:</b> Power of a constable in uniform to seize any tobacco or cigarette papers in the possession of any person apparently under the age of 16 years found smoking in any street or public place and to dispose of any tobacco and cigarette papers as the employer of the accredited person may direct.</p>	<p>Paragraph 6 of Schedule 5 to the Police Reform Act 2002</p>
<p><b>Power to remove abandoned vehicles:</b> Powers in the relevant police area as are conferred on an accredited person by regulations made under section 99 of the Road Traffic Regulation Act 1984 (removal of abandoned vehicles).</p>	<p>Paragraph 7 of Schedule 5 to the Police Reform Act 2002</p>

<p><b>Power to stop vehicles for testing:</b> Powers of a constable in uniform to stop vehicles for the purposes of testing under section 67 of the Road Traffic Act 1988.</p>	<p>Paragraph 8 of Schedule 5 to the Police Reform Act 2002</p>
<p><b>Power to stop cycles:</b> Powers of a constable in uniform to stop a cycle under section 163(2) of the Road Traffic Act 1988 when an accredited person has reason to believe that a person has committed the offence of riding on a footway by cycling.</p>	<p>Paragraph 8A of Schedule 5 to the Police Reform Act 2002 (inserted by section 89(6) of the Anti-Social Behaviour Act 2003)</p>
<p><b>Power to control traffic for purposes other than escorting a load of exceptional dimensions:</b> The Serious Organised Crime and Police Act 2005 enables accredited persons to be given powers to direct traffic (for purposes other than escorting loads of exceptional dimensions) based on the powers constables have under sections 35 and 37 of the Road Traffic Act 1988. It also gives accredited persons the power of a constable to direct traffic for the purposes of conducting a traffic survey. Accredited persons conferred with powers under this paragraph must also be given powers under paragraph 3A of Schedule 5 to the Police Reform Act.</p>	<p>Paragraph 8B of Schedule 5 to the Police Reform Act 2002 (inserted by paragraph 20 of Schedule 8 to the Serious Organised Crime and Police Act 2005)</p>
<p><b>Power to direct traffic for the purposes of escorting abnormal loads:</b> Power of a constable engaged in the regulation of traffic in a road, for the purpose of escorting a vehicle or trailer carrying a load of exceptional circumstances (vehicle or trailer the use of which is authorised by an order made under section 44(1)(d) of the Road Traffic Act 1988) either to or from the relevant police area, to direct a vehicle to stop, to proceed in, or keep to, a particular line of traffic, and to direct pedestrians to stop.</p>	<p>Paragraph 9 of Schedule 5 to the Police Reform Act 2002</p>
<p><b>Power to photograph persons away from a police station:</b> The Serious Organised Crime and Police Act 2005 enables accredited persons to be given the power of a constable under section 64A of the 1984 Act to photograph a person, who has been given a penalty notice under the power at paragraph 1(2), away from the police station.</p>	<p>Paragraph 9ZA of Schedule 5 to the Police Reform Act 2002 (inserted by paragraph 21 of Schedule 8 to the Serious Organised Crime and Police Act 2005)</p>

TABLE 2

<b>Offences for which Accredited Persons may issue penalty notices for disorder under Chapter 1 Part 1 of the Criminal Justice and Police Act 2001</b>	<b>Relevant legislation</b>
Wasting police time, giving false report.	s.5(2) Criminal Law Act 1967
Using public electronic communications network to cause annoyance, inconvenience or needless anxiety to another.	s.127(2) Communications Act 2003
Knowingly gives or causes to be given a false alarm of fire to a person acting on behalf of a fire and rescue authority.	s.49 Fire and Rescue Services Act 2004
Behaviour likely to cause harassment, alarm or distress.	s.5 Public Order Act 1986
Throwing fireworks.	s.80 Explosives Act 1875 (NB: due to be repealed by the Fireworks Act 2003, Schedule 1, para1 on a date to be appointed)
Sells or attempts to sell alcohol to a person who is drunk.	s.141 Licensing Act 2003
Supply of alcohol by or on behalf of a club to a person aged under 18.	s.146(3) Licensing Act 2003
Sale of alcohol anywhere to a person under 18.	s.146(1) Licensing Act 2003
Buys or attempts to buy alcohol on behalf of a person under 18.	s.149(3) Licensing Act 2003
Buys or attempts to buy alcohol for consumption on relevant premises by a person under 18	s.149(4) Licensing Act 2003
Delivery of alcohol to person under 18 or allowing such delivery.	s.151 Licensing Act 2003
Breach of fireworks curfew.	Fireworks Regulations 2004 under s11 of the Fireworks Act 2003 NB: Regulation 7(1) has a prohibition on the use of certain fireworks at night.
Possession of a category 4 firework.	Regulation 5 (subject to the exceptions at regulation 6) of Fireworks Regulations 2004 under s11 of the Fireworks Act 2003
Possession by a person under 18 of an adult firework.	Regulation 4 (subject to the exceptions at regulation 6) of the Fireworks Regulations

	2004 under s11 of the Fireworks Act 2003
Trespassing on a railway.	s.55 British Transport Commission Act 1949
Throwing stones at a train.	s.56 British Transport Commission Act 1949
Consume alcohol in a designated public place, contrary to requirement by constable not to do so. <b>REPEALED but see aside caveats</b>	s.12(4) Criminal Justice and Police Act 2001- <b>REPEALED</b> by the Anti-social Behaviour, Crime and Policing Act 2014, s181(1), Schd 11, Pt 1, para 30 as from 20 October 2014.  <b>NB: For a period of 3 years from 20 October 2014, the repeal does not affect orders made under section 13(2) of the 2001 Act before that date.</b>
Consumption of alcohol by a person under 18 on relevant premises.	s.150(1) Licensing Act 2003
Allowing consumption of alcohol by a person under 18 on relevant premises.	s.150(2) Licensing Act 2003
Buying or attempting to buy alcohol by a person under 18.	s.149(1) Licensing Act 2003

Last amendments under Policing and Crime Act (2009) Schedule 7, part 4 re: Alcohol misuse other than mandatory licensing conditions. Affected paragraph 5, schedule 5 Police Reform Act (2002).

## **APPENDIX B**

### **NPCC FUNDAMENTAL PRINCIPLES relating to WARDEN SCHEMES (Revised July 2002)**

*These principles represent a policy framework for the operation of Neighbourhood and Street Warden Schemes\* in local communities.*

*They should be considered as the minimum initial requirement of the police when such schemes are set up.*

1. Establishment of schemes :

Schemes should be established in accordance with a locally determined need for visible patrols and tailored to that need, ideally within the framework of a Crime and Disorder Reduction Partnership (CDRP).

2. Accountability:

Primary accountability of wardens will be to their employing agency although establishment of a scheme within CDRP arrangements will enable the local police to influence their activities and their targeted deployment in ways that complement police patrols.

3. Operating Protocol:

An operating protocol should be in place for any scheme to ensure its smooth and efficient running. Ideally this will take the form of a joint protocol between the employing agency and the local police.

4. Appearance:

Wardens need to be readily identifiable at a local level. Their appearance should be distinct from that of the police in terms of uniform, livery and corporate image so as to avoid confusion to the public.

5. Powers:

There should be no enhancement of the powers of wardens beyond those of the ordinary citizen or those already available to the employing agency, unless they have been granted accreditation under a CSAS established by the Chief Officer of police

6. Funding:

Warden schemes should be funded from identifiable sources, which do not involve any diminution of police budgets.

Supplementary notes:

### **What are Neighbourhood and Street Wardens?**

Neighbourhood Wardens :

- provide a uniformed, semi-official presence in a residential area with the aim of improving quality of life.
- promote community safety, assist with environmental improvements and housing management but also contribute to community development.
- may patrol, provide concierge duties or act as 'super caretakers' can contribute to effective neighbourhood management.

Street Wardens :

- provide highly visible, uniformed patrols in town and village centres, public areas and neighbourhoods.
- are similar to neighbourhood wardens but have more of an emphasis on caring for the physical appearance of the area.
- Tackle environmental problems such as litter, graffiti and dog fouling, as well as promoting community safety.
- help deter anti-social behaviour; reduce the fear of crime; and foster social inclusion.

Source: Neighbourhood and Street Wardens' Programme, General Information leaflet, February 2002 Neighbourhood Renewal Unit Department for Transport, Local Government and the Regions.

### **PROTOCOL BETWEEN THE POLICE AND A NEIGHBOURHOOD / STREET WARDEN SCHEME**

#### **Purpose of protocol**

A protocol needs to exist between a neighbourhood / street warden scheme and the local police so as to ensure that the following points are met:

- That staff used to carry out the role of neighbourhood / street warden are of the right calibre.
- That wardens and their vehicles are clearly identifiable and seen as distinct from the police.

- That the role and function of the scheme is made clear.
- That the location and times of the scheme's patrols are clearly defined.
- That lines of communication between the scheme and the police are clearly understood and that systems are in place to enable exchange of information which may be of benefit to both the scheme and the police.
- That regular liaison takes place between the scheme and the police.

### **Content of local protocol**

Details as to what a local protocol should include have been classified under each of these points. Guidance notes are shown in Italics.

### **That staff used to carry out the role of neighbourhood / street warden are of the right calibre**

- Details of the selection and recruitment procedure used to employ wardens. *These should comply with Equal Opportunities legislation and include proper vetting of staff with clear job description / person specification in place. Participation by the police in the selection process should be encouraged.*
- Training provision. *This should comply with the DTLR guidance (February 2001) and ideally should include the delivery of the five-day initial training by an accredited police trainer.*
- Supervisory structure of wardens *This should be active supervision by a named individual.*
- Details of the complaints and discipline procedures for dealing with complaints made by either a member of the public or another employee.

### **That wardens and their vehicles are clearly identifiable and seen as distinct from the police**

- Details of the uniform specification should be included  
*Uniform worn by wardens will not resemble that worn by the police (ACPO Fundamental Principles April 2002)*
- Vehicles to be used by wardens and how they are to be deployed.  
*Any vehicles used by the scheme should not resemble those used by the police and must not be driven in pursuit of any other vehicle or person.*

**That the role and function of the scheme is made clear**

- The functions of the scheme should be detailed within the protocol. This should include both the general aim and detail as to what the wardens will and also will not do.

**That the location and times of the scheme's patrols are clearly defined**

- The area the scheme is operating its patrols and the shift pattern staff will be working should be included in the protocol.

**That lines of communication between the scheme and the police are clearly understood together with systems in place to enable exchange of information which may be of benefit to both the scheme and the police**

- The communication system to be used by the wardens (e.g. Airwave / link via radio to CCTV / mobile phone etc.).
- Procedures in the case of an emergency.
- What information will be shared by both the police and the warden scheme, recognising the need to comply with Data Protection Act 1998 and the Human Rights Act 1998.
- How that information will be shared both in relation to frequency and systems (e.g. via weekly tasking and co-ordination meetings, faxed daily list of stolen vehicles etc.).
- Who is responsible for providing this information?

**That regular liaison takes place between the scheme and the police**

- The protocol should include what the arrangements are in place for regular liaison at all levels with named individuals and frequency of contact. It should also indicate the management structure of the scheme and how it reports to a steering group / joint management group.

**The local protocol should be signed by the Area Commander and Senior Manager of the Scheme and should be reviewed on an annual basis.**

## **APPENDIX C**

### **Extract from Home Office Guidance on Applicants with Criminal Convictions**

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.

The criminal convictions criteria defined by this policy must be used to assess each application on an individual basis. It is not an exhaustive list. 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.

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

- Treason.
- Murder.
- Manslaughter.
- Rape.
- Kidnapping.
- Incest/intercourse with a girl under 13.
- Buggery with a boy under 16 or a person who has not consented.
- Gross indecency.
- 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.
- Death by reckless driving.
- Firearms offences.

Convictions which will lead to rejection unless there are very compelling circumstances, include;

- Offences involving serious violence or injury including GBH and ABH.

- Offences involving unsolicited violence towards others.
- Unlawful possession of weapons, firearms or going equipped to steal.
- Acts of indecency.
- Abuse or neglect of children.
- Public order offences, involvement in riot, violent disorder, affray, causing intentional harassment alarm or distress.
- Racially motivated or homophobic offences.
- Interference with the administration of justice or 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.
- Serious involvement in drugs including possession of Class A drugs or more than one Class B drug and/or supplying drugs of any kind.
- Reckless or dangerous driving within the last 10 years.
- One offence of drink driving or drunk in charge within the preceding 10 years.
- More than one offence of drink driving, drunk in charge or drugs driving.
- Other serious motoring offences such as convictions within the last 5 years of driving without insurance, failing to stop after an accident or driving whilst disqualified.
- More than three endorsable traffic convictions (including FPN'S) within the last 5 years (for offences on different dates).
- 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 5 years.

- Juvenile convictions within the last 5 years for any recordable offence.
- Any recordable offence other than listed above within the last 5 years.

An applicant's age at the time of an offence and the aggravating circumstances surrounding the offence will have a bearing in the following cases;

- Drunk and disorderly - no more than one offence and only after 2 years have elapsed following a caution or 3 years have elapsed following a conviction/bind over.
- Minor drugs offences or substance abuse - no more than one offence and only after 2 years have elapsed following a caution or 3 years from conviction.
- Common assault - no more than one offence as a juvenile or young adult and only after 2 years have elapsed from conviction/bind over.

**APPENDIX D**

**WORKBOOK FOR THE CREATION OF NPCC GUIDANCE/PRACTICE ADVICE**

**This workbook, with all sections completed, must be included in the final document as an Appendix and submitted, through the Head of the Business Area, to the Programme Support Office for quality assurance prior to submission to Cabinet for approval as NPCC Doctrine.**

**NPCC EQUALITY IMPACT ASSESSMENT TEMPLATE (DIVERSITY AUDIT) AS AGREED WITH THE CRE**

**1. Identify all aims of the guidance/advice**

<b>1.1</b>	<b>Identify the aims and projected outcomes of the guidance/advice:</b>
<b>1.2</b>	<b>Which individuals and organisations are likely to have an interest in or likely to be affected by the proposal?</b>

**2. Consider the evidence**

<b>2.1</b>	<b>What relevant quantitative data has been considered?</b>	
	Age	
	Disability	
	Gender	
	Race	
	Religion / Belief	
	Sexual Orientation	
<b>2.2</b>	<b>What relevant qualitative information has been considered?</b>	
	Age	
	Disability	
	Gender	
	Race	
	Religion / Belief	
	Sexual Orientation	
<b>2.3</b>	<b>What gaps in data/information were identified?</b>	
	Age	
	Disability	
	Gender	
	Race	
	Religion / Belief	
	Sexual Orientation	
<b>2.4</b>	<b>What consideration has been given to commissioning research?</b>	
	Age	
	Disability	

Gender	
Race	
Religion / Belief	
Sexual Orientation	

**3. Assess likely impact**

<b>3.1 From the analysis of data and information has any potential for differential/adverse impact been identified?</b>	
Age	
Disability	
Gender	
Race	
Religion / Belief	
Sexual Orientation	
<b>3.2 If yes explain any intentional impact:</b>	
Age	
Disability	
Gender	
Race	
Religion / Belief	
Sexual Orientation	
<b>3.3 If yes explain what impact was discovered which you feel is justifiable in order to achieve the overall proposal aims. Please provide examples:</b>	
Age	
Disability	
Gender	
Race	
Religion / Belief	
Sexual Orientation	
<b>3.4 Are there any other factors that might help to explain differential/adverse impact?</b>	
Age	
Disability	
Gender	
Race	
Religion / Belief	
Sexual Orientation	

**4. Consider alternatives**

<b>4.1 Summarise what changes have been made to the proposal to remove or reduce the potential for differential/adverse impact:</b>
<b>4.2 Summarise changes to the proposal to remove or reduce the potential for differential/adverse impact that were considered but not implemented and explain why this was the case:</b>
<b>4.3 If potential for differential/adverse impact remains explain why implementation is justifiable in order to meet the wider proposal</b>

<b>aims:</b>

**5. Consult formally**

<b>5.1</b>	<b>Has the proposal been subject to consultation? If no, please state why not. If yes, state which individuals and organisations were consulted and what form the consultation took:</b>
	Age
	Disability
	Gender
	Race
	Religion / Belief
	Sexual Orientation
<b>5.2</b>	<b>What was the outcome of the consultation?</b>
	Age
	Disability
	Gender
	Race
	Religion / Belief
	Sexual Orientation
<b>5.3</b>	<b>Has the proposal been reviewed and/or amended in light of the outcomes of consultation?</b>
<b>5.4</b>	<b>Have the results of the consultation been fed back to the consultees?</b>

**6. Decide whether to adopt the proposal**

<b>6.1</b>	<b>Provide a statement outlining the findings of the impact assessment process. If the proposal has been identified as having a possibility to adversely impact upon diverse communities, the statement should include justification for the implementation:</b>

**7. Make Monitoring Arrangements**

<b>7.1</b>	<b>What consideration has been given to piloting the proposal?</b>
<b>7.2</b>	<b>What monitoring will be implemented at a national level by the proposal owning agency and/or other national agency?</b>
<b>7.3</b>	<b>Is this proposal intended to be implemented by local agencies that have a statutory duty to impact assess policies? If so, what monitoring requirements are you placing on that agency?</b>

**8. Publish Assessment Results**

<b>8.1 What form will the publication of the impact assessment take?</b>