

This circular publicises amendments to the Secretary of State's determinations under the Police Regulations 2003, to:

- introduce entry requirements at degree level
- extend the probationary period for officers on the police constable degree apprenticeship

DETERMINATIONS OF THE SECRETARY OF STATE UNDER THE POLICE REGULATIONS 2003

The Secretary of State, in exercise of the powers conferred by regulations 10 and 12 of the Police Regulations 2003 (SI 2003/537), as amended, makes the following determinations.

In accordance with the requirements of regulation 46(1) of the Police Regulations 2003, the Secretary of State has obtained the approval of the College of Policing before making these Determinations.

The Secretary of State has determined that, with effect from 31 January 2018, the determination under regulation 10 (Annex BA – Policing Qualifications and Experience) is replaced with the following.

ANNEX BA DETERMINATION

FOR REGULATION 10

POLICING QUALIFICATIONS AND EXPERIENCE

The list of qualifications and types of experience from which a chief officer of police may select under regulation 10(1)(ea) is as follows:

- a) a level 3 qualification, within the meaning of section 3 of the Education and Skills Act 2008;
- b) an academic or vocational qualification gained outside England and Wales which is considered by the UK National Recognition Information Centre to be equivalent to a level 3 qualification;
- c) training or work experience, whether undertaken in or outside England and Wales, which is considered by the chief officer to be equivalent to a level 3 qualification;
- d) a policing qualification approved by the Sector Skills Council for the Justice Sector;
- e) service, for such period as the chief officer may specify, as a special constable;
- f) service, for such period as the chief officer may specify, as a community support officer designated under section 38 of the Police Reform Act 2002;
- g) service, for such period as the chief officer may specify, in an employment by a police force or office which is related to a police force which is considered by the chief officer to prepare a person for service as a member of the police force;

For entrants via the constable pre-join degree in policing entry route:

h) a level 6 degree in policing qualification (as determined in the Framework for Higher Education Qualifications by the Quality Assurance Agency for Higher Education) that meets the relevant national programme specification set by the College of Policing;

For entrants via the constable degree holder entry route:

i) a level 6 degree qualification (as determined in the Framework for Higher Education Qualifications by the Quality Assurance Agency for Higher Education) other than a degree in policing qualification as set out in paragraph (h);

j) an academic or vocational qualification gained outside England and Wales which is considered by the UK National Recognition Information Centre to be equivalent to a UK level 6 degree qualification.

The Secretary of State has determined that, with effect from 31 January 2018, the determination under regulation 12 (Annex C - Probationary Service in the rank of Constable) is replaced with the following.

ANNEX C DETERMINATION

FOR REGULATION 12

PROBATIONARY SERVICE IN THE RANK OF CONSTABLE, AND DIRECT ENTRY INSPECTOR AND SUPERINTENDENT

1) A member of a police force appointed in the rank of constable other than such a member who transferred to the force from another police force, having completed the required period of probation therein, and not being a member to whom paragraph (2) applies, shall unless paragraphs (1A) or (4) apply to that member's case, be on probation for the first 2 years of that member's service as a constable in that police force following that member's last appointment thereto or for such longer period as the chief officer determines in the circumstances of a particular case.

1A) A member who joins a police force under the Police Constable Degree Apprenticeship and not being a member to whom paragraph (2) applies, shall unless paragraph (4AA) applies to that member's case, be on probation for the first 3 years of that member's service as a constable in that police force following that member's last appointment thereto or for such longer period as the chief officer determines in the circumstances of a particular case.

2) A part-time member of a police force appointed in the rank of constable shall, unless paragraph (4) applies to that member, be on probation for a period calculated in accordance with paragraph (3) following that member's last appointment thereto or for such longer period as the chief officer determines in the circumstances of a particular case.

3) a) A part-time member of a police force appointed to the rank of constable shall be required to serve on probation for a period of $(40/A) \times 2$ (years) less any period of probation served in that force otherwise than as a part-timer.

(ab) A part-time member of a police force appointed to the rank of constable shall be required to serve on probation for a period of $(40/A) \times 3$ (years) where the member joined the force under the Police Constable Degree Apprenticeship less any period of probation served in that force otherwise than as a part-timer.

b) In sub paragraph (a) and (ab) above 'A' = the member's normal weekly period of duty, as defined in the determination made by the Secretary of State under Regulation 22.

4) A member of a police force to whom paragraph (1) or (2) applies who has served on probation for a period of not less than a year following a previous appointment to that or any other police force shall be on probation for the first year of that member's service as a constable in the police force first mentioned in this paragraph following that member's last appointment thereto or for such longer period as the chief officer determines in the circumstances of a particular case.

Provided that the chief officer may at their discretion:

a) reduce the period of probation, so however that the reduced period, when aggregated with the previous period of probation, shall not be less than 2 years except that, in the case

of a member who for any part of their probation is appointed a part-time member, is not less than the period served full time in probation plus the period calculated under paragraph 3(a) above,

or

b) dispense with the period of probation, if the member, following that member's previous appointment, completed the required period of probation in the force in question.

4AA) A member of a police force to whom paragraph (1A) or (2) applies who has served on probation for a period of not less than a year following a previous appointment to that or any other police force shall be on probation for the first year, or two years, as applicable, of that member's service as a constable in the police force first mentioned in this paragraph following that member's last appointment thereto or for such longer period as the chief officer determines in the circumstances of a particular case.

Provided that the chief officer may at their discretion:

a) reduce the period of probation, so however that the reduced period, when aggregated with the previous period of probation, shall not be less than 3 years except that, in the case of a member who for any part of that member's probation is appointed a part-time member, is not less than the period served full time in probation plus the period calculated under paragraph 3(ab) above,

or

b) dispense with the period of probation, if the member, following that member's previous appointment, completed the required period of probation in the force in question.

4A)

(a) This paragraph applies to a member of a police force in the rank of constable participating in the Fast Track Programme;

(b) A full-time constable to whom this paragraph applies shall be on probation as constable until their promotion to the rank of sergeant, or for the first two years of their service as constable, whichever is the shorter period, or for such longer period as the chief officer decides;

(c) A part-time constable to whom this paragraph applies shall be on probation as a constable until their promotion to the rank of sergeant, or for the period set out in paragraph (3), whichever is the shorter period.

4B)

(a) This paragraph applies to inspectors participating in the Inspector Direct Entry Programme and to superintendents participating in the Superintendent Direct Entry Programme;

(b) A full-time superintendent to whom this paragraph applies must be on probation for the first 18 months of their service as superintendent, or for such longer period as the chief officer decides.

(c) A full-time inspector to whom this paragraph applies must be on probation for the first 24 months of their service as inspector, or for such longer period as the chief officer decides.

(d) A part-time inspector to whom this paragraph applies must be required to serve on probation for a period of $(40/A) \times (2 \text{ years less any period of probation served in that force otherwise than as a part-timer})$.

(e) A part-time superintendent to whom this paragraph applies must be required to serve on probation for a period of $(40/A) \times (1.5 \text{ years less any period of probation served in that force otherwise than as a part-timer})$.

(f) In sub paragraphs (d) and (e) above 'A' = member's normal weekly period of duty, as defined in the determination made by the Secretary of State under Regulation 22.

5) For the purposes of this determination

a) in reckoning service, any period of unpaid leave shall be disregarded;

b) in the case of a university scholar, in reckoning service that member's period of study shall be disregarded;

c) in the case of a member who has been statutorily transferred from one force to some other force, that member's service in those two forces shall be treated as if it were service in the same police force;

d) in the case of a member of a police force who has been transferred thereto from an aerodrome constabulary by an order under section 30 of the Aviation Security Act 1982, that member's service in that constabulary shall be treated as if it were service in that police force.

The Secretary of State has determined that for paragraph (5)(e) of Annex C of the Determinations under the Police Regulations 2003 there shall be substituted the following paragraph (5)(e). This substitution shall have effect from 5th October 2008.

e) in reckoning service in the case of a female member of a police force who has taken one or more periods of maternity leave –

i. where that leave has been for 52 weeks or more, the first 52 weeks whilst on maternity leave shall be treated as if it were service in the police force; and

ii. where that leave has been for less than 52 weeks, any period spent on maternity leave shall be treated as if it were service in the police force.

Prior to this substitution, paragraph (5)(e) of Annex C of the Determinations under the Police Regulations 2003, as the following paragraph (5)(e), was in effect up until 4th October 2008.

e) in reckoning service in the case of a female member of a police force who has taken one or more periods of maternity leave-

(i) where that leave has been for 26 weeks or more, the first 26 weeks whilst on maternity leave shall be treated as if it were service in the police force;

(ii) where that leave has been for less than 26 weeks, any period spent on maternity leave shall be treated as if it were service in the police force; and where that member has, at the beginning of the fourteenth week before the expected date of birth of the member's child, as given in accordance with a determination under regulation 33(7), served continuously as a member of a police force for a period of not less than 26 weeks, any period (not being a period of which account has been taken under paragraph (i) or (ii)) spent on maternity leave during the period of 29 weeks beginning with the week in which the child is born shall in addition be treated as if it were service in the police force.

f) in reckoning service in the case of a member of a police force who has taken one or more periods of parental leave under regulation 33(8)(b) and the determination thereunder any period spent on parental leave shall be treated as if it were service in the police force.

g) in reckoning service in the case of a member of a police force who has taken one or more periods of maternity support leave under regulation 33 (8) (a) and the determination thereunder, any period spent on maternity support leave shall be treated as if it were service in the police force.

h) in reckoning service in the case of a member of a police force who has taken one or more periods of adoption support leave under regulation 33 (8) (d) and the determination thereunder, any period spent on adoption support leave shall be treated as if it were service in the police force.

i) in reckoning service in the case of a member of a police force who has taken one or more periods of adoption leave –

i. where that leave has been for 1 week or more, the first week whilst on adoption leave shall be treated as if they were service in the police force;

ii. where that leave has been for less than 1 week, any period spent on adoption leave shall be treated as if it were service in the police force;

iii. and where that member has, at the end of the week in which they are notified of having been matched with a child for adoption, served continuously as a member of a police force for a period of not less than 26 weeks, any period spent on adoption leave during the period of 26 weeks beginning with the week in which the child is placed with the officer for adoption shall be treated as if it were service in the police force