



Ministry of Defence Police

Data Protection Officer & Freedom of
Information Manager

Room 126 Building 1070
MDP Wethersfield
Braintree CM7 4AZ
United Kingdom

Telephone: +44 (0)1371 [REDACTED]

E-mail: MDP-FOI-DP@mod.uk

Our Ref: eCase: FOI2018/00198 RFI:001/18

Date: 29 January 2018

[REDACTED]

[REDACTED]

[REDACTED]

FREEDOM OF INFORMATION ACT 2000. MINISTRY OF DEFENCE POLICE: MDP POLICIES

I refer to your e-mail of 3 January 2018, which was acknowledged on the 5 January 2018.

We are treating your e-mail as a request for information in accordance with the Freedom of Information Act 2000 (FOIA 2000).

In your e-mail you requested the following information:

“Could you please forward me the MDP Human Resources policy you have.

MDP officers are also MoD Civil Servants, can you forward me any policies or procedures that are in place in which MDP officers could move across to the broader band civil service if they were no longer capable of carrying out there duties, for example, partially sighted.

Can you please forward me MDP policies on Diversity and Inclusivity.

Can you please forward me MDP policies on reasonable adjustments covered under the Equality Act 2010.

Could you forward me MDP/MoD policies on general recruitment procedures relevant to the role and general HR policies governing new and existing employees.”

A search for information has now been completed by the Ministry of Defence Police (MDP) and I can confirm that we do hold information in scope of your request.

Please see the attached documentation and the link below for all the relevant procedures on recruitment within the Ministry of Defence Police.

<http://www.mod.police.uk/recruitment/index.html>

If you have any queries regarding the content of this letter, please contact this office in the first instance.

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.gov.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at [https://ico.org.uk/..](https://ico.org.uk/)

Yours sincerely

MDP Sec Data Protection and Freedom of Information Office



REASONABLE ADJUSTMENTS & CAPABILITY POLICY

Effective from: (June 2017)

TABLE OF CONTENTS

1. POLICY AIM	3
2. APPLICABILITY	3
3. POLICY DETAIL	3
4. IMPLICATIONS OF THE POLICY	4
4.1 Training Requirements	4
4.2 IT Infrastructure	4
4.3 Related Policies or Documents	
5. MONITORING AND REVIEW	5
6. WHO TO CONTACT ABOUT THIS POLICY	5
7. Annex A – Qualification/Standard Requirement by Individual Rank	6

1. POLICY AIM

This document is intended to define the concept of the minimal operational capability required by a Ministry of Defence Police (MDP) Officer to perform his / her respective role. This policy replaces the Force Order 1/13 that initially addressed operational capability. Operational Capability is a statistical descriptor to provide a quantifiable measurement of how many MDP officers can be deployed on a daily basis and it is essential that management has access to these figures to accurately deploy officers as and when required.

2. APPLICABILITY

This policy is applicable to all Ministry of Defence Police Officers.

3. POLICY DETAIL

CAPABILITY

SCOPE

Operational Capability is critical to Force outputs and it is therefore necessary to identify accurately the causes of non-operational capability. When the causes are extrapolated from the data, it becomes evident that officer non-capability falls into one of the following categories: Long Term Sickness (LTS)¹, Tailored Reasonable Adjustments under the Equality Act, Temporary Reasonable Adjustments/Phased Returns to Work.

MINIMUM LEVELS OF OPERATIONAL CAPABILITY

Essentially, the bulk of Force operational output is aligned to Constable and Sergeant ranks with the necessity in the MDP for officers to pass the auditory and visual functional elements of the current Annual Medical programme, maintain Fitness Testing² (to stated standard) Personal Safety Training (PST) and firearms qualifications commensurate with their role. Details of 'minimum levels of operational capability' for MDP are contained at Annex A.

ROLE SPECIFIC QUALIFICATIONS

All role profiles should clearly identify those additional skills and qualifications required for specialist posts. As a predominantly firearms-orientated Police Force, officers at most ranks may be required to hold a firearms command qualification dependent on the role they perform. The

¹ Short Term Sickness is not captured in non-operational capability statistics

² Fitness Testing is mandatory for all roles – see Annex A

~~OFFICIAL~~

need for a Public Order or Radiological Protection (RP)³ command qualification may also be necessary in some specialist MDP units.

Officers who are unable to maintain role specific qualifications should be provided every opportunity to re-qualify and, if this is unachievable, the officer should be considered for a transfer to another role, (i.e. the officer may not be able to maintain the standard for the tactical Support Group (TSG) role, but could perform the role of a basic Authorised Firearms Officer. Officer) who are unable to maintain the basic minimum standard required by the force (PST)⁴ will be considered for a Tailored Reasonable Adjustment and, where appropriate, the Formal Process (governed by the Ministry of Defence Police (Performance) Regulations 2012) will be commenced. The Workforce Planning Development & Diversity Team (WPDT) will retain a database of all MDP role profile requirements.

NON-OPERATIONAL CAPABILITY

Non-Operational Capability has a significant impact on a reducing organisation and its ability to sustain necessary outputs and, as such, it is critical that the Force has a clear picture of extent and effective mechanisms to progress more complex cases. Whilst the overall intention should be to ensure officers are given opportunity to achieve their requisite role qualifications and / or full return to duties following sickness, line managers will need to manage the process effectively.

As a consequence, it is imperative that officers are required to maintain the full role qualifications which are contained in respective role profiles in accordance with any relevant policies and Standard Operating Procedures (SOPs).

DATA CAPTURE

Non-Operational Capability will be classified as either medically non-capable or not currently trained / qualified and, although inter-related, they are to be treated separately in terms of quantifying and reporting on non-operational capability. The reason being that, in the main, training lapse is generally considered as a temporary state and can be addressed relatively quickly whereas LTS may be a longer term issue and potentially linked to Ill Health Retirement (IHR) and the Formal Process.

TRAINING REQUIREMENTS

Station SPOs and officers' line management are responsible for reporting training shortfalls via notification to the Operational Capability Centre (OCC) although individual officers should monitor and advise line managers of any training requirements in good time. On notification, OCC will be responsible for the implementation of the required training and will also maintain close liaison with the Data Capture Cell.

³ Radiological Protection (RP) command qualification is currently under development

⁴ To be agreed by the Chief Officer Group

~~OFFICIAL~~

The Performance and Attendance Unit (PAU) also quantifies, examines and proactively manages strategies to address non-operational capability related to sickness.

REASONABLE ADJUSTMENTS

SCOPE

MDP is committed to considering an application from an individual for potential to accommodate them in a reasonably adjusted post. This policy details the approach to dealing with individuals who, due to illness, injury or other disability, are unable to carry out the full duties commensurate with their role as a MDP Officer on a temporary, long-term or permanent basis.

In broad terms the capacity/scope of MDP as an armed operational force to accommodate officers in Temporary or Tailored reasonable adjustment posts will be in the order of 3% of the workforce.

APPLICABILITY

This policy applies solely to all MDP Officers. Reasonable Adjustment information for all Non-Uniform Civilian staff (NUCS) can be found via *Defence Intranet > Civilian > Diversity & Employee Relations > Disability Policy* or by using the following link:

<http://defenceintranet.diif.r.mil.uk/Organisations/Orgs/HOCS/Organisations/Orgs/DBS/PeopleServices/DiversityandEmployeeRelations/Disabilitypolicy/Pages/CivilianDisabilityProcedure.aspx>

DEFINITIONS

Temporary Reasonable Adjustment/Phased Return to Work

(Previously referred to as Recuperative / Restricted Duties)

These should be used when there is an expectation that an individual will return to full duties upon his or her recovery. They are appropriate as a time-limited measure based on individual circumstances, to enable individuals to re-integrate into the workforce following a period of sick leave or injury. It is important that any changes to tasks should be temporary and that a measured increase to return to normal hours and tasks should be actively managed and achieved in the shortest possible time. Ordinarily, short-term adjustments should not exceed 3 months. Temporary Reasonable Adjustments are also appropriate when an individual is awaiting or undergoing treatment for a medical condition.

Tailored Reasonable Adjustment

(Previously referred to as Permanent Reasonable Adjustments)

These are longer-term adjustments made to the duties of individuals who, due to illness, injury or disablement are unable to carry out all of the tasks required by their role and the condition is likely to be recognised under the Equality Act 2010 as a disability. The Force is legally obliged to consider these adjustments, and where it can do so to the benefit of both the business and the

individual, it should. These officers should be used ultimately to retain skills and expertise and prevent unnecessary and costly early retirement. The adjusted role should utilise their skills and experience.

Management Restricted Duties

These are duties, which are specifically designed to accommodate PSD / discipline-related issues.

DISABILITY

This is defined by the Equality Act 2010 as a 'physical or mental impairment that has a substantial and long-term adverse effect on a person's ability to carry out normal day to day activities'. Should the individual concerned be classed as having a disability of either a temporary or permanent nature, the line manager should ensure that reasonable adjustments as defined by the Equality Act 2010 are made wherever appropriately and reasonably possible. For further information on The Equality Act 2010 and the MOD Diversity Policy, refer to the link below.

<http://defenceintranet.diif.r.mil.uk/Organisations/Orgs/HOCS/Organisations/Orgs/DBS/PeopleServices/DiversityandEmployeeRelations/Disabilitypolicy/Pages/CivilianDisabilityProcedure.aspx>

It should be noted that officers with disabilities, who fall within the categories of Temporary or Tailored Reasonable Adjustments are protected under the same Act, although not every officer with a disability will be on adjusted duties (for example, those with dyslexia or diabetes may be able to demonstrate the full range of capabilities required for a particular role or be unable to undertake a Fitness Test.

RESPONSIBILITIES

Individual(s)

Officers are expected to engage with Occupational Health providers.

Line Manager(s) (LMs)

LMs are responsible for facilitating an individual's undertaking of Temporary or Tailored adjustments through the risk assessment of their role and the creation and monitoring of a fit to work plan.

With HR support and, following Health and Wellbeing advice, LMs should work closely with the individual to identify roles that may be suitable, with adjustments as appropriate, to accommodate individual restrictions and ensure that individuals are consulted prior to any decisions to move them are made.

OFFICIAL

Ensure, with the support of HR, that where any meetings take place, which may result in formal action being instigated, officers are informed in writing of the reason for the meeting and their right to be accompanied.

Ensure, wherever possible, that officers in complemented roles are effectively contributing to the performance of the Force.

Where there is a significant change of role for an individual, ensure provision is made for training as necessary and risk assessments are carried out to make sure that the individual is sufficiently skilled and capable of carrying out the proposed role.

Senior Management

Ensure that LMs are clearly identified and held accountable for managing staff on reasonable adjustment duties. Wherever possible, this will include placing responsibility for managing individuals on reasonable adjustment duties with a single line manager and, essentially, ensuring that where he / she is absent for a prolonged period, this responsibility is adequately covered.

OCCUPATIONAL HEALTH (OH)

OH will, on a required basis, assess individuals prior to undertaking reasonable adjustment duties and at intervals determined appropriate by a health professional. Additionally, OH will conduct fitness capability assessments, create reports thereon and provide assistance to individuals, who may require additional support for instance in the form of fitness advice, counselling or other related therapies that will help facilitate the recovery / coping process.

APPLYING FOR REASONABLE ADJUSTMENTS

Temporary Reasonable Adjustments should be managed at a local level following OH advice. In some cases engagement with departmental / portfolio management may be required.

For Tailored Reasonable Adjustments, officers should first engage with their line management and OH provider before the case is considered by departmental / portfolio management and MDP HQ to be agreed.

THE WORKPLACE ADJUSTMENT PASSPORT (HR FORM 221)

This is the required mechanism for officially documenting a health condition. It ensures that any appropriate reasonable adjustments required are documented, so if the LM or job role changes in the future, the information is readily available. This document allows an individual to provide information so that the LM can assist / support the individual through the relevant policy. For access to MOD HR Form 221, follow the link below. The HR Form 221 should be forwarded to DBS for retention on the personal file and a copy retained by the individual.

[HR Form 221 – Workplace Adjustment Passport](#)

REVIEW

If an officer does not achieve full operational capability within 12 weeks of commencement of the Temporary Reasonable Adjustment, a full case review should be conducted, in line with MOD policy.

Best practice in line with MOD policy is to review Tailored Reasonable Adjustments after 12 months to ensure that it is working for the business and the individual. Thereafter a review can be initiated at the request of either the officer or local managers at any time if there is a significant change in circumstances for either the officer (improved or deteriorated condition) or the business (change in level of force resilience).

CONFIDENTIALITY

Medical records are confidential. However, individuals need to be aware that there may be rare occasions where such confidentiality cannot be maintained. For example, where failure to disclose details may result in further injury, endanger the health of others and / or a criminal offence may be committed.

In the event that the Force needs to obtain access to medical records, individuals will be afforded their full rights under the Access to Medical Reports Act 1988.

Under the General Medical Council's Guidance to Medical Practitioners, Occupational Health will discuss confidentiality and access to correspondence with the individual member of staff prior to the release of management reports.

4. IMPLICATIONS OF THE POLICY

Training Requirements

This policy does not create any additional training requirements.

IT Infrastructure

There are no additional IT issues associated with the introduction of this policy.

Related Policies or Documents

Operational Personal Safety Policy SOP

Personal Safety Training SOP

Firearms SOP

MDP Fitness Testing Policy

MDP Fitness Testing SOP

Ministry of Defence Police (Performance) Regulations 2012

MDP Formal Process Line Manager Guidance

MOD Attendance Management Policy

5. MONITORING AND REVIEW

At this time the Operational Capability Centre (OCC) Doctrine and Compliance team will be responsible for monitoring and reviewing this policy and will conduct a formal review of the efficiency and effectiveness of its application. This includes a review of the following measures:

- Feedback on the content of this policy from policy users.
- Environmental scanning of policy related matters (intranet and internet)
- Implementation of actions arising from Equality Impact Assessments

6. WHO TO CONTACT ABOUT THIS POLICY

The MDP Performance & Attendance Unit is the point of contact for this policy.

Annex A

QUALIFICATION REQUIREMENT PER INDIVIDUAL RANK

Rank	Fitness Testing	PST Qualified ⁵	Operational Firearms Qualified or Capable	Command Firearms Qualification
Constable	Yes	Yes	Commensurate to Role	No
Sergeant	Yes	Yes	Commensurate to Role	Role Specific Operational Firearms Command (OFC)
Inspector	Yes	Yes	Role Specific	Role Specific Intermediate Firearms Tactical Commander (IFTC) / Cadre Firearms Tactical Commander (CFTC)
Chief Inspector	Yes	Role Specific	Role Specific	Role Specific IFTC/CFTC
Superintendent	Yes	Role Specific	No	Role Specific Strategic Firearms Commander (SFC)
Chief Superintendent	Yes	No	No	Role Specific Strategic Firearms Commander (SFC)
ACC	Yes	No	No	Role Specific SFC
DCC	Yes	No	No	No
CC	Yes	No	No	No

Definitions:

- **Operational Firearms Qualified** refers to officers who are required to carry firearms within their current role.
- **Operational Firearms Capable** refers to those officers who are currently not required to carry firearms but are physically capable if there is a role change. In these circumstances officers will be required to maintain requisite firearms training qualifications for surge purposes.
- **Command Firearms Qualified** refers to those specific firearms command roles including OFC/IFTC/CFTC and SFC.
- **Role Specific** refers to any qualification specifically required as part of an officer's role.

⁵ It is CC's intention that all ranks will be required to be PST qualified when the training backlog has been resolved.

MDP Reasonable Adjustments Frequently Asked Questions

01 What is OH Assist?

The MoD Police requires an Occupational Health (OH) service for its personnel. This OH service is provided by OH Assist.

OH Assist provides HR related OH services which include requirements for recruitment, sickness absence and attendance management as well as advice on Equality Act 2010 reasonable adjustments, conduct and performance and termination of employment. OH Assist also provides site-specific OH services such as workplace & risk assessments and annual medicals.

02 How do I arrange an OH Referral (OHR) for a member of my staff?

OH Services can be requested through DBS Civilian Personnel. It can also be done directly on the OH Assist portal if the manager has a Dii email account. It is important that Line Managers (LMs) make the DBS HR Consultants (HRCs) assigned to their case aware, at the time of ordering an appointment, if the review is for suitability to carry a firearm. An OH referral is made using an HR Form 182.

03 In what situation should I request an OHR?

LMs must seek OH advice if:

- The LM is aware that the officer has been, or is likely to be, absent from the workplace for more than 28 consecutive days and there is no clear indication as to when the officer may return to work.
- When the officer tells his / her LM that he/she has been certificated with a psychological-related illness (e.g. stress, depression, anxiety)
- If the officer has a musculoskeletal condition (e.g. back pain)

04 Does OHR override my GP's/Specialist's Advice?

Yes. If OH recommends that the officer is not yet ready to return to work, the officer will remain on sick absence until he / she are well enough to return to work. Where the OH advice conflicts with the employee's GP's / Specialist's advice, the Force will accept the advice of the OH Practitioner until the issue can be resolved. In this respect, the OH Practitioner will not ignore specialist medical advice.

05 Can LMs stop an officer coming back into the workplace because an OHR has not been made?

No. An officer can return to the workplace at any time (including before the end of the Fit Note) without going back to see the Doctor, even if their GP has indicated that there is a need to reassess him / her again. This will not breach Employees' Liability Insurance or any current MOD Policies. However, best practice is for the LM to encourage the officer, through the use of an informal process action plan, to have the GP complete a Fit for Work certificate with adjustments, which will enable the officer to be supported in the workplace until more comprehensive OH Advice is sought.

06 The officer has a fit for work certificate with adjustments. What do I need to do as the LM?

If an OHR has not been made, one should be ordered through DBS Civilian Personnel or the OH Assist portal as soon as practicable. In the interim period, the GP's recommendations should be adhered to.

07 The advice on the Statement of Fitness for Work certificate is not binding on the Force. Therefore, can the officer raise a grievance if the Force cannot make the temporary adjustments to assist?

Yes. Ultimately an employee has the right to grieve and the right to raise a grievance. To mitigate this, the LM should discuss the temporary adaptations with the officer and, if they cannot be met, should explain the reasons as to why not. We should always look to accommodate temporary reasonable adjustments if we have a realistic expectation that the officer will return to full operational capability within 3 months.

Please read 'MDP Line Mangers' Guide to Reasonable Adjustments' for advice on how to use a Fit for Work Plan 2377 form.

08 My GP has mentioned a risk assessment should be carried out. What does this mean?

There should always be a basic risk assessment made when an employee returns to work. Often this entails asking a few simple questions as part of the welcome back discussion. The Department for Work and Pensions (DWP) details a risk assessment as the following;

"A risk assessment is nothing more than a careful consideration of what, in your workplace, could cause harm to people so that you can weigh up whether you have taken enough precautions or should do more to prevent harm."

If a LM needs guidance on how to conduct a basic risk assessment, information can be found on Health and Safety Executive (HSE) - Five Steps to Risk Assessment (<http://www.hse.gov.uk/risk/controlling-risks.htm>). A LM should be doing this already as part of his/her duty of care to his/her staff. If it is decided that a more formal risk assessment is required, further information can be found in JSP 375 - MOD Health & Safety Handbook and its associated leaflets.

09 Is there any distinction between temporary adjustments suggested on a Fit Note and reasonable adjustments?

A GP may recommend temporary adaptations on a Fit Note in order to help, support and facilitate an early return to work for an individual. These can consist of very basic adaptations to the workplace to facilitate an earlier return to work. A Fit Note with temporary adjustments will not be expected to last longer than three months, after which time the employee should make a return to working normal duties.

Under the Equality Act 2010, there is a duty on the Department to consider reasonable adjustments for disabled employees.

LM's should take advice from OH as to whether or not there are any reasonable adjustments to assist a disabled employee in his/her return to work and these will, in the main, be longer-term adjustments.

If a reasonable adjustment can be accommodated but will take some time to implement, the special paid leave provisions for disabled employees awaiting the implementation of reasonable adjustments, will apply.

10 A GP has stated that an officer 'May be fit for work'. However OH advice has been received and it has been stated that the officer is not fit for work. Which takes precedent?

The GP's Fit Note is not binding on the Force. OH advice will take precedence and the officer will need to be returned to sick absence. OH Assist has the option to contact the officer's medical team to seek further medical evidence if there is conflicting advice.

11 How long can an officer be on a Phased Return to Work?

The rehabilitation period (the temporary period of reduced attendance, flexible working patterns and/or changes to duties) will not normally exceed 3 months. If, in exceptional circumstances, the proposed period of adjustment exceeds three months, the case must be referred to the DBS HRC for advice and

further OH referral. All phased return to work plans should be recorded on **HR Form 2377: Fit for Work Plan**

12 When is it appropriate to consider a longer-term, tailored reasonable adjustment?

This type of adjustment is made when we know that an officer has a permanent incapacitation that prevents him/her from carrying out his/her role. When it becomes apparent to line management that there is no realistic probability that full operational capability will be achieved, due to medical limitations, the tailored reasonable adjustment process should be started.

Please read MDP Line Managers' Guide to Reasonable Adjustments.

13 Who can give me advice when considering longer-term, tailored reasonable adjustments?

The process does not stand in isolation with the management chain at the station. It is a collective viewpoint from engagement with the individual officer, DBS HRC, SPO, Divisional Commander, Business Resilience Managers (BRMs) and, in some cases, MDP HQ. Help and guidance can also be sought from the DBS Reasonable Adjustment Team, MDP Diversity Team and the Defence Police Federation Welfare Officer.

14 When can an officer apply for Ill Health Retirement?

Ill Health Retirement (IHR) is made against the officer's pension scheme provider. An officer can, at any time, make an application for IHR and providing he/she meets the pension scheme criteria, will be awarded an Ill Health Pension.

15 Can the formal process be run in parallel with an IHR referral?

Yes. However, it is important to note that each case must be considered on merit and that if an IHR application is progressed then the UPP process should not be concluded until the outcome of the IHR has been completed. If IHR is authorised then the UPP process is discontinued. Both MDP and DPF acknowledge a requirement for more detailed guidance on this issue which will be formally consulted as part of the review/update to the MDP UPP procedures.



Ministry of Defence Police

Diversity and Inclusion Strategy

2017 – 2020

MDP DIVERSITY AND INCLUSION STRATEGY 2017-2020

Chief Constable's Foreword

Officers and staff of the Ministry Defence Police (MDP) are the very foundation of our service and the key to its success, and there is an obvious connection between our workforce and the quality of the service we provide.

In order to ensure a continuous high level of service to Defence and its community, MDP must recruit, retain, develop, and engage with, the best people. To do so, MDP will build and sustain a diverse workforce and inclusive work environment. This is because the Force has moved away from 'Equality and Diversity' to 'Diversity and Inclusion' as it not only recognises the needs of our service users but also the needs of our staff.

The MDP's renewed approach to diversity and inclusion also gives responsibility to all levels of the organisation; this is demonstrated in the MDP's unique Diversity and Inclusion Support Structure. I retain my role as overall Force Diversity and Inclusion Champion and I am supported by my Chief Officer Group and Superintending ranks as Champions and Ambassadors respectively. These senior leaders represent the nine protected characteristics under the Equality Act 2010 and other key diversity themes. In their roles they are supported by staff within departments and at stations who are Allies in the structure.

The Diversity and Inclusion Strategy for 2017-20 provides an overview of our strategic goals, targets and how our progress is measured. This strategy document also marks the significant step-change in our approach as described above and it supports the Force's core strategic aims to *Protect, Reassure and Achieve* the requirements as set by Defence.

Chief Constable
Ministry Of Defence Police

Business Case for Diversity and Inclusion

1. All our diversity work helps us to achieve the general duty outlined in section 149 of the Equality Act 2010:

- eliminating discrimination, harassment and victimisation and any other conduct that is prohibited under the Act
- advancing equality of opportunity between people who share a relevant protected characteristic and people who do not
- fostering good relations between people who share a relevant protected characteristic and those who do not.

2. The MDP also recognises that diversity and inclusion can have a direct impact on our operational effectiveness. Getting things wrong could impact our ability to police effectively, our people, and the confidence and trust of our services users. We recognise that:

- Valuing all our people and eliminating discrimination, harassment and bullying will bring greater staff satisfaction and engagement and enhance quality of service. This fits with our Policing Style to be **Professional, respectful** and **Adaptable**.
- We need to recruit the best applicants from all areas of society, this includes women and other minority groups who have not traditionally been attracted to the police service. Therefore we must be perceived as an organisation people want to join.
- A more diverse workforce will give us additional skills and experience, for example, enhanced cultural awareness, wider language skills, new innovations and different approaches to work.
- A more representative workforce will lead to greater confidence in us in the Defence and with our service users. This will, in turn, lead to greater cooperation, participation, involvement and better intelligence gathering.
- Increased staff satisfaction will result in reduced losses of staff, reduced sick absences and less time spent dealing with complaints and grievances.
- A more engaged workforce will also help us to fulfil our **Purpose to Protect** and **Reassure** our service users and to **Achieve** our Defence requirement.

Strategic Diversity and Inclusion Objectives

3. The MDP is guided by Defence which has four strategic objectives that underpin their diversity and inclusion work; these are **Recruitment, Retention & Progression, Leadership & Culture**, and **Outreach**. As a police force, the MDP also recognises the College of Policing's (CoP) Equality, Diversity and Human Rights Strategy for the Police Service, which currently uses the three themes of **Operational Delivery, People and Culture** and **Organisational Processes** although these are currently being reviewed.

4. Additionally, our diversity and inclusion work is driven by the Force's key operational and organisational priorities as set out in the annual Policing Plan in particular, **Leadership and Management** and **Workforce Development**.

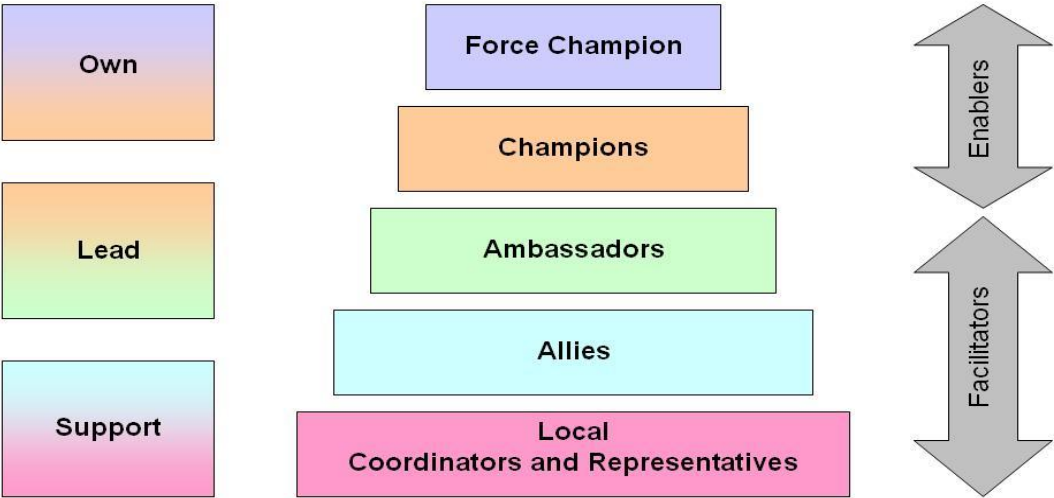
5. The MDP Diversity and Inclusion Strategy is based on these strategic influences but also the outcomes of an assessment carried out by the Diversity and Inclusion Working Group to identify the Force's future organisational needs and requirements regarding diversity and inclusion. Therefore the Force's key diversity and inclusion objectives are to:

- 1) Build a diverse workforce by a) positively encouraging people to join us in particular, females, BAME and LGB&T who are significantly underrepresented in the MDP, and by b) improving awareness of the role and function of the Force with our customers and the general public to better relations and attract people representative of the wider community.
- 2) Provide training and development opportunities for all staff but also individuals in areas where they are under-represented such as promotion and specialist posts.
- 3) Maintain an inclusive environment free from harassment, bullying, and discrimination where all staff feel valued and engaged and where they can be themselves as well as be treated with dignity and respect.
- 4) Support staff in their efforts to maintain good health and wellbeing and, where reasonable, mitigate the impact of the Force's fitness policy on people with protected characteristics.

Leadership and Diversity and Inclusion

6. The Champions within our Diversity and Inclusion Support Structure are responsible for achieving our Strategic Objectives and these underpin the actions set out in our annual Action Plan for which the Ambassadors are the Action Leads supported by their Allies as shown in Figure 1:

Fig 1 – MDP Diversity and Inclusion Support Structure Pyramid



Measuring Progress and Governance

- 7. Progress against the annual Action Plan is reported on a quarterly basis to the MDP Diversity and Inclusion Board (DIB) and the Police Committee.
- 8. Additionally, the MDP benchmark with external organisations including Stonewall and Business in the Community to measure our efforts in creating a fair and inclusive workplace. Such benchmarking exercises are useful management tools which not only help to evaluate our performance against other organisations but they also inform our decision-making. In addition our diversity practices are subject to internal audits and assessments.

Diversity and Inclusion

...it's about all of us



Diversity & Inclusion Commitment

The MDP has a fundamental commitment to diversity and inclusion which is underpinned by our *Policing Style*, *Code of Ethics* and *Leadership Standard*. We recognise that our ability to provide an effective service depends on the capabilities of all our people and by having a diverse workforce this results in the organisation benefitting from a wider range of skills, abilities and experiences. We have an inclusive approach to how we carry out our diversity work which means that we value everyone's differences. We seek to understand and address issues faced by all our people and we aim to help every member of staff realise their potential and contribute fully to the performance of the Force.

Overall, our work on diversity is aimed at ensuring that, as a police force, we are capable of meeting our Purpose and achieving the MOD's requirements by:

- recruiting, developing, retaining and promoting the best people from the widest pool of talent; and
- understanding the needs of our customers and delivering services which meet the diverse needs of those we serve.

We seek to ensure that all our functions, policies and procedures are regularly reviewed to ensure they contribute to our aims as well as our statutory duties. The MDP has also established a unique structure to progress diversity and inclusion within the organisation and ensure it is championed at all levels, starting from the very top. This includes the MDP Diversity and Inclusion Board (DIB), the Diversity and Inclusion Working Group (DIWG), our Diversity Champions (Chief Officer Group (COG)), Ambassadors (Superintendent rank/B2 grades) and Allies (all other ranks/grades).

The MDP recognises that people perform better when they can be themselves and when they are able to work in an environment where they are treated with dignity and respect. For these reasons the MDP has a zero tolerance stance regarding harassment, bullying, discrimination and will not tolerate any practice which causes any employee, or user of our services to receive unfavourable treatment on the grounds of any protected characteristic, which includes age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation. Any violations are regarded as potential misconduct and may lead to proceedings that could result in dismissal.

Our ultimate aim therefore is to create an inclusive culture that:

- encourages and enables people throughout society to join us, and remain with us,
- encourages and enables them to make their distinctive contributions and achieve their full potential,
- ensures each individual is treated fairly with dignity and respect; and
- eliminates all barriers of harassment, bullying, discrimination and victimisation

It is my responsibility and that of the Chief Officer Team to ensure the Force meets its commitment to diversity and inclusion and we expect every member of staff to help us do this.

Chief Constable
Ministry of Defence Police

OFFICIAL



MDP LINE MANAGERS' GUIDE TO REASONABLE ADJUSTMENTS

1 PURPOSE

1.1 The Equality Act 2010 places a duty of all employers to make “reasonable adjustments” to any provision, criterion, or practice that they apply and to physical features of their premises, where these place disabled employees and job applicants at a substantial disadvantage. This guidance document, which accompanies that MDP’s Reasonable Adjustments and Capability policy, is designed to support managers within the MDP in implementing reasonable adjustments for staff in accordance with the Equality Act 2010.

2 PHASED RETURN TO WORK (TEMPORARY REASONABLE ADJUSTMENT)

2.1 This process should be used when there is an expectation that an individual will return to full duties upon his/her recovery. Temporary adjustments are appropriate as a time-limited measure based on individual circumstances, to enable individuals to re-integrate into the workforce following a period of sick leave or injury. Any change to tasks should be temporary and a measured increase to return to normal hours and tasks should be actively managed and achieved in the shortest possible time. Temporary adjustments should not normally exceed 3 months. Such duties may also be appropriate when an individual is awaiting or undergoing treatment for a short-term medical condition.

2.2 All Phased Return to Work plans must to be recorded on HR Form 2377 Fit to Work Plan.

How to arrange a Phased Return to Work

2.3 Subject to the circumstances of the particular case, the individual’s GP or other medical provider may provide a ‘Fit for Work’ certificate which states what the adjustments are that will enable the officer to return. These usually take the form of reduced hours, light duties etc.

2.4 Subject to the circumstances, in order for a LM to get more granularity on exactly how the Force can support an officer, he/she may refer the individual to Occupational Health Assist (OH Assist) at the earliest opportunity using HR Form 182 so that OH can provide information on the Officer’s needs, and how the Force can support the Officer in those specific circumstances.

2.5 If there is a question as to whether an Officer should return to work, the LM should refer to HR/PAU for support at the earliest opportunity.

Getting the most from Occupational Health

2.6 As a LM it is important that you provide the Occupational Health provider with as much detail as possible in respect of an officer’s working environment, normal

OFFICIAL

working hours, weight of equipment and role profile and ensure that the questions posed to OH are clearly set out in the referral form. This approach will ensure that the LM gets the information that is required to make informed decisions to support the officer back to full operational duties.

2.7 The report that the LM receives back from OH Assist will help the LM populate HR Form 2377 'Fit to Work Plan' with the correct hours, working role and further appointments with OH Assist as and when required.

2.8 2.9 As a LM, if you feel that the report you receive back from OH Assist does not contain sufficient advice to support the 'Fit for Work Plan', the LM needs to contact the DBS HRC so that he/she can seek further clarity from OH.

2.10 In most cases the 'Fit to Work Plan' will not exceed 12 weeks and may well be shorter. However, for some medical conditions a longer recuperative period may be required. During the initial phased return to work plan, if it is unlikely that the officer will reach full operational capability within 12 weeks, a re-referral to OH Assist must be carried out and a case conference arranged with the DBS HRC prior to extending the plan.

2.11 Good practice is to involve the officer throughout the process. This will ensure that the officer feels part of the process as well as involved in the decision making process. LMs are advised to always have the officer present when discussing any possible extensions to the phased return to work plan and, where practicable, at the case reviews.

3 TAILORED REASONABLE ADJUSTMENTS

3.1 These are longer-term or permanent adjustments made in respect of officers who may have an illness, injury or disability.

How to make a Reasonable Adjustment

3.2 It can be difficult to assess what is "reasonable" and there are a number of sources of help to assist LMs in determining the adjustments to be implemented. A number of factors to be taken into account when making this decision, and LM's should work with HR to assess the circumstances of the case against such factors. These factors may include:

- Effectiveness of the adjustment in preventing the disadvantage
- The extent to which the adjustment is practicable
- Financial and other costs of making the adjustment and the extent to which the step would disrupt MDP's activities
- The financial and other resources available to the employer
- Extent of disruption caused
- Availability of financial or other assistance
- Nature the organisation's activities and the size of the undertaking

OFFICIAL

3.3 The following may also need to be involved, depending on the circumstances of the case, they may include:

- OH Assist
- DBS (for help & advice)
- Health & Safety Advisor (as a workplace assessment may be required)
- Employee Wellbeing Consultant
- DPF Representative
- Budget Holder (for information regarding funding of the reasonable adjustment)
- External bodies that may be able to provide support/assistance (e.g. MacMillan Access to Work)

3.4 For the avoidance of any doubt, the duty to make reasonable adjustments apply to all Employers, and so will apply in roles like policing, which require a fair degree of physical capability and activity, and which often involve standing, patrolling and working outdoors. The onus is on the individual to identify that they have particular needs, and, if they wish, to share this information with MDP, and on the Force to make reasonable adjustments, seeking advice from the range of sources as set out in the MDP Reasonable Adjustments' and Capability policy.

3.6 In all cases, Workplace Adjustment Passport (HR Form 221) should be completed in relation to the individual's disability. Early engagement with the Performance & Attendance Unit (PAU) should be carried out if a tailored reasonable adjustment cannot be found and Ill Health Retirement (IHR) is not successful.

3.7 To apply for a Tailored Reasonable Adjustment, the Line Manager must complete Annex A to this guidance, seek approval from the Senior Police Officer / Head of Department before sending it to the appropriate ACC / Head of Portfolio for final approval. Advice can be sought from the PAU on what the Annex A should contain.

Taking a positive approach to this work

3.8 It's very easy to take a negative approach to this assessment process:

- "If they can't do the full job they shouldn't be working here"
- "It would be a nightmare to manage it"
- "My boss won't thank me for saying that we could accommodate someone who can't carry out the full range of duties"
- "No-one is going to want to cover tasks that someone else can't do"
- "It would be best for me to just send in a nil return"
- "This is really someone else's problem"

3.9 **Things to consider:** We ask you to take a positive approach by working in the following way:

Perspective Consider this whole issue through other people's eyes. How would you want someone important to you to be treated? How

OFFICIAL

might you hope the organisation would look for adjustments if you became disabled?

- Optimism** Be optimistic about other people's behaviours and what is possible. Look at how you might make it work rather than why it won't. Most people want to help others and so may help you make rosters and duties work for everyone.
- Risk-taking** Be prepared to stand up and be counted, even if this produces a few grumbles. Don't be tempted to over-estimate the risk associated with having a team member who can't do everything. Be realistic in risk assessment.
- Facts** Critically analyse any assumptions made about roles and tasks. Don't assume team members will be hostile to taking a different share of some duties - check the facts with people.
- Action** Don't go for the easy option of doing nothing - even though you're busy. Look closely at the work your team needs to carry out and give this your best shot.
- Leadership** Be visible. Tell people what is going on, explain why this is important, show support for the initiative and invite ideas from your people on how more work could be opened up as reasonable adjustments.

3.10 When completed, your assessment should be copied to the Business Resilience Manager (BRM) for your Division or business unit who may use it in future if adjustments are needed by people from other stations. You will need to remember to update your assessment if changes to the roles or complement of your team are made.

Job Swaps

3.11 In some circumstances a 'job swap' between a disabled officer and a non-disabled officer will be a 'reasonable adjustment' – clearly, however, this will not

OFFICIAL

always be the case, and the facts of each case will have to be carefully considered. In the case of the [Chief Constable of South Yorkshire Police v Jelic](#) the employer lost at the Employment Appeal Tribunal primarily due to the failure of the force to make a job swap in the particular circumstances of that matter – it was held in that particular case that it would be a ‘reasonable adjustment’ to have swapped the roles of a disabled police officer, with a non-disabled officer. The EAT did, however, accept, that a job swap will not always be a ‘reasonable adjustment’; it will depend very much on the facts and context of the case.

3.12 In terms of MDP current complement, there should be wide-ranging consideration given to **all adjustments** that could be made in the light of considering whether they are reasonable or not. If some or all of the adjustments are not reasonable (and that must be on objective grounds) then they are not adjustments that would be required to be made.

3.13 It is important to document what has been considered as an adjustment in each case and why it was or was not considered reasonable. Decisions made must be auditable and defensible, and it is crucially important that a clear audit trail is kept, whether by emails, or minutes of meetings, even when any meeting (for example between a LM and DBS HR Case Advisor) has been informal in nature.

3.14 When considering whether a job swap is a reasonable adjustment in a particular case, practicality and costs, as well as the overall size and activity of MDP, will all be factors that can be taken into consideration, as when considering any reasonable adjustments. It should be borne in mind that it could be argued by an officer that MDP is a nation-wide organisation with assets and a mobile workforce.

3.15 LM’s must seek advice where a job swap is considered, ultimately, legal advice may be required.

Initial steps in making Reasonable Adjustments

3.16 Consideration for a tailored reasonable adjustment is initially made between the LM and the individual. Subject to the specific circumstances of the case, there may need to be supporting evidence from the officer’s medical team and/or OH Assist that confirms the need for an adjustment to their current role.

3.17 Engagement should be made with the DBS HRC, Divisional BRM and ultimately the Divisional Commander for final sign-off.

3.18 As a LM, you need to be aware of Data Protection in regard to Medical in Confidence. No medical reports should be shared without the permission of the individual concerned. There is no need for the management chain to have in-depth

OFFICIAL

knowledge of the medical condition. The emphasis is on the limitations of the officer and the adjustment required.

3.19 Annex A is intended as 'good practice' when considering a tailored reasonable adjustment and, when completed, should reflect the complete decision-making process. When completed, the form should be forwarded to the Divisional Commander for final approval.

4 Fitness Testing and Reasonable Adjustments

4.1 If an officer is unable to undertake their fitness test, whether it is the MSFT or equivalent, temporary reasonable adjustments should be considered if it will prevent the officer from undertaking their role or full operational duties.

4.2 If an officer is permanently unable to undertake their fitness test and therefore their role or full operational duties, then a Tailored Reasonable Adjustment should be a consideration.

5 REVIEWS

5.1 The MDP uses the Workplace Adjustment Passport to record a Tailored Reasonable Adjustment. The adjustment should be reviewed within the first 12 months to confirm that it is working for both the business and the individual. Thereafter, the adjustment does not require a review unless there is a change to the business need or the individual's medical needs.

6 ROLE OF THE INTELLIGENT CUSTOMER OCCUPATIONAL HEALTH TEAM MDP HQ

6.1 On occasion, there may be cases whereby more information is required to help the management chain when making decisions based upon officers' medical limitations. The Intelligent Customer is an in-Force Occupational Health Team that can explore the complexities of certain cases where a more in depth knowledge of the MDP role is required. Contact should not be made direct to this team in the first instance. The DBS HRC will advise as and when its input will be required.

7 POLICIES IN SUPPORT OF THIS GUIDE

- Operational Personal Safety Policy SOP
- Personal Safety Training SOP
- Firearms Training SOP

OFFICIAL

- MOD Attendance Management Policy
- MOD Disability Policy
- Ministry of Defence Police (Performance) Regulations 2012
- Fitness Testing Policy
- Fitness Testing SOP

OFFICIAL

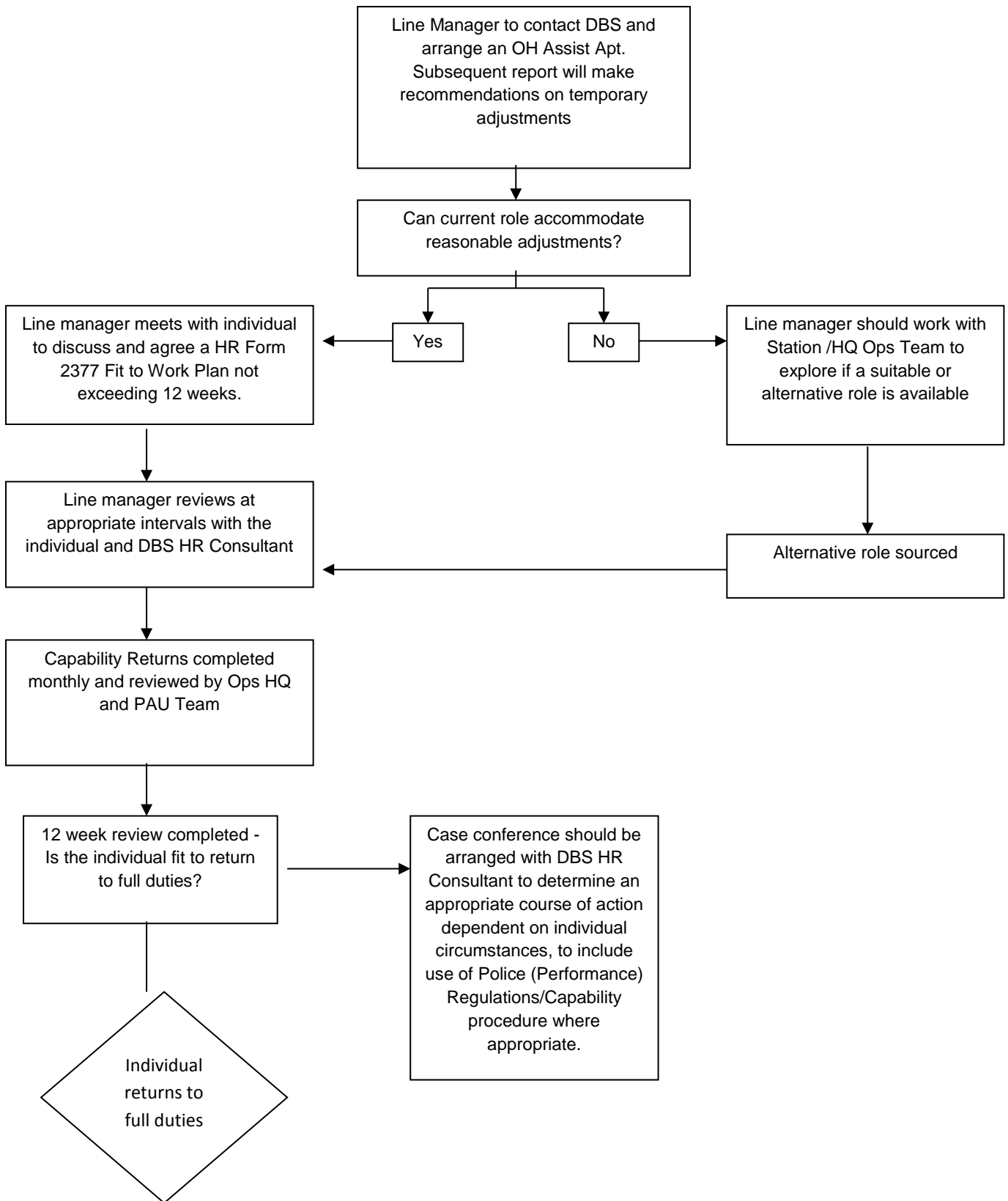
ANNEX A: MDP TAILORED REASONABLE ADJUSTMENT FORM

Date of Annex A Completion:	
Date of Annex A Agreement:	
Line Manager Name:	
Officer Name:	
Staff Number:	
Station/Department	
Is the Officer's presenting disability permanent?	YES / NO
Can the officer qualify in PST and / or firearms?	PST YES / NO Firearms YES / NO
Is there an OH Assist Report detailing the reasons the officer cannot carry out the full range of duties? (Please give date of last report.)	YES / NO
Has Ill Health Retirement been considered? If so, please give details as to what stage in the process the case is at?	
Has a PAU team member been informed of the individual's case? If yes, please give details.	
Has a Workplace Adjustment Passport been completed? If not, then action.	YES / NO

OFFICIAL

Is the officer able to undertake the Job Related Fitness Test (MSFT or Chester Treadmill Test)?	YES / NO
In this section please detail the reasons as to why a reasonable adjustment can / cannot be supported. Before a decision is made, reference should be made to the MDP Reasonable Adjustment & Capability Policy, specific Policy, Rules & Guidance on the People Portal in respect of reasonable adjustments, Disability Toolkit & MOD's overarching Equality & Diversity Policy.	

Annex B: Phased Return to Work Flow Chart



ANNEX C: TAILORED REASONABLE ADJUSTMENTS – POLICE OFFICERS

