

POLICE OFFICER PROMOTION SELECTION PROCEDURE



SUMMARY

STAFF ARE REMINDED THAT THIS SUMMARY IS STRICTLY AN OVERVIEW OF THE KEY ELEMENTS OF THE DOCUMENT AND FOR A MORE COMPREHENSIVE EXPLANATION PLEASE SEE SECTION 1.2.

This procedure covers the arrangements for the Promotion and Temporary Promotion Procedure for Police Officers. The following principles underline the practices and procedures which will be used. They will be fair and objective at every stage and will comply with legislation and regulations as outlined in Section 3 of this document.

The procedure aims to provide clarity to all concerned parties as to the:

- Arrangements surrounding the application and assessment stages.
- Methods of appeal regarding each stage.
- Post process criterion relating to substantive and temporary promotion.

The format of each selection process may vary and candidates will be informed of the format prior to each process.

PRINTED VERSIONS SHOULD NOT BE RELIED UPON. THE MOST UP TO DATE VERSION CAN BE FOUND ON THE INTRANET POLICIES SITE.

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1.0 Guidance, Procedures, Tactics

1.1 Risk Assessments and Health and Safety Considerations

- 1.1.1 Police personnel are required to consider making the appropriate risk assessment when implementing this procedure.
- 1.1.2 Police personnel should apply the Gwent Police Service Dynamic Assessment. A training package in the use of this risk assessment will be provided to all police personnel.
- 1.1.3 This procedure does not carry any health and safety risks.

1.2 Specific Instructions, tactics, methods, practices and procedures

1.2.1 General

1.2.2 The promotion procedure has been devised as a result of:

- An external review carried out in 2002 (the recommendations of which were based on extensive consultation with all stakeholders),
- Internal consultation with stakeholders, and
- Feedback and recommendations from occupational psychologists.

1.2.3 Nothing in these procedures applies retrospectively.

1.2.4 Promotion processes will be held at times when there is a requirement or demand within the force for relevant posts to be filled. They may be held more or less frequently as required. All promotion processes will

be announced in General Orders.

1.2.5 Disability / Restricted Duties officers

1.2.6 From October 2004, the employment provisions of the Disability Discrimination Act 1995 (DDA) will apply to police officers. From the date of approval of this procedure, officers who have a disability as defined under the DDA will not be refused access to the promotion process by reason of their disability. Officers who are unfit for full operational duties but are deemed as having a disability as defined by the DDA will also be eligible to access the promotion process. Disabled officers who are successful in the promotion process and who are eligible to be promoted within the terms of this procedure, will be promoted to a post deemed as suitable following a health and safety risk assessment and making appropriate reasonable adjustments. This may mean that a disabled / restricted duties officer can be promoted, without needing to apply, into a specialist post which would normally be advertised. This is provided the officer meets the relevant criteria for that post.

1.2.7 Disability as defined by the DDA is a physical or mental impairment, which has a substantial and long-term adverse effect on day to day activities. The disability should have lasted, or be expected to last, for 12 months. Advice should be sought from an Occupational Health Adviser/Force Medical Adviser and Head of Human Resources/Personnel Manager for clarification of any issues.

1.2.8 Application

1.2.9 The structured application form requires a candidate to confirm that they are eligible to proceed to the next stage as follows:

- a. A candidate must have [successfully completed their probationary period in the rank of constable](#).
- b. A candidate must have passed the national police promotion examination(s), where applicable.
- c. The candidate will meet a qualifying period of [two years as a Police Constable and Sergeant and one year for all other ranks](#). This minimum service in the current rank is calculated from the date of substantive appointment to that rank to the first published date of assessment centre or interview (whichever is first). Should the dates change for any reason, the original date will remain the relevant date. Periods of acting or temporary promotion will not be considered for the purposes of qualifying service in a rank.
- d. A candidate applying for promotion must have a current and up to date PDR otherwise (unless exceptional circumstances apply) the applicant will be barred from applying for promotion.
- e. A candidate with a disability (as defined by the Disability Discrimination Act 1995) who requests a reasonable adjustment at the assessment stage must comply with the conditions as outlined at Appendix A of this procedure.
- f. A candidate must have a satisfactory attendance record. Gwent Police's sickness procedure states that if an officer has a Bradford Score of 192 or more, in the last 12 months rolling period, they may not be able to apply for promotion. A Bradford Score of 192 or above should be a cause for concern and warrant a close examination of the officers' circumstances as per General Order 9th January, 2003 - 02/03, Part 2, item 13 and each case will have to be decided on its merits by the applicants [Head of Service Area](#) or Head of Department.

1.2.10

1.2.11 Application forms must be passed via the line manager to the [Head of Service Area](#)/Head of Department (or their deputy) who must indicate that paragraph 1.2.9 has been complied with and whether or not the candidate is supported in their application.

1.2.12 If a candidate is supported the application form is signed by the [Head of Service Area](#) /Head of Department or Deputy who should then let the candidate know this. The form must then sent to the relevant department as indicated on the application form by midday on the published closing date. Late applications will not be considered.

1.2.13 If a candidate is not supported, the [Head of Service Area](#)/Head of Department or Deputy must provide evidence on the form and advise the candidate of the reasons for not supporting the application. There will be one level of appeal as detailed at 1.2.27.

Applicants who are not supported by their Head of Service Area/Head of Department or Deputy and do not appeal will be required to receive feedback and develop an action plan in conjunction with their line manager for agreement with their [Head of Service Area](#)/Head of Department. The achievement of this action plan will form the basis of support or otherwise for future promotion processes and a copy must be submitted with future promotion application forms to the Head of Service Area/Head of Department or Deputy.

1.2.14 Exclusions

1.2.15 Pre-Promotion Process

1.2.16 An officer who is subject to an action plan during any formal stage of the Unsatisfactory Performance Procedure (that will be current at the closing date for the relevant process published in General Orders) will not be eligible to apply for that process.

1.2.17 An officer will be excluded from the application process if:

- a. They are subject to a criminal conviction within two years of the closing date as published in General Orders, or
- b. They are subject to a finding of guilt at a gross misconduct or misconduct panel hearing within two years of the closing date as published in General Orders.

1.2.18 There will be one level of appeal as detailed at 1.2.27.

1.2.19 Post application (Pre- Promotion Process)

1.2.20 An officer who becomes subject to an action plan at any formal stage of the Unsatisfactory Performance Procedure following their application will be excluded from that process.

1.2.21 An officer will be excluded from that process if:

- a. They become subject to a criminal conviction, or
- b. They become subject to a finding of guilt at a gross misconduct or misconduct panel hearing.

1.2.22 There will be one level of appeal as detailed at 1.2.27.

1.2.23 Post-assessment phase (Before substantive promotion)

1.2.24 An officer who becomes subject to an action plan at any formal stage

of the Unsatisfactory Performance Procedure will be removed from the promotion list for that process.

- 1.2.25 An officer will be removed from the promotion list for that process if:
- a. They become subject to a criminal conviction, or
 - b. They become subject to a finding of guilt at a gross misconduct or misconduct panel hearing

1.2.26 There will be one level of appeal as detailed at 1.2.27.

1.2.27 Level of Appeal

1.2.28 An officer may appeal if they are excluded from a promotion process by reason of points 1.2. (12) (13) (16) (17) (20) (21) (24) (25) above. The officer will need to provide substantial reasons or circumstances why the exclusion should not apply. A panel made up of a Chief Officer, Head of Human Resources, Head of Standards and a representative from the Police Federation or Superintendent's Association will make a decision based on the representations from the officer and any other evidence from other sources, e.g. Professional Standards Department. Should the panel find in favour of the candidate then they will become subject to the conditions for assessment as outlined in the remainder of this procedure. The decision of the panel will be final and there will be no other recourse of appeal.

1.2.29 Assessment Process

1.2.30 Candidates will take part in an assessment process agreed by the Deputy Chief Constable (DCC). The behaviour areas to be tested will be selected by the DCC in conjunction with the Head of Human Resources.

- 1.2.31 Candidates will be required to sign a confidentiality declaration. Candidates will also be asked to provide details relating to a person who can act as a referee to verify evidence offered under a specified competency area for the purpose of dip-sampling of candidate evidence.
- 1.2.32 Notes are not permitted to be used at any stage of the assessment process unless the conditions at 1.2.9 (d) apply.
- 1.2.33 Three internal assessors will be utilised with an umpire overseeing the process. Assessors will be monitored during an interview process to ensure quality and consistency and will be at least the rank applied for or equivalent support staff grade.
- 1.2.34 The Police Federation or, where appropriate, the Superintendents Association will be invited to send representatives to observe the process. They may be present during an assessment but will take no part in the panel's deliberations over a candidate's performance.
- 1.2.35 The DCC (in determining those candidates who are successful) retains the right to liaise with Chief Constable before a decision is made. This will be based on the overall performance of the candidate and their suitability to fulfil the role or post applied for.
- 1.2.36 [Candidates who fail to comply with the requirements of the selection process may be disqualified and the matter may be subject to investigation.](#)
- 1.2.37 Where a vacancy arises in a specialist role, candidates who have qualified for promotion by way of these procedures will be eligible to apply if all other criteria are met. The successful candidate will then be promoted substantively regardless of their position on the list.

1.2.38 Feedback will be available for all candidates by a member of the assessment panel. Candidates will receive a letter identifying who will provide the feedback. Candidates will be allowed to copy feedback material.

1.2.39 Assessors

1.2.40 Assessors trained by the organisation will be expected to participate in any in force promotion procedures. They may also attend other force promotion processes in order to facilitate reciprocal agreements.

1.2.41 Expenses

1.2.42 Any payment arising out of assessing for other forces should be made payable to Gwent Police. Claims for expenses arising out of in force promotion procedures should be forwarded to the relevant organising department. Staff will be given sufficient notice of requirement to assist in the process, and will be eligible for enhanced rates of pay or time off in lieu in accordance with their specified terms and conditions. Any expenses claimed should be at the standard current rate.

1.2.43 Appeals at Assessment

1.2.44 There will be one level of appeal open to candidates after assessment.

An officer appealing must seek to show:

- a. Proof of a substantial irregularity in the process **and**
- b. That this has had a significant adverse effect on the candidate's performance.

Appeals based on a candidate's own assessment of performance will not be considered by the panel.

- 1.2.45 If a candidate identifies any issue satisfying point 1.2.44 above these must be indicated to the umpire before the candidate leaves the venue. The candidate will complete a form outlining these issues and will be required to provide full written details *of these issues only* to the Head of Human Resources within 24 hours of their assessment time. If their assessment takes place on a Friday, the written appeal must be submitted by midday on the following Monday. The Head of Human Resources will consider if the issues raised by the candidate require the formation of an Appeals Panel. The decision by the Head of Human resources is final and there will be no further course of appeal.
- 1.2.46 Should an Appeals Panel be formed, if the panel find that point 1.2.44 above is satisfied the marks obtained at assessment will not be amended. The candidate will be offered another assessment.
- 1.2.47 Appeals will be dealt with only if a candidate is unsuccessful in the process and only if they have raised the issues in accordance with paragraph 1.2.44 above.
- 1.2.48 The chair of the appeals panel will be the Chief Officer with the Operational Support Portfolio. The other panel members will be made up of one HR manager/officer, a trained assessor (of equivalent rank), and an external equal opportunities monitor. The Secretary of the Gwent Police Federation/Superintendents Association or their deputy will attend as an observer.
- 1.2.49 There will be no further appeal following the decision of the Appeals Panel.
- 1.2.50 Development**
- 1.2.51 Those candidates who are unsuccessful at assessment will be offered

the opportunity to receive feedback. A copy of the feedback document will be sent to the candidate's line manager and [Head of Service Area](#) or Head of Department. Any candidate who has received a score that included two or more scores of two or less in any competency area must develop an action plan in conjunction with their line manager for agreement with their [Head of Service Area/Head of Department](#). The achievement of this action plan will form the basis of support or otherwise for future promotion processes and a copy must be submitted with future promotion application forms to the [Head of Service Area/Head of Department](#).

1.2.52 Applicants who are successful are also encouraged to seek feedback.

1.2.53 Post Assessment

1.2.54 Notification of results will be undertaken as notified at the commencement of the process.

1.2.55 If any officer declines the offer of a post consideration will be given as to whether it is appropriate to remove them from the promotion list [unless there are exceptional circumstances](#). This procedure will apply to those officers on secondment.

1.2.56 [Head of Service Area/Heads of Department](#) will be provided with a detailed document indicating the scores achieved by their relevant candidates.

1.2.57 Acting and Temporary Posts

- 1.2.58 Where an established post falls vacant it will only be filled by a temporary or acting appointment if this is essential to the efficient operation of the force.
- 1.2.59 Temporary and acting appointments will be made in accordance with Police Regulations.
- 1.2.60 Authorisation for temporary or acting posts must be through application by Head of Service Area/Department Head for approval by the Deputy Chief Constable stating the commencement and termination of the temporary or acting period.
- 1.2.61 If it is anticipated that the vacancy will be for less than 4 weeks, officers will be designated as 'Acting' to fill that vacancy. [Note - acting is not applicable to short term periods of absence or leave.] If it is anticipated that the vacancy will be for more than 4 weeks, staff will be appointed by the Deputy Chief Constable to fill that vacancy on a temporary basis.
- 1.2.62 Police Officers who are acting or temporary appointees will wear the uniform of higher rank.
- 1.2.63 Payment will be in accordance with Police Regulations and Conditions of Service as applicable. Officers designated to act up or perform duty temporary in a higher rank will be paid on the acting up/temporary duty allowance in line with Police Regulations.
- 1.2.64 Separate approval must be sought for any acting up to Chief Officer through application to the Chief Executive of the Gwent Police Authority.
- 1.2.65 Individual Roles and Responsibilities**
- 1.2.66 All relevant line managers up to [Chief Officer](#) rank and HR staff have joint responsibility for the operation of this procedure.

2.0 Procedure Statement & Intentions

2.1 Principle & Scope of Procedure:

This procedure covers the arrangements for promotion and temporary promotion selection. The following principles underline the practices and procedures which will be used:

- In accordance with the Recruitment and Selection Guide
- They will be fair and objective at every stage and apply fairly to all officers

2.2 Aims of Procedure

The aim of this procedure is to ensure fairness and transparency, to facilitate the development of police officers and to provide sufficient, suitable qualified officers to fill posts on promotion.

3.0 Introduction

3.1 Origins/Background Information

These promotion procedures have been devised as a result of an external review carried out in 2002, the recommendations of which were based on extensive consultation with all stakeholders.

3.2 Motivators/Driving Forces

In order to comply with the principles of equality of opportunity in the promotion selection process. These principles are outlined in the Organisations Values, Principles and Standards. They involve dealing with everyone fairly, with integrity, respect and consideration.

3.3 The Legal Basis and Legitimate Aims

Legal Basis – Section 5 Police Act 1996 – Effective and Efficient Running of the Police Service.

Legitimate aim – Protection of Health and Morals and the Protection of the Rights and Freedoms of others.

4.0 Implications of the Procedure

4.1 Financial Implications

The implementation of the procedure has financial implications for the organisation. The current budgeting arrangement will continue, as the financial commitment has been included in the budget for several years. The procedures do not place an unnecessary burden upon the force budget.

4.2 Human Resources/Training

This procedure is a reflection of current practice in force. The organisation is currently resourced and equipped with professionally trained HR staff and nationally/locally trained assessors who support line managers in its operation.

4.3 Strategic Plan Links

Linked to the implementation of the HR Strategy and Annual Work Plan.

4.4 Diversity

In the application of this procedure consideration must be given to the possible social impact of this procedure on the community. An equality impact assessment is a requirement to ensure all issues are considered. This is also a requirement of the Gwent Police Race Equality Scheme. Equality impact assessments must be undertaken before and after the application of this procedure.

Under the Race Relations (Amendment) Act 2000 Gwent Police is required to undertake proactive work to meet the General Duty of :

- Eliminating unlawful racial discrimination;
- Promoting equality of opportunity;
- Promoting good relations between people of different ethnic groups.

The General Duty is outlined in Section 71 (1) of the Act, and must be met **in its entirety**.

Monitoring must be undertaken to ensure that there is no adverse impact either positive or negative upon any one particular social group or individual. The results of monitoring must be analysed and be available for publication, and appropriate changes made.

All individuals using this procedure must be aware of the potential impact that this procedure has on the individuals to whom it is applied. The following strands of diversity and their corresponding pieces of legislation must be considered when answering these questions.

- Welsh Language Act 1993
- Race – Race Relations Act 1976
- Race Relations Amendment Act 2000
- Disability - Disability Discrimination Act 1995

- Gender – Sex Discrimination Act 1975
- Equal Pay Act 1970
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Age) Regulations 2006

4.5 Consultation

Police Authority

Chief Officers

[Heads of Service Area](#) and Departmental Heads

Information Security Officer/Data Protection Officer

Police Federation

Superintendents Association

UNISON

Force Solicitor

Freedom of Information Officer

Gwent Police Womens Association

Gwent Black Police Association

Gwent Disability Network

Gwent Police Gay Support Network

5.0 Human Rights Consideration Certification

5.1 Auditing for potential interference and discrimination

Q1. What articles of the Human Rights Act 1998 may be engaged?

Articles 8 and 14 of the Human Rights Act 1998 may be engaged.

Q2. Where individual rights are engaged what is the potential to discriminate against the parties involved?

In the application of this procedure the Force will not discriminate against any persons regardless of sex, race, colour, language, religion, political or other opinion, national or social origin, association with national minority, property, birth or other status as defined under article 14 of the European Convention on Human Rights.

5.2 Key Human Rights Principles

Q1. What is the legal basis for your procedure?

The legal basis for this procedure stems from the Codes of Practice on Sex and Race Discrimination arising out of the Sex and Race Discrimination Acts, the Disability Discrimination Act and Section 5 Police Act 1996. These acts and codes of practice set out the standards to be used in promotion selection procedures. Contravention of these codes can be used in evidence at an employment tribunal.

The legitimate aim is the prevention of crime and disorder, protection of health and morals, the protection of rights and freedoms of others.

The staff who operate these procedures are made aware of the decision-making processes as set out in the recruitment and selection guide.

The standards of documentation are contained in the recruitment and selection guide.

Guidance on the justification for actions and assessment as to whether the action is the least intrusive can be found in the recruitment and selection guide.

Q2. Does the procedure provide details of what could be considered as a legitimate aim for the potential interference with an individual's rights, through the exercising of this procedure?

See Section 3.3

Q3. How are staff made aware of the clearly defined decision making processes?

See Section 1.2

Q4. What are the minimum standards of documentation in relation to decision making?

Structured Promotion Application Form

Assessors Marking Form

Briefing Documents

Feedback Documents

Umpire Report

Q5. How does your procedure provide guidance on the justification for actions and assessment as to whether the action is the least intrusive?

Any assessment process should be proportionate and fair in its approach, employing the least intrusive methods.

5.3 Rights, Publication, Audit and Inspection

Q1. Are there any sections of the document which are covered by an exemption under Freedom of Information Legislation and therefore must not be disclosed to the public?

This procedure can be disclosed to the public. The procedure will be internally reviewed and audited on a regular basis by the appropriate strategic committee. The outcome of the process will be quality assured by an independent umpire.

5.4 Certification of Compliance

Consideration has been given to the compatibility of this procedure and related policies and procedures with the Human Rights Act; with particular reference to the legal basis of its precepts: the legitimacy of its aims; the justification and proportionality of the actions intended by it; that it is the least intrusive and damaging option necessary to achieve the aims; and that it defines the need to document the relevant decision making process's and outcomes of actions.

6.0 Promotion and distribution

This procedure will be promoted through general orders and the force intranet policies site.

7.0 Monitoring

The organising department will monitor this procedure, after each and every promotion process, in partnership with internal and external assessors and suitably qualified umpires commissioned by Gwent Police. This process involves the completion of questionnaires by both candidates and assessors and the publication of a feedback report by the external umpire.

Review

These procedures will be monitored and reviewed on an ongoing basis to assess their efficacy following their use in promotion processes post publication.

8.0 Procedure Identification Page

This procedure has been drafted in accordance with the principles of Human Rights Legislation. Public disclosure is approved.

Procedure Title: Police Officer Promotion Selection Procedure

Reference: 111/1 b issue 8

Protective Marking: Not protectively marked

Procedure Ownership: Head of Human Resources

Portfolio/Business Area Owner: [DCC](#)

Procedure Written By: Career Development

Department Responsible: Human Resources

Procedure Lead: Head of Human Resources

Links to other Policies/Procedures: Recruitment and selection guide, held in HR department, Data Protection, Information Security, Professional Standards

Procedure Implementation Date: June 2009 [reviewed and amended 7th July 10](#)

Procedure Review Date: July 11

Appendix A

PROCEDURE FOR ASSESSMENT OF PROMOTION CANDIDATES REQUESTING REASONABLE ADJUSTMENT

This document provides guidance in relation to the assessment of police officer promotion candidates with a psychological condition or physical disability. The Disability Discrimination Act (DDA) 1995 applies to individuals who have significant impairments or difficulties due to physical or psychological conditions. This may include individuals with Special Learning Difficulties (SpLD's).

There are five stages in managing reasonable adjustment requests in relation to psychological and/or physical disabilities:

- Stage 1 Any individual who considers that they have a disability or psychological condition as defined by the DDA should raise the issue of reasonable adjustment [to the nominated person in peoples services.](#)

- Stage 2 An administration member of staff co-ordinating the promotion process requests a report , [the cost of which will be bourne by Gwent Police.](#)

- Stage 3 The FMA determines what may be a reasonable adjustment [from the report.](#) It may be necessary to obtain medical reports from GP/consultant or arrange for specialist tests

- Stage 4 The administration member as at stage 2 informs the applicant of the adjustment and obtains acceptance by the candidate

- Stage 5 Reasonable adjustment is made at the promotion assessment

The stages are set out in more detail below.

Stage One – Notification

Any individual who considers that they have a disability or psychological condition as defined by the DDA should raise the issue of reasonable adjustment with the relevant administration/managerial member of staff co-ordinating the promotion process at the time they begin to consider the possibility of promotion. This is the signal to the relevant administration/managerial member of staff to take action.

Stage Two – Request for a Report

The relevant administration/managerial member of staff is responsible for inviting the applicant to submit a report. It should be made clear to the applicant at this stage that they should seek advice from the Occupational Health Unit regarding the evidence they may need to support their request. Any assessment period should only include the time since the applicant joined the police service. The force will be responsible for meeting the cost of the report.

Stage Three – Recommended Adjustment

The FMA dealing with the report will, after undertaking any appropriate consultation, recommend the type of adjustment needed. As soon as reasonably practicable the FMA will produce and send a report back to the relevant administration/managerial member of staff outlining the recommended adjustments.

Stage Four – Notifying the Applicant of the Adjustment

Upon receipt of the FMA's report the relevant administration/managerial member of staff should inform the applicant of the proposed adjustments which will be afforded to the applicant. A copy of this should be sent to the applicant. This will allow the applicant sufficient time to prepare. Agreement to the adjustments should be obtained from the candidate.

Stage Five – Arrangements

It is for the relevant administration/managerial member of staff to ensure that the reasonable adjustment is made and candidates can be accommodated in this way, regardless of the form of promotion assessment that takes place, e.g. structured interview, work based assessment or assessment centre. An individual who performs the function of Umpire at an assessment process must be notified by the relevant administration/managerial member of staff about the adjustments as soon as reasonably practicable before the assessment.