

**File**



## **PROMOTION PROCEDURE**

### **Authorised Professional Practice (APP)**

APP is the national body of consolidated professional practice and guidance for policing and is authorised as such by Chief Constables' Council. It significantly reduces the amount of national guidance in circulation, encourages the use of professional discretion and brings consistency to all authorised police practice.

It has the same legal status as previous guidance; it is not the law and so, while police officers and police staff can be expected to have regard to APP in discharging their responsibilities, the status of APP is advisory. There may be circumstances when it is perfectly legitimate to deviate from APP, provided that there is clear rationale for doing so.

This Procedure has been checked against APP and there is none in relation to the subject matter of this Procedure.

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

## **1.1 Introduction**

**In light of the National Police Promotion Framework, work is on-going to review the procedure for promotion to sergeant and inspector. Developments will be published via the Gwent Guardian.**

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, in accordance with the Recruitment and Selection Guide and will comply with legislation and regulations.

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.**

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

**1.2 Procedure**

**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.
- Amendments following the review of past promotion processes.

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 People Services/Professional Development 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 Equality Act 2010) who requests a reasonable adjustment at the assessment stage must comply with the conditions as outlined at Appendix A of this procedure.
- 1.2.10 Application forms must be passed via the line manager noted on the application form, to the Head of Service Area/Head of Department/Superintendent who must indicate that paragraph 1.2.9 has been complied with and whether or not the candidate is supported in their application.
- 1.2.11 If a candidate is supported, the application form must be signed by the Head of Service Area /Head of Department/Superintendent and they should then advise the candidate of their decision.. The form must then be sent to the relevant department as indicated on the application form, by the published closing date. Late applications will not be considered.
- 1.2.12 If a candidate is not supported, the Head of Service Area/Head of Department/Superintendent must provide evidence on the form and advise the candidate of the reasons for not supporting the application and officers should be personally advised of this. There will be one level of appeal as detailed at 1.2.27.
- 1.2.13 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. This will be completed in conjunction with their line manager, for agreement with their Head of Service Area/Head of Department/Superintendent. 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/Supertintendent.

**1.2.14 Exclusions**

**1.2.15 Pre-Promotion Process**

- 1.2.16 An officer may be excluded from the promotion process if:
- a. They are subject to a criminal conviction, road traffic offence or any cautions within two years of the closing date for receipt of applications, as published in General Orders, or
  - b. They are issued with a final written warning at either a Misconduct Hearing or Meeting within 18 months of the closing date for receipt of applications, as published in General Orders or
  - c. They are issued with a written warning at either a Misconduct Hearing or Meeting within 12 months of the closing date for receipt of applications, as published in General Orders, or
  - d. An improvement notice/action plan is in place, in accordance with the Police Officer Performance and Attendance procedures on the closing date for receipt of applications, as published in General Orders.

1.2.17 A decision to exclude an officer from the promotion process will be made by the Head of Standards, following consultation with the Superintendents Association and /or Police Federation.

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 Following an application for promotion, an officer may be excluded from that process if:
- a. They become subject to a criminal conviction, road traffic offence or any caution or
  - b. In accordance with the police officer Misconduct Procedures, they are issued with a final written warning, written warning or management advice at either a Misconduct Hearing or Meeting, or
  - c. In accordance with the Police Officer Performance and Attendance procedures they are issued with a written improvement notice/action plan.
- 1.2.21 A decision to exclude an officer from the promotion process will be made by the Head of Standards, following consultation with the Superintendents Association and /or Police Federation.
- 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 Following success at a promotion process, consideration will be given to removing an officer from the promotion list for that process if:
- a. They become subject to a criminal conviction, road traffic offence or any caution or
  - b. In accordance with the police officer Misconduct Procedures, they are issued with a final written warning, written warning or management advice at either a Misconduct Hearing or Meeting, or
  - c. In accordance with the Police officer performance and Attendance procedures they are issued with a written improvement notice/action plan.

1.2.25 A decision to exclude an officer from the promotion process will be made by the Head of Standards, following consultation with the Superintendents Association and /or Police Federation.

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

**1.2.27 Level of Appeal**

An officer may appeal if they are excluded from a promotion process by reason of points 1.2. (12) (16) (17) (20) (21) (24) (25) above.

1.2.28 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 People Services, Head of Professional 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 People Services.

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 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. 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.
- 1.2.34 The DCC (in determining those candidates who are successful) retains the right to liaise with the 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.
- 1.2.35 Candidates who fail to comply with the requirements of the selection process may be disqualified and the matter may be subject to investigation.
- 1.2.36 Where a vacancy is advertised 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.
- 1.2.37 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 a copy of feedback material.

1.2.38 **Assessors**

1.2.39 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.

1.2.40 **Expenses**

1.2.41 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.

1.2.42 **Appeals at Assessment**

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

1.2.44 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.

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

1.2.46 If a candidate identifies any issue satisfying point 1.2.44 above these must be indicated to the Promotion Co-ordinator 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 People Services 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 People Services will consider if the issues raised by the candidate require the formation of an Appeals Panel. The decision by the Head of People Services is final and there will be no further course of appeal.

- 1.2.47 Should an Appeals Panel be formed, if the panel find that point 1.2.44 and 1.2.46 above is satisfied, the marks obtained at assessment will not be amended. The candidate will be offered another assessment.
- 1.2.48 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.
- 1.2.49 The chair of the appeals panel will be a Chief Officer. The other panel members will be made up of the Professional Development Manager HR Manager and an independent trained assessor of equivalent rank. The Secretary of the Gwent Police Federation/Superintendents Association or their deputy will be invited to attend as an observer.
- 1.2.50 There will be no further appeal following the decision of the Appeals Panel.
- 1.2.51 **Development**
- 1.2.52 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 /Head of Department/Superintendent. 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/Superintendent.

**1.2.53** Applicants who are successful are also encouraged to seek feedback.

**1.2.54 Post Assessment**

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

**1.2.56** 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.

**1.2.57** Head of Service Area/Heads of Department/Superintendent will be provided with a detailed document indicating the scores achieved by their relevant candidates.

**1.2.58 Acting and Temporary Posts**

**1.2.59** 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.

**1.2.60** Temporary and acting appointments will be made in accordance with Police Regulations and relevant Force Procedures.

**1.2.61** Authorisation for temporary or acting posts must be through application by Head of Service Area/Department Head for approval by the Deputy Chief Constable/Assistant Chief Constable stating the commencement

and termination of the temporary or acting period.

- 1.2.62 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/Assistant Chief Constable to fill that vacancy on a temporary basis.

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 People Services staff have joint responsibility for the operation of this procedure.

**2.0 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.

**3.0 Human Rights Certification of Compliance**

3.1 This Procedure has been checked for compliance 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 processes and outcomes of actions.

**4.0 Compliance with The Welsh Language Scheme**

4.1 This Procedure aims to comply with the organisation's Welsh Language Scheme in terms of dealing with the Welsh speaking public, impact upon the public image of the organisation and the implementation of the Language Scheme.

**5.0 Risk Assessment and Health & Safety Considerations**

5.1 The Gwent Police Service Dynamic Risk Assessment should be applied as necessary. A training package in the use of risk assessment will be provided to all police personnel if requested or required.

**6.0 Identification Section**

**Procedure Title: Police Officer Promotion Selection Procedure**

**Reference: 111/1 b issue 11**

**Protective Marking: Not protectively marked**

**Procedure Ownership: Head of People Services**

**Portfolio/Business Area Owner: DCC**

**Procedure Written By: Learning and Development**

**Department Responsible: People Services**

**Procedure Lead: Head of People Services**

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

**Procedure Implementation Date: Amended 05 July 2012: Reviewed approved and amended 8th November 2010 Reviewed November 26<sup>th</sup> Nov 2014**

**Procedure Review Date: Nov 2015**

**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 borne 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.