

# DURHAM CONSTABULARY



*Altogether Better Policing*

## Recruitment & Selection Policy

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## **1.0 RECRUITMENT & SELECTION POLICE STAFF POLICY**

### **2.0 PURPOSE AND SCOPE**

2.1 Durham Constabulary has adopted this guidance for use in recruiting and selecting all police staff.

### **3.0 THE LEGAL BASIS**

3.1 The legal basis for this policy comes from:-

- Equality Act 2010
- Employment Rights Act 1996
- Data Protection Act 1998 and Codes of Practice
- Employment Act 2002
- Employment Equality (Age) regulations 2006
- Police Staff Handbook 2017
- Immigration Act 2016 (part 7 – English Fluency Duty)

3.2 Throughout the operation of this policy Durham Constabulary will seek to take the least intrusive action which fits within the working policy criteria and will act fairly and proportionally to achieve the proposed purpose

3.3 Durham Constabulary will operate within the policing principles as defined by the College of Policing Code of Ethics and in support of this our policies will seek to promote Accountability, Fairness, Honesty, Integrity, Leadership, Objectivity, Openness, Respect and Selflessness.

3.4 The Force recognises the contribution of its entire staff and is committed to creating a fully inclusive working environment. This will be achieved by making reasonable adjustments where appropriate, valuing the differences that a diverse workforce can bring and challenging unlawful and unfair discrimination, bullying, harassment, victimisation and other unfair treatment based on age, disability, reassignment, marriage and civil partnership, pregnancy and maternity, ethnicity, religion or belief, sex and sexual orientation.

### **4.0 POLICY STATEMENT**

4.1 The guidance is intended to provide a model of good practice to assist those involved in recruitment and selection. It aims to ensure that the process is carried out in a fair, efficient and cost-effective manner which takes account of relevant legislation and the Constabulary's Equality Policy. This will lead to the appointment of suitably qualified employees, minimise the risk of unlawful discrimination and enable the Force to compete effectively in the job market.

4.2 All staff involved in recruitment and selection must familiarise themselves with this guidance. Training in various aspects of recruitment and selection are available and only those who have attended a training/coaching session based on the guidance may draw up a person specification, carry out shortlisting, interviewing, or take decisions about an appointment.

## **5.0 INTRODUCTION**

This policy applies to the recruitment of all staff and grades including temporary and provides relevant procedures post appointment.

### **5.1 Police Membership of Unacceptable Organisations**

The Chief Constable is committed to creating a totally anti-discriminatory and inclusive police service therefore no member of Durham Constabulary may be a member of an organisation whose constitution, aims, objectives or pronouncements contradict the general duty to promote equality

## **6.0 PRE-APPOINTMENT**

### **6.1 Vacancy**

- i) If the vacancy is for an existing post, the Line Manager in consultation with the HR Manager will consider changes to the Job Description and potential changes to terms and conditions. An appropriate Job Description and Person Specification will be defined. If there are fundamental changes to the job description, trained evaluators from HR and Unison will then meet with the Head of Command/Department and appropriate Line Manager to complete a job evaluation questionnaire in order to establish a grade for the post via the job evaluation computerised system. Approval to implement any proposed changes to the grade must be made via the Force Leadership Group.
- ii) It is unlawful to treat one person less favourably than you would treat another on grounds of sex, race, disability, religion/faith, ethnicity, sexuality, pregnancy, gender reassignment, marital status, or age or to apply an unjustifiable condition or requirement which puts people of a particular protected group at a disadvantage compared with others. However it is permissible in certain circumstances specified in the Equality Act 2010 to seek only candidates of a particular under represented group where this is a Genuine Occupational Qualification or consider whether some other form of positive action could be used for this purpose (see section 6.5.2)
- iii) Generally, all full-time posts are available for Job Sharing. The post can only be exempted with the approval of the Head of People, Standards and Development (PSD) Command if it is shown that job sharing is likely to significantly reduce the effectiveness of a post or where it would impose a severe administrative, managerial or financial burden on the business

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- iv) If the post is a new post, a new job description should be completed by the Line Manager and forwarded to HR following which the post will be job evaluated as outlined at paragraph 6.1 (i)

## **6.2 METHODS OF RECRUITMENT**

### **6.2.1 Filling of Substantive Posts**

All substantive vacancies except those to be filled via acting up arrangements or promotions, i.e. a member of staff moving to a higher band from one in which they are currently being paid, must be filled by following the filling of substantive posts list of priority as outlined below:-

- i. Employees returning from Maternity Leave and Maternity related career break.
- ii. Employees requiring redeployment on medical grounds (Equality Act - disability related).
- iii. Employees facing redundancy
- iv. Redeployment arising from a re-organisation / staffing review.
- v. Confidential Reporting - staff who volunteer to move following their confidential reporting.
- vi. Employees returning from career breaks. (non-maternity related).
- vii. Employee requiring redeployment on medical grounds (Equality Act non disability related).
- viii. Employees who have lodged a grievance and requested a move as a result of untenable circumstances, (subject to the Deputy Chief Constable's agreement).
- ix. Employees who have been given a disciplinary sanction (e.g. demotion) where dismissal was not justified, and who must be compulsorily transferred (subject to Chief Constable's agreement)
- x. Job Evaluation Protection
- xi. Job Share partner(s) to be approached with regard to increasing hours
- xii. Named reserves to a recruitment/selection process within 6 months of the last identical appointment. Reserves identified for full time posts may also be approached should the same role become vacant within the reserve period on a part time or job share basis subject to the initial advert for such stating the role was suitable for job share.

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- xiii. Employees willing to undertake a mutual job swap as outlined in the transfer policy.
- xiv. Voluntary transfers.
- xv. Employees applying for a role, following advert internal to Durham Constabulary. Usually this will exclude scale 2 Clerical Officer posts which will be filled via the current central recruitment list (see para xvi). On occasion, a Command may request an internal advert for a scale 2 if the job description does not fit within the generic clerical officer role.
- xvi. Employees entering following central “clerical” recruitment.
- xvii. External recruitment/”open” recruitment following advert “internal and external” to Durham Constabulary.

### 6.2.2 Open Competition

In order to promote open competition, avoid indirect discrimination and attract a sufficiently wide field of candidates a vacancy should be advertised both internally and externally by HR subject to the priority filling of post list. In special circumstances, this arrangement may be temporarily changed e.g. where restructuring/redundancy is to occur, or where, in discussion and agreement between the Line Manager and HR Manager there is considered to be an adequate number of internal candidates.

### 6.2.3 Annual/Specific Recruitment Campaigns

If it is intended to fill several identical or very similar vacancies within a period of time, several employees can be recruited by means of a single campaign to take up their appointments over that period. Individuals who are identified as being suitable for appointment but are not immediately offered a vacancy will be placed upon a reserve list as outlined at paragraph 6.2.4.

### 6.2.4 Appointment of applicants who have been identified as a reserve

Reserve applicants will have been informed in writing, following their interview that they have been identified as a reserve and if an identical vacancy arises within six months of the initial vacancy being filled, the reserve candidate should be offered appointment. In exceptional circumstances the Head of PSD Command may approve a reserve list of 12 months.

### 6.2.5 Temporary appointments with a view to permanency

On occasions a temporary post may be advertised with a view to being made substantive. The temporary post-holder who was recruited in

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accordance with this guidance may be made substantive subject to continued satisfactory performance.

### 6.2.6 Market Forces Supplement

On occasion, where recruitment to a specialist post / post with specific qualifications has been difficult, agreement may be sought from the Assistant Chief Officer to include a market forces supplement onto the core grade of the role. The payment of such a supplement will be subject to review and will be applicable for a maximum period of 3 years

## 6.3 APPLICATION PROCESS

### 6.3.1 Application Forms

- i) All job applicants must complete the standard job application form (this includes explanatory notes about the Equality Policy on completing the form). Information to applicants in relation to terms and conditions will be provided by HR.
- ii) HR will advise appropriate Support Managers for the information of SLT members that an individual has made application for an internal post in order to enable the Force to plan accordingly.
- iii) All members of police staff are required to submit their application forms via line managers to seek appropriate recommendation to progress such. The Line Manager will endorse the application form accordingly and all recommendations should be based on the job description / person specification of the role for which the individual has made application.
- iv) If necessary an application form may be completed in an alternative format e.g large font or braille

### 6.3.2 The Shortlisting Process

The purpose of this stage of the process is to assess shortlisted applicants against the criteria in the Person Specification and reduce the applicants to a manageable number.

### 6.3.3 Disabled Applicants

- i) Durham Constabulary guarantees the offer of an interview to all disabled applicants who meet the criteria on the person specification.
- ii) Job Centre Plus/Access to Work has some funding to meet the cost of aids or adaptations needed in the workplace to accommodate an existing or potential employee with a disability. Information can be

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obtained from HR but individuals need to be aware that Access to Work will only deal direct with individuals.

### 6.3.4 Applicants

- i) All applicants, including internal, will be asked to produce a full 10 years current UK or European Economic Area (EEA) passport or British Photo Driving Licence (applicants who do not have a form of photograph identification must bring a recent passport sized photograph which will be retained) **and** at least one of the following:- British Driving Licence; Full Birth Certificate (issued within 6 weeks of birth); P45; Cheque Book and Bank Card with 3 statements and proof of signature; credit card with 3 statements and proof of signature; proof of residence such as utility bills, or signed National Insurance Card.
- ii) Nationals from eight of the 10 newest EU member states (Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia) must also produce a residence permit, a copy application form or registration certificate obtained under the Workers Registration Scheme within 30 days of commencing employment.
- iii) All applicants must produce any appropriate certificates / proof of educational attainment as specified in the essential criteria in the person specification of the post for which they have applied.
- iv) Applicants who fail to produce any of the above documents will not be interviewed.
- v) The information given in job applications must be full and accurate. Applicants who conceal or misrepresent relevant information will be disqualified or if appointed subject to internal formal disciplinary procedures which may include dismissal. Areas of doubt should be explored at interview.

## 6.4 THE RECRUITMENT PROCESS

### 6.4.1 The Interview Panel

The interview panel should consist of an HR representative, a representative (e.g. Line Manager) from the Command/Department and a "specialist" if required, in the area of work to which the vacancy relates. To achieve this ideal, it may be necessary to involve a representative from another Command/Dept. or from outside of the organisation. Panel members must declare an interest if they are related to or are known to the applicant before interviews are arranged.

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**6.4.2 Evaluating Applicants at Interview**

The interview panel should aim to reach a consensus about each applicant and scoring must be done collectively. The chosen applicant must be the one who following interview most closely meets the person specification and has performed the best at interview.

**6.4.3 Security Clearances**

- i) All successful applicants will be vetted as appropriate along with those individuals identified on the vetting form and financial questionnaire. Information as a result of this will only be available to staff within the Vetting Unit. As part of this process current internal staff will also be subject to a professional standards and integrity check.
- ii) In the event that information is revealed as part of the vetting process a determination will be made by the Force Counter Corruption and Vetting Unit which may include the applicant attending for a discussion with an appropriate member of the Vetting Unit. Before reaching a decision, consideration will be given regarding the role, the age of the person identified during the vetting process and time when the "offence" occurred. This will be in accordance with Home Office guidelines and the Rehabilitation of Offenders Act.

**6.4.4 References**

- i) All appointments are subject to satisfactory written references
- ii) References will usually be taken up following initial offer of appointment. However, in exceptional circumstances, they may be taken up prior to interview.

**6.4.5 Medical Checks**

- i) All successful applicants must be medically cleared before their offer of appointment is confirmed. This is done by the completion of a medical questionnaire in confidence, which is then sent under separate cover to the Occupational Health Unit or by signing a medical disclaimer if an internal applicant. In some cases there will also be a requirement to attend for a medical assessment which may involve a drugs test if required for the role.
- ii) Anyone appointed to a post must be fit to carry out the duties and all successful applicants must be medically cleared before their

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offer of appointment is confirmed. This is satisfied through the health declaration references and advice from the Force Medical Advisor/Occupational Health Advisor, (a job description and person specification for the post will be supplied to the Occupational Health Advisor /FMA to assist in his/her decision).

### 6.4.6 Offer of Appointment

- i) An offer of appointment by HR must be made conditional upon the receipt of satisfactory references, medical clearance and security checks. In exceptional circumstances an appointment can be made subject to security checks with the approval by the Head of PSD Command, Head of Command and Head of Professional Standards and Legal Services.
- ii) An offer of appointment must be accepted in writing by the applicant within 10 working days of the formal offer otherwise the offer may be withdrawn unless exceptional circumstances prevail. Under no circumstances should an appointment be confirmed until these clearances are obtained.
- iii) Appointments will be confirmed once all clearances have been received. For internal applicants this will be 28 days following receipt of all clearances. If an internal applicant is not appointed to the post within 4 weeks of receipt of all clearances and the reason is organisational demand, an adjustment will be made to their salary as if they had been appointed from the date they should have commenced in their new post. The outgoing Command/Department will be responsible for the payment of such

### 6.4.7 Travelling expenses/subsistence allowances

Applicants will not be reimbursed any expenses incurred as part of the recruitment & selection process

## 6.5 **GENERAL INFORMATION**

### 6.5.1 Professional Qualifications

Where a professional qualification is deemed essential for the post, professional subscriptions will be paid by the Force

### 6.5.2 Positive Action

- i) One of the aims of the Police and Crime Commissioner and the Force's Equality Policy is that the composition of its workforce at all levels should be representative of the community it serves,

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particularly in terms of the protected characteristics as defined within the Equality Act 2010.

- ii) The law allows the Police and Crime Commissioner and the Force, as an employer, to take positive action to help or encourage people in those under-represented groups to apply for jobs or to improve their chances of career development.
- iii) Consideration will be given to positive action initiatives where any such group is under-represented in a particular post, by the HR Manager in consultation with the appropriate Head of Command/Department.
- iv) The Equality Act 2010 entitles employers in the recruitment and selection process, to treat more favourably individuals who are covered by one of the protected characteristic. This means that if faced with two or more candidates of equal merit the employer can treat the individual with the protected characteristic more favourably if this treatment is intended to address under-representation in the work place.

### 6.5.3 Canvassing

- i) Canvassing occurs when an applicant tries to gain an advantage through informal attempts to further their application. Any applicant who canvasses or allows someone to canvass on their behalf will be disqualified.
- ii) Members of staff must not canvass on behalf of an applicant for a job with the Force. Anyone who is canvassed by, or on behalf of a job applicant must report this to the Head of PSD Command who will take appropriate action.

### 6.5.4 Confidentiality

Information obtained in the course of recruitment and selection may include details of a sensitive or personal nature and must be treated as confidential by all those involved as governed by the Data Protection Act 1998 and Codes of Practice and Official Secrets Act.

### 6.5.5 Retention Periods

The relevant documents associated with this procedure will be retained as outlined below:-

- Application Forms for current and initial posts (Successful) – 6 years after termination of contract
- Application Forms (Unsuccessful) – 6 months from closing date

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- Interview Notes – 6 months from closing date
- Psychometric Tests – 6 months from date of test
- Equal Opportunities Form (Successful) – 6 years after termination of contract
- Equal Opportunities Form (Unsuccessful) – 6 months from closing date
- References (Successful) – 6 years after termination of contract
- References (Unsuccessful) – 6 months after closing date
- Offers of Appointment – 6 years after termination of contract
- Statement of Main Terms and Conditions of Employment – 6 years after termination of contract
- Data Protection Form – 6 years after termination of contract

### 6.5.6 Other or additional employment

Individuals must seek approval from the Chief Constable to engage in any other business or take up any other employment once employed by Durham Constabulary. The Chief Constable has the right to apply conditions even where it has consented to an individual having a business/private interest or additional employment. The specific conditions necessary to ensure that the Chief Constable's position is protected will be considered and determined on a case by case basis

### 6.5.7 Tattoos and Piercings

Candidates for employment will be required to disclose the existence of tattoos.

- i) Any tattoo anywhere on the body which is obscene, or advocates sexual, racial, ethnic, or religious discrimination, by written word or design is prohibited. The presence of such a tattoo would preclude an applicant from passing the recruitment process for employment with Durham Constabulary.
- ii) Tattoos which are visible on the face, scalp, ears, neck and hands are not considered appropriate for those who are in public facing roles. 'Public facing' also extends to include those employees who engage with partner agencies
- iii) The practical effect of this policy, in respect of applicants for any public facing role in the Constabulary, may be to preclude any such applicant in circumstances where visible tattoos on the face, scalp, ears, neck or hands, however, in rare circumstances, the Constabulary may consider the merits of any individual application to be exempted from elements of this policy in relation to tattoos. Decisions in regarding such exemptions will be made via a panel comprising the Chief Constable, Deputy Chief Constable/Chief of Staff for the PCVC, Head of PSD Command and the Strategic Resource Manager.

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- iv) No face piercings are permitted to be worn whilst on duty/at work unless for religious purposes in which case a risk assessment will be completed to reflect any health and safety issues. 'Face piercings' extends to any part of the head including the tongue but excluding the earlobes
- v) Where recognised cultural factors pertain, the Constabulary undertakes to give specific consideration to the merits of any individual application to be exempted from elements of this policy.

6.5.8. Interview Preparation

Applicants should prepare for any interview in their own time. Time off will be afforded to attend interviews for an internal post however, staff must attend external recruitment and selection processes in their own time.

6.5.9 English Fluency Duty

Part 7 of the Immigration Act 2016 creates a duty to ensure that all public authority staff working in customer-facing roles speak fluent English to an appropriate standard.

6.5.9.1 Customer Facing Roles

- i) Individuals who as part of their role are regularly required to speak to members of the public in English either face to face or on the telephone are deemed to be in public facing roles.
- ii) The standard specification applied to roles shall be '*an ability to fulfil all spoken aspects of the role with confidence through the medium of English*'
- iii) Fluency relates to an individuals' language proficiency and their ability to speak with confidence and accuracy using sentence structures and vocabulary. For public facing roles, individuals should be able to choose the right kind of vocabulary for the situation without a great deal of hesitancy. They should be able to listen to the customer and understand their needs.
- iv) Fluency does not relate to regional or international accents, dialects, speech impediments or the tone of conversations

6.5.9.2 Language Qualifications and Tests

- i) A range of evidence will be accepted as spoken English:-

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- Competently answering interview questions
- Possessing a relevant qualification for the role attained as part of education
- Possessing an English spoken language competency test of a spoken English qualification at Level B1

### 6.5.9.3 Training

- i) Training can be considered for staff to ensure that the requirements of the fluency duty are met. Such training may include, but is not limited to:-
  - In house support / development
  - Online support

## 7.0 POST APPOINTMENT

### 7.1 Induction

Durham Constabulary has a comprehensive induction process for all new entrants to the organisation, which is broken down into two stages:-

- i) **Stage 1 Central Induction** will take place ideally on the first day of an individual's appointment and will be carried out by HR at Police Headquarters.
- ii) **Stage 2 Local Induction** takes place within the Command or Department when the individual takes up post. The responsibility for ensuring this is completed rests with the Command/Department management team who may delegate this responsibility to a designated individual. Internal staff who transfer between Commands/Departments will also be provided with a local induction.

### 7.2 Probationary Periods

- i) As a new entrant, all staff on appointment are subject to the satisfactory completion of a minimum probationary period of 6 months, the main purpose of which is to establish suitability for the role.
- ii) If there is a requirement to attend a training course that exceeds 4 weeks during the probationary period then the probationary period will be extended accordingly. This will be included in contracts of employment where necessary.
- iii) Internal staff who apply for and secure the role of PCSO / Call Handler / CSI Staff / Investigative Officer or Detention Officer will

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be subject to a further probationary period. Paragraph iv) below will apply in the event the required standard is not met.

- iv) During the probationary period suitability to the role will be established. Failure to meet the required standard will result in the termination of employment.

### 7.3 Continuous Service

- i) Continuous service will be the date of commencement with the Force except where otherwise indicated below.
- ii) For staff serving **before 1<sup>st</sup> September 1996**, previous continuous service with an Organisation(s) covered by the Redundancy Payments (Local Government) (Modification) Orders will be included in calculating entitlement to Redundancy Pay, Maternity pay / Leave, Sickness Allowance and Annual Leave.
- iii) If a member of staff has left an Organisation covered by the above Orders for maternity reasons within the previous 8 (eight) years and has not been in permanent full time paid employment since, the above should also apply except for the calculation of Annual Leave entitlement. In the calculation of Annual Leave entitlement the 8 (eight) year time limit should apply, provided that no permanent full time paid employment has intervened.
- iv) If a member of staff was previously made redundant by an Organisation covered by the Redundancy Payments (Local Government) (Modification) Orders the period of service with that Organisation should count for the purposes of the above provided the break in service does not exceed two years regardless of whether or not there has been other paid employment in the meantime.
- v) For staff serving **after 1<sup>st</sup> September 1996** previous continuous employment with an organisation(s) covered by the Redundancy Payments (Local Government) (Modification) Orders will be included in calculating entitlement to redundancy pay.
- i) For staff appointed **after 1<sup>st</sup> January 2005**. For the purpose of entitlements regarding annual leave, the occupational sickness scheme, parental leave, adoption leave and the occupational maternity scheme, continuous service **will** include continuous previous employment with a Police Authority, PCC Office, Chief Constable, Police Service of Scotland, Scottish Police Services Authority, Scottish Crime and Drug Enforcement Agency, Scottish Joint Police Force, National Crime Agency, Serious and Organised Crime Agency, National Crime Squad, National Criminal Intelligence Service, College of Policing, National

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Policing Improvement Agency, Local Authority, Scottish Joint Police Board, CENTREX (or predecessor), PSNI, Royal Ulster Constabulary, non-Home Office forces, the Metropolitan Police, the British Transport Police and the Fire Authority. **This does not apply for staff appointed between 1.9.96 and 1.1.2005.**

- ii) If a member of staff has left a police authority for maternity reasons within the previous 8 years and has not been in permanent full-time paid employment since, the above should also apply except for the calculation of annual leave entitlement. In the calculation of annual leave entitlement the 8 year time limit should not apply, provided that no permanent full time paid employment has intervened.
- iii) If a member of staff was previously made redundant by a police authority the period of service with that authority should count for the purposes of (vi) above provided the break in service does not exceed two years regardless of whether or not there has been other paid employment in the meantime
- iv) Where a member of staff voluntarily returns to the police service (following a transfer to another employer under TUPE, COSOP or a transfer order) without a break in service, continuity of service in respect of the entitlements set out at paragraph (vi) above) will be protected. This is subject to the return to service being within 5 years of the original transfer and only applies to individuals who have returned to the police service since 1<sup>st</sup> April 2010.
- v) Any Career Break absence will not count towards continuous service

#### 7.4 **Internal Transfers and Posts Advertised Internally**

##### Internal Transfer

Internal transfers are available to staff subject to the application of criteria as outlined. Staff must have completed 12 working months police staff service with the Force in their current post before they will be considered for a transfer unless it is in the business interest of the organisation. Transfer applications remain valid for a period of 12 months and renewal responsibility remains with the individual. Individuals must be able to meet the essential criteria of the post concerned

##### 7.4.1 Types of Transfer

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- i) Level transfer into a vacant post – Scale 2 only performing the same job title and job description at another location on the same salary band in either a full time or part time capacity, or same grade post to same grade post in an alternative role.
- ii) Level transfer into a vacant post – Scale 3 & above on a same grade post to same grade post basis (also same job title & job description) in another location (including part-time to full-time).
- iii) Mutual Swap which is same grade post to same grade post (also of the same job title and job description) in another location. This does not include the appointment of an individual into a vacancy.
- iv) Transfer to Lower Grade is staff on Scale 3 or above who may only apply to transfer to a Scale 2/Scale 1 which will be without salary protection.
- v) All transfers will be on the basis of agreement between the respective Heads of Command/Department to release and accept the individual concerned, with due regard to the individual's Durham Constabulary Attendance Indicator (see Attendance Policy) the last three PDR reports and the requirement to undergo a recruitment process i.e. interview, to determine their suitability
- vi) Depending upon the role, all transfers will be subject to staff completing a medical questionnaire or signing a medical disclaimer (Pers 231)

**7.4.2 Posts Advertised Internally**

- i) There are no constraints upon the timescales for making application for posts advertised internally unless otherwise stated in your contract of employment. or as outlined in paragraph iii) below.
- ii) Internal adverts are open to Constabulary Police Staff and Staff within the Office of the Police and Victims Crime Commissioner.
- iii) If appointed into the role of Front Counter Clerk or any role within the Communications Centre, you will not eligible to apply for any internally advertised Police Staff post within the first 12 months of employment.

**7.5 Temporary Development Opportunities**

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- i) A temporary development opportunity is for a specific period of time, not normally exceeding 12 calendar months and will usually occur either as a result of a post becoming temporarily vacant or for the completion of a specific project. Individuals will return to their substantive post at the end of the temporary development opportunity, subject to paragraphs (vi) and (vii) below.
- ii) Individuals are required to be in possession of a minimum of 4 GCSE qualifications (or equivalent) including Maths and English (or be subject to testing) when applying for a temporary development role. In the event the role is then advertised on a permanent basis all applicants will be required to be in possession of all the qualifications as outlined on the person specification prior to applying for such.
- iii) Temporary development opportunities will in the first instance be advertised within the specific Command. If no suitable applicant is identified, the temporary development opportunity may then be advertised forcewide.
- iv) All applications for temporary development opportunities should be made on pers 145 (a) and submitted via the Head of Command/Department to HR. If the Head of Command/Department cannot support the release of the individual the reasons should be documented on the form and the individual advised accordingly.
- v) Successful individuals will be appointed no later than 28 days following receipt of all clearances and travelling expenses will not be paid.
- vi) On occasion a temporary development opportunity may be extended beyond 12 months subject to the approval of the appropriate Head of Command(s)/Department(s) and the individuals' agreement
- vii) If the extension is approved and the individual wishes to remain in the temporary development role their substantive post will be filled on a permanent basis and if necessary at the end of the temporary development the individual will be subject to redeployment/redundancy on their substantive grade.

**7.5.1 Payment Arrangements for Temporary Development Opportunities**

- i) Appointment to a temporary development post will be confirmed once all clearances have been received. For internal applicants this will be 28 days following receipt of all clearances. If an internal applicant is not appointed to the temporary development post within 4 weeks of receipt of all clearances and the reason is organisational

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demand, an adjustment will be made to their salary as if they had been appointed from the date they should have commenced in their new post. The outgoing Command/Department will be responsible for the payment of such

- ii) A qualifying period of 74 working hours is required for each occasion of temporary development opportunity and non-consecutive days of acting up can be aggregated towards the 74 hours threshold in any one financial year. If there is a break in the qualifying period due to any reason of absence the qualifying period will continue from the date of return to duty.
- iii) If the temporary development opportunity is at a higher grade the member of staff will be paid at the higher salary with retrospective effect from the first day of undertaking such duties subject to the qualifying period outlined at para (ii)
- iv) Payment at the higher salary will only be made after the 74 qualifying hours have been fully completed however staff will receive their substantive salary for any periods of absence whilst undertaking a temporary development opportunity except in respect of the 20 days annual leave entitlement under regulation 13 of the UK Working Time Regulations when it will be payable (see para xi). Apprentices will be paid at the relevant national minimum wage during the qualifying period.
- v) If a member of staff does not have a substantive post whilst undertaking a temporary development opportunity, the staff member will be temporarily appointed into the role and assume the higher rate salary from day one. A qualifying period will not be required. The individual will be paid at the higher rate when on annual leave and for any periods of sickness absence.
- vi) If the arrangement continues into the next fiscal year it will be classed as the previous year's duty and payment will continue until there is a break.
- vii) Payment will be at the minimum spinal column point of the scale of the higher post. Increments at the higher salary rate will only be paid after a period of 12 calendar months has elapsed. Any further increments thereafter will be paid on the 1<sup>st</sup> April. Payment will cease on the last working day of the temporary development opportunity arrangement
- viii) In respect of Vehicle Fleet Workshops Branch, to ensure health and safety requirements are satisfied, full ongoing supervision to cover short term absences will be applied to Vehicle Fleet Workshops. The 74 hours qualifying period will be waived and payment will be made from day 1 of the acting duties. Only full days will be subject to payment.

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- ix) If the performance of higher duties is long term eg to cover for maternity leave, a new Performance Development Agreement should be made to take account of the changed priorities and development needs of the acting members of staff.
- x) The standard of performance during a period of acting should be documented for PDR purposes, immediately after the acting ends and considered as part of the next or full performance review.
- xi) For the purposes of the four week (20 days) annual leave payment under the Regulation 13 of the UK Working Time Regulations the below will be reckoned as 'normal remuneration' for payment:-
  - All forms of non-contractual overtime for both full time and part time workers (including plain time overtime where applicable) including that payable as part of rest working compensation:-
  - Standby
  - Acting Up allowances

**7.6 Temporary Promotion**

If an individual is required to undertake the full duties and responsibilities of a higher graded post over an extended period of 3 months they will be temporarily promoted to that higher grade after the qualifying period and a formal revision made to the contract of employment.

**7.7 Temporary Attachments**

- i) A temporary attachment is an arrangement where an individual is given the opportunity to work within another Command/Department or role within current Command, for a period not exceeding 10 working days. Requests for attachments should be made via Line Managers on form Pers. 210
- ii) All temporary attachments will be subject to the approval of the relevant Heads of Command/Department. If the Head of Command/Department cannot support the release, the reasons should be documented on the form and the individual advised accordingly
- iii) Weekly working hours will not be altered but subject to agreement, starting and finishing times may be varied during a temporary attachment.
- viii) The individual will continue to receive their normal salary and travelling expenses will not be paid.

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- iv) After the temporary attachment, the individual should complete a post attachment debrief with their supervisor, part 6 of form Pers. 210. This form should then be copied onto the PDR.

**7.8 Honoraria Payments**

- i) An honorarium payment may be paid when an individual is required to undertake temporary additional duties over an extended period and Heads of Command/Department must submit a report to HR outlining the reasons for such a request along with details of the payment which should be based on job evaluation data.
- ii) The Head of PSD Command will discuss the request with the Assistant Chief Officer and the appropriate Commander. If the request is approved payment will be progressed with Pay Office.
- iii) N.B. In exceptional circumstances an honorarium payment may be replaced with time off up to a maximum of 5 days.
- iv) An honoraria can be paid as a lump sum or temporary addition to salary.

**8.0 SECONDMENTS**

- i) Following successful application, the individual must seek approval from their Head of Command/Department regarding the suitability of the secondment, duration and appropriate commencement date.
- ii) Applications will be collated by the Strategic Resource Manager who will, where necessary, arrange for the application to be approved and endorsed by the Chief Constable's comments as to the applicants' suitability for the post sought.
- iii) During the secondment, the individual will be subject to the central support body or other organisation's appropriate terms and conditions of employment and their current terms and conditions with the Constabulary will cease when the secondment commences.
- iv) If the secondment is for a period of less than 12 months, the individual's substantive post will be filled on a temporary basis and the individual will return to their post on the same terms and conditions of employment.
- v) If the secondment is for a period of more than 12 months, the individual's substantive post will be filled on a permanent basis and the individual will return to the Force at the completion of their

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secondment into a suitable alternative vacancy. This vacancy will not necessarily be in the employees previous Command/Department

**8.1** Return to Force

- i) Three months prior to the end of the secondment period, the individual must advise the Head of PSD Command in writing, of the proposed return to Force date, following which they will be provided with details of appropriate vacancies if required.
- ii) There is no guarantee that the individual will return to the post they held prior to the secondment commencing, however:-
- iii) Every attempt will be made to place the individual into a vacancy on no less favourable terms and conditions of employment to that which they held prior to their secondment, however, if no comparable vacancy is available and they return into a lower graded post, the individual will be afforded 1 year pay protection which will equate to their substantive role at the time of their secondment. No guarantee can be given that the post will be located in the individual's previous location
- iv) At the end of the 12 month pay protection period the individual will be remunerated commensurate with the maximum of the grade of the post occupied.
- v) If there are no vacancies available at the completion of the secondment, the employee will return to their previous Command/Department on a supernumerary basis on no less favourable terms and conditions to that which they held prior to the secondment. The supernumerary arrangement will last for a maximum period of 12 months during which every attempt will be made to place the individual into an appropriate vacancy.
- vi) If after the 12 month period the employee has not been placed in a substantive post their contract of employment will be terminated.
- vii) Having returned to force from secondment an individual will not be eligible to apply for a second or subsequent secondment unless they have served in the force for a period of not less than 12 months from the date of their return. Exceptions to this principle will only be permitted following executive approval

**8.2** Extensions

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- i) There may be occasions when the host central support body or organisation makes application to extend the period of secondment. Durham Constabulary recognises the need to balance the requirements of all parties concerned in a fair, consistent and transparent way.
- ii) In consequence all requests for such extensions should be made in writing by the relevant host central support body or organisation, to the Head of PSD Command. The application will only be considered if it highlights exceptional circumstances relating to that individual's continued secondment. Following endorsement and recommendation by the Head of PSD Command the application will be considered by the member of the Force Executive responsible for personnel matters, who will make the final decision on whether to approve or refuse it.
- iii) The current and projected future ratio of seconded police staff will be relevant factors in this decision making process and only one extension of one additional year would normally be permitted

**9.0 APPEALS PROCEDURE**

If an individual wishes to appeal against any decision made in connection with this policy, they should write to or email, the Deputy Chief Constable at the below address within 14 days of receiving a decision. The appeal will be considered and consultation will take place with appropriate individuals to establish all facts before a decision with regard to the appeal is made. A response to the appeal will be provided in writing within 10 working days of receipt of the appeal. Should this period not be achievable the individual will be notified in writing when a decision will be communicated.

The Deputy Chief Constable  
c/o Human Resources  
Police Headquarters  
Aykley Heads  
Durham  
DH1 5TT  
Email [human.resources@durham.pnn.police.uk](mailto:human.resources@durham.pnn.police.uk)

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**EQUALITY IMPACT ASSESSMENT (EIA)**

**RECRUITMENT AND SELECTION POLICY**

An equality impact assessment (EIA) form **must** be completed by the Policy/Function lead when developing or reviewing policies or procedures which may impact on the way the Force conducts its business (both internally and externally) and must show that when making decisions we:-

- Give due regard to the impact it will have on protected groups
- Undertake an assessment **prior to** any decisions around policies/procedures being ratified to identify what potential impact has been found and subsequent action taken, and
- Provide an audit trail of the assessment undertaken which identifies how the policy or procedure is likely to affect protected groups.

The EIA must be completed **before** decisions are made, and remain a live document to be reviewed and continually updated during policy/procedure development or updating

This form is a Tool to document the assessment and should be completed, attached to the relevant policy/procedure document and submitted to the HR User Group or other strategic group for ratification

<b>1) Purpose of the policy. Why do we need it and what will it achieve</b>	
Provide all staff and managers guidance on how the Recruitment and Selection Procedure will be operated.	
<b>2) Explain briefly why the Policy/Procedure is being developed or reviewed?</b>	
Amended to delete the option of testing in lieu of qualifications.	
<b>3) What research/resources have been used or considered in the initial stages of this assessment?</b>	
<ul style="list-style-type: none"> <li>• We now offer quals via apprenticeships</li> <li>• Some colleges offer free level 2 quals</li> <li>• Have already amended JE re maths and English requirement</li> </ul>	
<b>4) Who has been consulted around the potential impact during the development/amendment of the policy/procedure</b>	
All support networks. HR Staff Staff associations Legal Services Heads of Command	Force Executive (AC0) Independent Advisory Groups (IAG's)
<b>5) Following assessment of available information, has a positive or adverse impact been identified OR is the initiative equality neutral?</b>	
A <b>Positive Impact</b> – will actively promote equality of opportunity or improve relations	

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<p align="center">between one or more groups</p> <p>An <b>Adverse impact</b> – will cause some form of disadvantage or exclusion.  <b>Neutral impact</b> is when there are no notable consequences for any diversity group</p> <p><b>Provide details on ALL decisions for ALL the protected characteristic groups below. Specify what actions, if any, will be taken as a result of the assessment, provide any findings and the reason any decisions were reached, and determine what changes may be necessary to either reduce any adverse impact or enhance any beneficial impact. If an adverse (negative) impact has been identified question 5 must be completed.</b></p>				
	<u>Positive</u>	<u>Negative</u>	<u>Neutral</u>	<u>Details</u>
<b>Age</b>		<b>X</b>		It is recognised this may have an impact as some applicants may not have the relevant qualifications for posts. However for internal staff we now offer quals via apprenticeships and some colleges offer free level 2 quals which would assist our external applicants. We have previously revised the requirement for maths and English which may also assist applicants.
<b>Disability</b>		<b>X</b>		It is recognised this may have an impact as some applicants may not have the relevant qualifications for posts. However for internal staff we now offer quals via apprenticeships and some colleges offer free level 2 quals which would assist our external applicants. We have previously revised the requirement for maths and English which may also assist applicants.
<b>Transitioning from one sex to another (either thinking of, in the process of or have)</b>			<b>X</b>	
<b>Marriage and Civil Partnership</b>			<b>X</b>	

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<b>Pregnancy and Maternity</b>			<b>X</b>	
<b>Race</b>			<b>X</b>	
<b>Religion or Faith</b>			<b>X</b>	
<b>Sex</b>		<b>X</b>		It is recognised this may have an impact as some applicants may not have the relevant qualifications for posts. However for internal staff we now offer quals via apprenticeships and some colleges offer free level 2 quals which would assist our external applicants. We have previously revised the requirement for maths and English which may also assist applicants.
<b>Sexual Orientation</b>			<b>X</b>	
<b>6) If a negative impact has been identified, please provide further details stating what actions need to be undertaken as a result of the section 5). How any negative impact can be justified for this initiative.</b>				

<b>Confirm the above Actions have been incorporated and the EIA is now ready for submission to HR PUG or other Strategic Group.</b>	
<b>Signature...</b>	
<b>Name</b> Sylvia Horsfield	<b>Date</b> 9 <sup>th</sup> April 2020
<b>7) – Ratify the Policy / Procedure at HR PUG or other Strategic Group</b>	
<b>Meeting/Group:-</b>	<b>HR PUG</b>
<b>Chair of Meeting/Group:-</b>	<b>T/C/Supt Curtis</b>