

2013 No. 2793

POLICE, ENGLAND AND WALES

The Police (Amendment) Regulations 2013

Made - - - - *30th October 2013*

Laid before Parliament *1st November 2013*

Coming into force - - *25th November 2013*

The Secretary of State, in exercise of the powers conferred by section 50 of the Police Act 1996(a), makes the following Regulations.

In accordance with section 63(3) of that Act(b), the Secretary of State has supplied a draft of these Regulations to the Police Advisory Board for England and Wales and taken into consideration their representations.

Citation and commencement

- 1.—(1) These Regulations may be cited as the Police (Amendment) Regulations 2013.
- (2) These Regulations come into force on 25th November 2013.

Amendments to the Police Regulations 2003

2. The Police Regulations 2003(c) are amended as follows.
3. In regulation 10 (qualifications for appointment to a police force)—
 - (a) in paragraph (1), after sub-paragraph (e) insert—

“(ea) must have a selected qualification or experience, within the meaning of paragraph (1A);”;
 - (b) after paragraph (1) insert—

“(1A) A selected qualification or experience is a qualification or type of experience selected by the chief officer from a list determined by the Secretary of State, and a determination under this paragraph may confer such functions on the chief officer or any other person in relation to the listed qualifications or experience as the Secretary of State thinks fit.”.

(a) 1996 c. 16. Section 50 is amended by paragraph 3 of Schedule 22 to the Criminal Justice and Immigration Act 2008 (c. 4), section 3 of the Policing and Crime Act 2009 (c. 26) and section 82(12) of, and paragraph 32 of Schedule 16 to, the Police Reform and Social Responsibility Act 2011 (c. 13).

(b) Section 63(3) was amended by paragraph 78 of Schedule 4 to the Serious Organised Crime and Police Act 2005 (c. 15), paragraph 6 of Schedule 22 to the Criminal Justice and Immigration Act 2008 and section 10 to the Policing and Crime Act 2009.

(c) S.I. 2003/527.

4. After regulation 10A(a) (taking of fingerprints and samples prior to appointment to a police force) insert—

“Member rejoining a police force

10B.—(1) This regulation applies to person who is appointed as a member of a police force having—

- (a) previously served as a member of that or another force at any time in the five years immediately preceding the appointment; and
- (b) satisfactorily completed the period of probationary service in the rank of constable required under regulation 12 during that or another period of prior service.

(2) This regulation also applies to a person who satisfies the requirements in paragraph (1) but for the fact that more than five years have elapsed since the person last served as a member of a police force, but only if the chief officer making the appointment is of the opinion that there are exceptional circumstances such that this regulation should apply to the person.

(3) A person to whom this regulation applies—

- (a) shall be appointed in the rank in which the person last served as a member of a police force; and
- (b) shall be on probation for a period of six months.”.

5. After regulation 13 (discharge of probationer) insert—

“Secondments

13A.—(1) The Secretary of State shall determine the circumstances in which, and the terms on which, a member of a police force may undertake temporary service outside the police force which is not relevant service within the meaning of section 97 of the Act (police officers engaged on service outside their force).

(2) A determination under paragraph (1)—

- (a) may confer such functions on the chief officer or any other person as the Secretary of State thinks fit;
- (b) shall not permit any period of temporary service to exceed five years; and
- (c) shall be without prejudice to any arrangement in place under which a member is undertaking temporary service outside the police force at the time paragraph (1) comes into force.”.

Home Office
30th October 2013

Damian Green
Minister of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Police Regulations 2003 to implement recommendations 3, 16, 17 and 18 of the Independent Review of Police Officer and Staff Remuneration and Conditions: Final Report**(b)**.

Those recommendations were as follows:

(a) Regulation 10A was inserted by S.I. 2012/1960. There are other amendments to S.I. 2003/527, but none is relevant.
(b) Cm. 8325.

Recommendation 3 – From April 2013, an additional qualification should be added to the list required for appointment to a police force in regulation 10 of the Police Regulations 2003. Candidates eligible for appointment to a police force should have either a Level 3 qualification, or a police qualification which is recognised by the sector skills council, Skills for Justice, or service as a special constable or service as a police community support officer (or another staff role which the chief officer is satisfied provides appropriate experience). The chief officer should have a discretion in relation to which of these criteria should apply to applicants for entry to his force.

Recommendation 16 – Provision should be made in police regulations to enable police officers to be seconded to organisations outside policing for a period not exceeding five years.

Recommendation 17 – The Police Regulations 2003 should be amended to provide for the return to the police service of former non-probationary officers at the rank they last held. There should be no right of return and there must be a suitable vacancy. Return after more than five years should not be allowed other than in exceptional circumstances.

Recommendation 18 – The Police Regulations 2003 should be amended to provide that returning officers should be subject to a probationary period of six months.

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