

2005 No. 178

POLICE, ENGLAND AND WALES

The Police (Promotion) (Amendment) Regulations 2005

Made - - - - - *29th January 2005*

Laid before Parliament *7th February 2005*

Coming into force - *1st March 2005*

The Secretary of State, in exercise of the powers conferred upon him by section 50 of the Police Act 1996(a), and after furnishing a draft of the Regulations to the Police Advisory Board for England and Wales and taking into consideration any representations made by that Board in accordance with section 63(3)(b) of the Police Act 1996, hereby makes the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Police (Promotion) (Amendment) Regulations 2005, and shall come into force on 1st March 2005.

(2) These Regulations extend to England and Wales.

Amendment of the Police (Promotion) Regulations 1996

2.—(1) The Police (Promotion) Regulations 1996(c) are amended in accordance with these Regulations.

(2) For “qualifying examination”, in each place where the words occur, substitute “qualifying assessment” (and for “qualifying examinations”, substitute “qualifying assessments”).

3. In regulation 5 (period of probation for constable promoted to sergeant), after paragraph (2) insert the following paragraph—

“(3) This regulation shall not apply to a person who is completing the work-based assessment under Part IIB of the qualifying assessment.”

4.—(1) Regulation 6 (temporary promotion) shall be renumbered regulation 6(1).

(2) In regulation 6, after paragraph (1) insert the following paragraph—

“(2) A member of a police force who is successful in the written paper under Part I of the qualifying assessment, and who has commenced the period of work-based assessment under Part IIB of the qualifying assessment, shall, at the commencement of the work-based assessment, be temporarily promoted to the rank of sergeant or inspector as the case may be.”

(a) 1996 c. 16; there are amendments to section 50 which are not relevant to these Regulations.

(b) Section 63(3) was amended by section 134(1) of, and paragraphs 72 and 83 of Schedule 9 to, the Police Act 1997 and sections 90(5), 91(5) and 107(1) of, and paragraph 17 of Schedule 7 to, the Police Reform Act 2002 (c. 32).

(c) S.I. 1996/1685 as amended by S.I. 2002/767, 2003/2595 and the Police (Northern Ireland) Act 2000, section 78(2)(f).

- 5.—(1) For paragraph 1(2)(b) of Schedule 1, substitute the following paragraph—
- “(b) either Part IIA, consisting of practical tests, or Part IIB, consisting of a work-based assessment”.
- (2) After paragraph 1(2) of Schedule 1, insert the following paragraph—
- “(2A) The Part IIB work-based assessment shall consist of a period of a minimum of 12 months.”
- (3) In paragraph 1(3) of Schedule 1 for “each Part I” substitute “Parts I and IIA”.
- (4) In paragraph 2(2)(b) of Schedule 1 for “Part II” substitute “Part IIA”.
- (5) After sub-paragraph 2(2)(b) of Schedule 1 insert the following sub-paragraph—
- “(c) whether a police force promotes its members using the assessment set out in Part IIA or Part IIB.”.
- (6) In paragraph 5(1) of Schedule 1, after “a constable” insert “in a police force using the Part IIA assessment process”.
- (7) After paragraph 5(1) of Schedule 1 insert—
- “(1A) Subject to sub-paragraphs (4) and (5), a constable in a force using the Part IIB assessment process who has completed 2 years’ service and his probationary service is eligible to take Part I of the qualifying assessment for promotion to the rank of sergeant in that year.”
- (8) In paragraph 5(3) of Schedule 1, after “a police force” insert “using the Part IIA assessment process”.
- (9) After paragraph 5(3) of Schedule 1 insert—
- “(3A) Subject to sub-paragraphs (4) and (5), a member of a police force using the Part IIB assessment process who holds the rank of sergeant, otherwise than on temporary promotion under regulation 6, is eligible to take Part I of the qualifying assessment for promotion to the rank of inspector in that year.”
- (10) In paragraph 5(5) of Schedule 1 after “Part I of that” for “examination” substitute “assessment”.
- (11) In paragraph 5(6) of Schedule 1 for “Part II”, substitute “Part IIA”.

Home Office
29th January 2005

Hazel Blears
Minister of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Police (Promotion) Regulations 1996, and introduce an alternative to Part II of the qualifying examination (Regulations 5 and 6(1)). Police forces will be able to promote their members either by using the current system of practical assessments, or by using work-based assessments. These Regulations will come into force on 1st March 2005.

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