

EXPLANATORY MEMORANDUM TO
THE POLICE (PROMOTION) (AMENDMENT) REGULATIONS 2008

2008 No. 273

1. This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. **Description**

2.1 The Regulations amend Schedule 1 to the Police (Promotion) Regulations 1996 (the **1996 Regulations**) by allowing constables who are participating in the High Potential Development scheme to take Part I of the qualifying assessment for promotion to the rank of sergeant. These changes are being made to reflect an agreement of the Police Advisory Board for England and Wales (PABEW).

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

3.1 None.

4. **Legislative Background**

4.1 The amendments to Schedule 1 to the 1996 Regulations were agreed by the PABEW on the 17 October 2007. The amendments are set out in section 7 below.

5. **Territorial Extent and Application**

5.1 This instrument applies to England and Wales.

6. **European Convention on Human Rights**

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. **Policy background**

7.1 The current process of qualifying for promotion to the ranks of sergeant and inspector involves a nationally administered two part Objective Structured Performance Related Examination (OSPRE). A trial of Work Based Assessments in a number of forces as an alternative to OSPRE Part II is also ongoing and is provided for in changes to the 1996 Regulations as set out in the Police (Promotion) (Amendment) Regulations 2005.

7.2 The High Potential Development Scheme (the **Scheme**) was introduced in 2002 in order to identify and develop the next generation of police service leaders. It was agreed by the PABEW and Ministers at that time that the 1996 Regulations be amended to allow Constables participating in the Scheme to take their qualifying OSPRE Part I examination for the rank of sergeant at any point during their probationary period, with a view to promotion, if successful, at the end of their probationary period.

7.3 The necessary amendment to the 1996 Regulations in order to achieve the policy objective described in paragraph 7.2 was not made in 2002. This instrument makes these changes by enabling constables participating in the Scheme to take their qualifying OSPRE Part I examination for the rank of sergeant at any stage. The instrument applies to all constables participating in the Scheme including those in forces currently trialling Work Based Assessments as an alternative to OSPRE Part II.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

8.2 The impact on the public sector will be to administer any queries from police forces arising from changes made to Schedule 1 to the 1996 Regulations.

9. Contact

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