

**Cautions, Convictions and Vetting**

Police officers are subject to standards of professional behaviour which set out clearly what communities can expect from them.

The public expects that all police forces will recruit officers with proven integrity. Therefore, before recruiting anyone to work in a police force, thorough checks must be undertaken to ascertain whether anything is known to the detriment of the candidate, his or her spouse or partner, close relatives, in-laws, or those residing or associating with the candidate.

Checks will be carried out on anything self-declared by the candidate as well as making sure nothing else is discovered which could heighten vulnerability, bring discredit upon or otherwise cause embarrassment to the police service. Checks also extend to social media accounts.

When applying for a Police Now programme, a candidate **must declare**:

- all convictions for past offences (including traffic convictions and spent convictions under the Rehabilitation of Offenders Act 1974)
- any formal cautions (including those as a juvenile)
- any reprimands, warnings and penalty notices
- any bind-over imposed by the courts
- being the subject of an Anti-Social Behaviour Order, Football Spectator Banning Order, Risk of Sexual Harm Order, or Harassment Order
- traffic offences (including fixed penalty notices but excluding parking)
- any previous charges or summonses
- any currently outstanding charges, summons or pending prosecutions
- any investigations, arrests or involvement whatsoever with any Police Service, Statutory or Prosecuting Authority
- any involvement with the military authorities on disciplinary matters and any appearance before a court martial regardless of the outcome

record of information as required, the presumption is that the candidate's honesty and integrity are in question and this may result in the termination of an application.

Careful consideration will be given to any candidate who is confirmed as having been convicted of any criminal offence. Convictions, cautions and fixed penalty notices (road traffic and recordable offences, such as disorder and alcohol related offences) will not necessarily preclude anyone from appointment with Police Now and one of its partner forces but this will depend on the nature and circumstance(s) of the offence.

Factors that are taken into consideration before a decision is made include but are not limited to:

- The nature and number of offences
- The age of the applicant at the time of the offence(s)
- The number of years that have elapsed since the offence(s) was/were committed
- Any potential risks to Police Now and partner forces related to the offence(s)

In considering an application, the overriding rule is that no one will be eligible for appointment if they have been convicted of a criminal offence which if committed by a serving officer would:

- Result in their dismissal
- Cause embarrassment to the Service
- Create difficulties to the individual in carrying out his or her duties

There is not a prescriptive list of convictions and cautions that lead to a vetting rejection. The Rehabilitation of Offenders Act 1974 (Exemptions) Order 1975 does not apply to any police officer posts. The College of Policing Vetting Code of Practice and associated Authorised Professional Practice (APP) advise that applications for a position as a police officer are to be rejected in all cases where:

- offences were committed as an adult or juvenile that resulted in a prison sentence (including custodial, suspended or deferred sentence and sentences served at a young offenders' institution or community home)
- the applicant is, or has been, a registered sex offender or is subject to a registration requirement in respect of any other conviction.

For all other convictions or cautions there is a rebuttable presumption that they should be rejected. In particular, the following should result in rejection:

- offences where vulnerable people were targeted
- offences motivated by hate or discrimination
- offences of domestic abuse.

Each case will be considered on its merits and, whilst the rebuttable presumption is that convictions, cautions or other sanctions should lead to rejection, there may be cases where this may be disproportionate in the circumstances.

## **Motoring Offences**

Convictions or offences dealt by the way of fixed penalties for minor motoring offences should not in themselves be a barrier to recruitment unless the applicant is a persistent offender, but each case will be considered on its merits.

For more serious motoring offences, including those that result in disqualification and/or custodial sentences, each will be considered on its merits and, whilst the rebuttable presumption is that convictions, cautions or other sanctions should lead to rejection, there may be cases where this may be disproportionate in the circumstances.

## **Outstanding Charges and Summonses**

Where an applicant discloses any outstanding charge or summons that may result in a conviction for a recordable offence, the application will have to be put on hold until the outcome is known, at which point it will be considered with the standard operating procedures set out in this document.

### **Relatives and Associates with Convictions or Cautions**

Where relatives or the associates of a candidate are found to have convictions, or cautions for recordable offences, or if they are reasonably suspected of being actively involved in criminal activity, the following should be considered:

- The nature of the relationship e.g. whether the applicant resides with or has regular contact with the offender
- The likelihood that the applicant's role will be adversely affected e.g. through adverse pressure or a conflict of interest
- The number and severity of the offences or involvement in criminal activity
- Whether embarrassment will be caused to the Police Service
- Whether the credibility of the applicant will be affected
- Whether the credibility of the Police Service will be affected
- The potential for information leakage

### **HM Forces**

Convictions whilst serving in the HM Forces will be treated like any other centrally recorded information and similar weight given to any finding of guilt. Serving members of the Armed Forces who are convicted of any criminal offence by a military tribunal will have any such offence recorded on the Police National Computer.

### **Residency**

For vetting purposes, there is a requirement that an applicant should have been a resident in the UK (including Northern Ireland but not the Republic of Ireland) for three years prior to submitting an application. If a candidate has been outside of the UK for a significant period of time it is likely insufficient vetting can be undertaken to ensure suitability for the position and therefore an application may be rejected. Members of the Armed Forces and those who have been working for the UK Government abroad are exempt to these conditions and a decision will be made according to individual circumstances of posting. Other circumstances including extended holidays of up to one year could be allowed, on a case-by-case basis.

Applicants must have the status of indefinite leave to remain and work without restriction in the UK; British citizens will have this status.

Commonwealth citizens or other foreign nationals must provide proof that they have no restrictions on their stay in the UK. Please note, after 30 June 2021, nationals of the EEA or Switzerland will also need to provide evidence that their stay is free from restrictions.

## **Changes in Circumstances**

If a candidate's circumstances change during the application or vetting process, they must advise the Recruitment Team as soon as possible. All candidates have an individual responsibility to report any changes which may be of relevance to their clearance. Notifiable changes may include, but are not limited to:

- Change of name
- Getting married or entering into a Civil Partnership
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- Arrest for any criminal offence or involvement in a criminal investigation as a suspect
- Caution or conviction for a criminal offence
- Bankruptcy
- Adverse County Court Judgement
- Entry into an Individual Voluntary Arrangement (IVA)
- Known or suspected criminal associations

N.B. Please note that we're unable to state whether a conviction record of you or anyone associated with you will affect your application before you apply. We'll base our decision on the full and confidential information you provide during the recruitment and selection process as well as vetting and security checks.