

NYP Vetting – Authorised Professional Practice and Associated Matters

1. This paper sets out the comprehensive explanation of the police vetting regime, following the issue being drawn into sharp focus across the United Kingdom and having been understandably raised by a member of the public (and by Members) at their meeting on 14 October 2021.
2. It also addresses the question raised by Councillor Grogan (in respect of the treatment of spent convictions) to which the Chief Executive undertook to respond in writing.

Overview of Police Vetting

3. NYP follows the College of Policing Vetting Authorised Professional Practice (APP) which supports the Code of Practice (CoP) for Vetting. The APP and CoP are publicly accessible via [Vetting \(college.police.uk\)](https://college.police.uk).
4. All new recruits as police officers, police staff or volunteers undergo vetting, as do contractors or other people working within Police or joint NYP NYFRS estate or those who have any access to protectively marked police information or police systems (this may be remotely). The majority of new starters require RV (Recruitment Vetting), however some roles have a higher vetting clearance level. NYP also re-vets transferees, regardless of when they were last vetted by their current force. The checks on transferees are enhanced by more in-depth questions to their force regarding previous complaints, intelligence held on anti-corruption / integrity unit systems, and performance concerns. We only accept new recruits and transferees once vetting clearance has been attained.
5. Each case is assigned a vetting researcher who will undertake a series of checks in accordance with the APP. Wherever there is a trace (i.e. information pertaining to that person for the check), a more detailed piece of research is completed, and the researcher reports on all 'traces' to the Force Vetting Manager (FVM) to aid their decision making. The vetting researchers do not make the clearance decision, this is a responsibility of the FVM.
6. Where concerns are identified, the FVM may conduct a vetting interview with the applicant, or may reject the application as a fail without an interview. If decision is for the vetting not to be granted, the applicant has a right to appeal which is usually handled by the Head of Professional Standards. If a concern is identified with a transferee application, then this is shared with the officer's current force for an assessment by them also, either as a vetting issue or under the Police Conduct Regulations.
7. North Yorkshire Police were not required to be on a vetting action plan following the last HMICFRS PEEL inspection as our processes were found to be appropriate.

Vetting of transferees

8. Nationally there is a significant amount of movement between police forces, where an officer may apply to transfer to another force. The reasons for the desired transfer may not always be apparent, and we recognise that a person would not disclose a reason to transfer if it would be a concern for their future force. Therefore, it is down to both People Services and the Vetting Team to identify if there is a risk attached to that person.
9. NYP enhanced our vetting of transferees about 1 year ago, to ensure we know as much as can be disclosed about the transferee. This included no assumptions over information provided by their existing force that everything would be within the history documents provided. For example, under the 2020 Conduct Regulations, any matter dealt with as RPRP (Reflective Practice Review Process) would not show as a discipline outcome, nor a live matter (as compared to an outcome of written warning or above), and would show as a nil return. NYP vetting probe the full detail of the information provided. Additionally, performance regulation processes, Regulation 13 processes (Reg 13 being the police regulation which affords police forces with the processes by which an officer in their probationary period may be dismissed or given the opportunity to resign) are not on the disciplinary and complaints records, and therefore have to be asked for.
10. Every transferee is re-vetted before being offered appointment irrespective of when they were last vetted or reviewed.
11. Where a prospective transferee is subject of a live complaint or conduct matter, the matter is referred to the Head of Professional Standards to decide if the transfer can go ahead or whether that matter requires an outcome before a transfer can be completed. Generally, matters subject of investigation would mean the transfer would be paused until that investigation completed, however, matters being dealt with other than by investigation would not be a prohibitor to proceed, as this shows that the Appropriate Authority has decided that there is no conduct to record nor investigation needed, but to be dealt with by reasonable and proportionate actions.

Vetting of Officers of Chief Constable Rank

12. The same approach is taken in respect of all facets of Authorised Professional Practice, save that the APP makes provision for the Commissioner's Chief Executive to be the Decision Maker, rather than the FVM or Head of Professional Standards.

How does vetting interact with spent convictions?

13. The Vetting APP section 8.5 Rehabilitation of Offenders (ROA) details the way in which NYP vetting unit interact with spent convictions. Applicants to the police service are required to declare spent convictions. There is no requirement for an applicant who is applying to become a police staff member to declare a conviction or caution which is considered protected under the ROA. Protected cautions or convictions have no impact upon the vetting decision for police staff applicants. There is an exception to this rule for police officers who are required to declare all matters, protected or not and vetting can be refused for a police officer where it would be granted for police staff.