



Policy Directive

SERVICE VETTING POLICY (SVP)

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Protective Marking	NOT PROTECTIVELY MARKED
Policy Ownership:	
Department	Human Resources Department
Branch	Anti-Corruption & Vetting Command
Author	Chief Inspector
Policy Approved By:	
Service Executive	
Department or Branch Head	
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2. POLICY STATEMENTS

- (1) The Police Service of Northern Ireland's (PSNI) overarching policing aim is to 'Keeping People Safe' through the *Policing with the Community Strategy*. PSNI Vetting Procedures are designed to support and embed this Strategy, and thereby gain the confidence of the whole community in the PSNI. The standards are high not just in terms of service delivery but in the manner in which the service is delivered and by the people who are delivering that service.
- (2) The PSNI is committed to the maintenance of the highest levels of honesty and integrity. We aim to ensure that we prevent dishonesty and unethical and unprofessional behaviour. The Service Vetting Policy sets out the principles of vetting within PSNI.
- (3) Vetting exists to protect the integrity of PSNI, its assets and data from persons and organisations, both internal and external. It is the aim of the PSNI via the Anti Corruption & Vetting Branch to provide an appropriate level of assurance as to the trustworthiness, integrity and reliability of all police officers, police staff and non-police personnel (NPP) working within the police estate.

3. INTRODUCTION

- (1) Police officers are given extraordinary powers over citizens and both police officers and police staff can have access to highly sensitive information. A robust vetting process not only safeguards the health, safety and welfare of our staff and those with whom we work in partnership, but also preserves our information/intelligence and our operational and financial assets.
- (2) This Policy explains how the PSNI will vet all police officers, police staff and non police personnel prior to access to the PSNI estate and its infrastructure. The Policy will also explain how enhanced vetting will be carried out for police officers, police staff and non police personnel prior to being appointed to designated roles within the Service.

4. DRIVERS FOR CHANGE

(1) Unfettered Discretion

- (a) The PSNI have been given discretion by the Chief Constable to vet officers, police staff and non-police personnel. This Policy intends to ensure that we will act reasonably by considering all applications fairly and take individual circumstances into account in the decision making process.
- (b) A Judicial Review of PSNI Vetting Policy and the precedence set by the British Oxygen where a public authority must not "fetter its discretion" have led to a review of the Policy. It has been recognised that there must be scope within the Policy to consider, amongst other things, the nature of the offence(s) any mitigating circumstances such as the age of the applicant at the time of the offence(s) and the vintage of offence(s).
- (c) The implementation of this Policy Directive will assist in securing the confidence of the community by having a robust vetting process that upholds the Policing with the Community Strategy ethos to be open to all sections of our community.
- (d) The PSNI have issued this Policy and guidelines in the knowledge that discretion will be unfettered and that exceptions can be made on the basis of the merits of every individual case.

- (e) The Service Vetting Procedures have been subject to a full Equality Impact Assessment (EQIA) and is fully compliant with current equality legislation. The SVP has adopted a number of the mitigating measures to reflect the comments of those who responded to the EQIA.

(2) **National Guidelines**

- (a) Consideration has also been given to the 'Association of Chief Police Officers (ACPO) National Vetting Policy for the Police Community', the College of Policing Vetting Draft Code of Practice Version 0.4 and the Her Majesty's Government's (HMG) Security Policy Framework whilst reviewing this Policy.

5. **IMPLICATIONS OF THE POLICY**

(1) **Policy Aims**

- (a) This Policy defines the vetting levels used within the police service and will establish a vetting level for every individual who is required to access the PSNI estate and its infrastructure.

(2) **Application**

- (a) In the application of this Policy the PSNI will not unlawfully discriminate against any persons regardless of age, disability, political, or other opinion, national or social origin, association with national minority, property, birth, belief or other status as defined under Article 14 European Convention of Human Rights (ECHR).

(3) **Legal Basis**

The main legislation and guidance relevant to vetting are:

- (a) Her Majesty's Government's (HMG) Security Policy Framework V 6.3 April 2014;
- (b) Police (Testing for Substance Misuse) Regulations (Northern Ireland) 2007;
- (c) The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007;
- (d) Police Reform Act 2002;
- (e) NPIA Circular 03/12 – Police Service Recruitment Biometric Vetting Checks;
- (f) Cabinet Office Security Notice SN2010-14;
- (g) NPIA 01/2010 – Police Officer Recruitment: eligibility criteria for the role of police constable;
- (h) Police (Northern Ireland) Act 2003;
- (i) The Criminal Justice (Northern Ireland) Order 2008;
- (j) Police Service of Northern Ireland (Recruitment of Police Support Staff) Regulations 2002;

- (k) Police (Recruitment) (Northern Ireland) Regulations 2001;
- (l) Police Trainee (Amendment) Regulations (Northern Ireland) 2008;
- (m) Regulation of Investigatory Powers Act 2000;
- (n) The Police (Northern Ireland) Act 2000;
- (o) Official Secrets Act 1989;
- (p) Security Services Act 1989;
- (q) Data Protection Act 1998;
- (r) Section 75 of the NI Act (1998);
- (s) The Human Rights Act 1998;
- (t) Health and Safety at Work (Northern Ireland) Order 1978;
- (u) HMG Baseline Personnel Security Standard version 6.3 – April 2014.

(4) Ownership

- (a) This Policy is owned by ACC Human Resources Department PSNI.

(5) Financial Implications/Best Value/Continuous Improvement/Efficiency

- (a) There was an additional financial cost to the Service as a full Equality Impact Assessment was carried out in respect of the Service Vetting Procedures.
- (b) Due to the implementation of an online solution for vetting aftercare there will be additional efficiency savings as the vetting period has been extended for higher levels of vetting.

(6) Human Resources

- (a) This Policy enables the Anti Corruption & Vetting Branch to perform all functions of vetting for the police community. This Sub Branch is headed by the Service Vetting Officer (SVO), who is responsible for co-ordinating all vetting policies and procedures and is accountable to the Assistant Chief Constable (ACC) of the Human Resources Department.

(7) Partnerships

- (a) This policy has been produced and advice sought from other Police Forces, Agencies and individuals within the Vetting community.

(8) Internal Policy Links

- (a) Career Breaks and Unpaid Leave for Police Officers - Refer to HR Guidance A-Z;
- (b) Policy Directive No: 09/08 – Police Response to Domestic Incidents;
- (c) Policy Directive No: 06/08 – PSNI Data Protection Policy;
- (d) Selection Competitions and Appointments - Refer to HR Guidance A-Z;
- (e) Procedure for Identification and Disclosure of Disciplinary Findings of Guilt, Adverse Judicial Findings and Criminal Convictions of Police Officers – Refer to Guidance available on PoliceNet;
- (f) The Code of Ethics 2008;
- (g) Policy Directive No: 01/12 - Professional Standards in the PSNI;
- (h) Service Procedure No: 5/13 Child Protection Procedures;
- (i) Service Procedure No: 12/12 – Procurement And Contract Management within The Police Service of Northern Ireland (The Police Service);
- (j) Service Procedure No: 3/12 – Records Management;
- (k) Service Procedure No: 7/13 – Freedom of Information;
- (l) Service Procedure No: 2/16 – Vetting Guidance for PSNI.

(9) Risks

- (a) Failure to introduce and apply a coherent and robust Policy could expose the organisation to allegations of failing to provide the community with a professional service by not having the appropriate processes in place to vet police officers, police staff and non police personnel.
- (b) Implementation of the Policy will assist in increasing public confidence and reassurance. However, vetting provides only a 'snapshot' in time and therefore an annual vetting appraisal system needs to be in place for all levels of vetting to ensure the process remains credible.

(10) Bureaucracy

- (a) Whilst there will be an increase in annual vetting appraisals, bureaucracy will be kept to a minimum due to the availability of an online solution.

(11) Consultation

Consultation has been carried out with the following:

- (a) Chief Constable/Deputy Chief Constable;
- (b) Service Executive Board;
- (c) Department of Justice;
- (d) Northern Ireland Policing Board; (NIPB);

- (e) Head of Legal Services;
- (f) Human Rights / Employment Law Legal Adviser;
- (g) Information Assurance Unit (IAU);
- (h) Federation/Superintendents Association/Trade Unions;
- (i) District Commanders;
- (j) Heads of Department;
- (k) Occupational Health and Well-being (OHW);
- (l) S5 Discipline Branch (PSD);
- (m) Police Ombudsman for Northern Ireland (PONI);
- (n) Women's Police Association;
- (o) Gay Police Association;
- (p) Ethnic Minorities Police Association;
- (q) Cabinet Office, London;
- (r) Centre for the Protection of the National Infrastructure.

6. HUMAN RIGHTS/UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD (UNCRC)/EQUALITY/CODE OF ETHICS/FREEDOM OF INFORMATION

(1) Human Rights

- (a) The PSNI is committed to full compliance with the Human Rights Act 1998 in every aspect of its work. Any interference with a protected right arising from the operation of this Policy will be in accordance with the law, in pursuance of a legitimate aim and shall be necessary in a democratic society. The PSNI will not discriminate against any person in the application of this Policy.
- (b) This Policy is deemed to be Human Rights compliant and consideration has been given to the United Nations Convention on the Rights of the Child (UNCRC); it has been screened for Section 75 considerations and complies with the PSNI Code of Ethics. The Policy is suitable for disclosure in accordance with the Freedom of Information Act 2000.

(2) Confidentiality

- (a) Article 3: 'Privacy and Confidentiality' PSNI Code of Ethics applies to all vetting procedures and information.
- (b) Vetting procedures include the completion of vetting questionnaires, which may contain sensitive personal information. It is therefore important that everyone has the opportunity to disclose this information in confidence, in the knowledge they will receive a professional response. The objective of this is to reduce risks to the public and Police Service and to individuals involved in the vetting process.
- (c) The Service Vetting Officer, as the designated data owner, will retain vetting questionnaires and all other information obtained during the vetting process in

individual personal vetting files. These files will be managed as **CONFIDENTIAL** documents in accordance with the Government Protective Marking Scheme (GPMS) and as detailed in PSNI Manual of Protective Security.

- (d) The Police Service of Northern Ireland is committed to ensuring that all appropriate measures are put in place to ensure that it is able to effectively manage the records that are created, registered, stored, retained, disposed of or preserved indefinitely. This policy will adhere to current PSNI Review, Retention and Disposal Schedule.

7. MONITORING AND REVIEW

- (a) This Policy is owned by the ACC Human Resources Department and will be reviewed annually;
- (b) Interim reviews may also be prompted by feedback, challenge or change in legislation.