

Date: 27 July 2021
Our Reference: FOIA-2021-070

RE: Freedom of Information Act 2000 Request

I write in response to your Freedom of Information Act 2000 (or 'FoIA 2000') request dated 30 June 2021, which stated:

"I am writing to request any guidance issued by the College of Policing on the subject of Police Transferees'.

I also request any correspondence held by the College in respect of the issue of officers from the National Crime Agency transferring to Home Office Police Forces. Such information may include any comment provided by another public body in response to formal or informal consultation or any unsolicited comment made on the issue which was capable of informing policy."

When a request for information is made under FoIA 2000, a public authority has a general duty under section 1(1) of the Act to inform an applicant whether the requested information is held. There is then a general obligation to communicate that information to the applicant. If a public authority decides that the information should not be disclosed because an exemption applies, it must, under section 17(1) cite the appropriate section or exemption of the Act and provide an explanation for relying upon it.

It is important to note that a freedom of information request is not a private transaction. Both the request itself and any information disclosed are considered suitable for open publication, that is, once access to information is granted to one person under the legislation, it is then considered public information and must be communicated to any individual should a request be received. In light of this, our responses and disclosures are published on our external website at a later date.

Decision

After conducting careful searches relating to your request, I can confirm there is information held and this has been provided to you in the PDF document which accompanies this letter. The College of Policing can neither confirm nor deny whether all the information held meets the terms of your request. This is because the duty to comply with section 1(1)(a) of the FoIA 2000 does not apply by virtue of section 23(5). Under s23(5) the duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which was directly or indirectly supplied to the public authority by, or relates to, any of the bodies specified in subsection (3). This is an absolute exemption and a public interest test is not required.

I trust this letter answers your questions. Your rights are provided in **Appendix A**.

Yours sincerely,

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Information Management and Legal Team
College of Policing

Email: FOI@college.pnn.police.uk

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Appendix A

Rights

If you are dissatisfied with the handling procedures or the decision of the College of Policing made under the Freedom of Information Act 2000 (the Act) regarding access to information you can request that the decision is reviewed internally.

Internal review requests should be made in writing, within **forty (40) working days** from the date of the refusal notice, and addressed to: FOI team, Central House, Beckwith Knowle, Otley Road, Harrogate, North Yorkshire, HG3 1UF or email: FOI@college.pnn.police.uk

In all possible circumstances the College of Policing will aim to respond to your request for internal review within **20 working days**.

The Information Commissioner

If, after lodging an internal review request with the College of Policing you are still dissatisfied with the decision you may make application to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at <https://ico.org.uk/for-the-public/official-information/>.

Alternatively, write to:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Phone: 0303 123 1113



College of
Policing

college.police.uk

Police constable transfer guidance

Department: Professional Development and Integrity

Date for implementation: January 2018

This guidance is addressed to: Force HR departments

Version 1.0

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This guidance contains guidance on:

The process for permanently transferring a serving police officer from one Home Office force to another.

1. Introduction

- 1.1. This guidance sets out the national protocol for transferring police officers between police forces in England and Wales. It covers cases where a serving police officer wishes to leave their current (home) force permanently and serve in another (receiving) force.
- 1.2. This guidance applies to the 43 Home Office forces in England and Wales, but forces may apply these protocols to individuals wishing to transfer from non-Home Office forces or from Police Scotland.
- 1.3. This guidance supports retaining skills in the police service and avoiding losing trained individuals following a move to another force or geographical area. Transfer between forces should be a simple process, benefitting the individual police officer and force administration.

2. Definitions

- 2.1. **'Home force' refers to the force the police officer will be leaving.**
- 2.2. **'Receiving force' refers to the force to which the police officer is intending to transfer.**

3. Underpinning principles

- 3.1. Forces should, where appropriate, inform individuals intending to resign and move to another part of the country of the possibility of transferring to a force in that area in order to retain their skills and experience in the police service.
- 3.2. Forces should administer the transfer of police officers as efficiently as possible, taking into consideration the Code of Ethics (http://www.college.police.uk/What-we-do/Ethics/Documents/Code_of_Ethics.pdf).

- 3.3. Forces should consider nominating a sole point of contact – a force transfer coordinator (FTC) or equivalent – to manage transfer applications.
- 3.4. Forces should ensure that the process for transferring police officers is equitable and applies equally to all applicants. They should, however, treat each individual case on its own merits.
- 3.5. Police officers should not feel obliged to resign from one force before applying to join another. Forces should make them aware of the opportunities to transfer to another force, if practical.
- 3.6. Forces may wish to run larger transfer campaigns, in which case some sections of this guidance may not apply or may need to be adapted according to force needs.

4. Force transfer coordinator

- 4.1. The FTC is responsible for managing the transfer process and answering transfer queries. FTCs in the home and receiving forces communicate with each other to:
 - adopt uniform procedures
 - ensure that there are no delays in sending necessary paperwork and in responding to requests for information
 - ensure appropriate communication is maintained with respect to training requirements to address any potential gaps and that police officers' training records are shared appropriately between forces
 - demonstrate to applicants that their service is valued and that they are motivated to transfer from one force to another.

5. Eligibility for transfer

- 5.1. A serving officer can transfer between forces while on their probation period. If the officer transfers before the end of their probation, provided they have served at least one year of their probation, they will have to serve a further one year in the new force. Chief officers have a discretionary power to reduce the period of probation so that the aggregated periods are a minimum of two years.

For example, if an officer served 18 months of their probation before transferring, the chief officer can reduce the period of probation in the new force to six months so that,

in total, the officer has served out the two years. If the officer has served less than a year, they would have to start the two years' probation again, unless the chief officer exercises their discretion to reduce it.

5.2. Officers must not be subject to live misconduct or performance investigation at the time of application.

5.3. Police Service of Northern Ireland

Periods of service with the Police Service of Northern Ireland (PSNI) at any rank will be treated (for pay purposes) as if they were service at the corresponding rank of the receiving force. Service with the PSNI is reckonable for annual leave entitlement and qualifying officers retain entitlement to rent and housing allowance (this may not apply to transferees above the rank of chief inspector). Officers qualify if they were serving with PSNI on or before 31 August 1994 and are entitled to this unless provided with housing quarters or rent free of charge (see 2(1) of Schedule 3 of the Police Regulations 2003)

(<http://www.legislation.gov.uk/ukxi/2003/527/schedule/3/paragraph/2/made>).

PSNI officers receiving replacement allowance under a corresponding regulation who transfer to a police force in England and Wales are treated from the date of transfer as qualifying members. Transferring officers are not required to complete a probationary period but some adaptation training may be required – these are matters for the chief officer.

5.4. Police Scotland

Service in any rank in the Scottish force is reckonable as service on joining a Home Office force. Service in Scottish forces is reckonable for pay purposes and annual leave entitlement. Qualifying officers retain entitlement to rent and housing allowance (this may not apply to transferees above the rank of chief inspector). Officers qualify if they were serving in Scotland on or before 31 August 1994 and are entitled to this unless provided with housing quarters or rent free of charge (see 2(1) of Schedule 3 of the Police Regulations 2003)

(<http://www.legislation.gov.uk/ukxi/2003/527/schedule/3/paragraph/2/made>). Officers from Police Scotland receiving replacement allowance under a corresponding regulation who transfer to a police force in England and Wales are treated from the date of transfer as qualifying members.

Transferring officers are not required to complete another probationary period but some adaptation training may be required – these are matters for the chief officer.

5.5. British Transport Police

Periods of service with British Transport Police (BTP) at any rank are treated (for pay purposes) as service at the corresponding rank of the receiving force. Service with the BTP is reckonable for annual leave entitlement. Qualifying officers retain entitlement to rent and housing allowance (this may not apply to transferees above the rank of chief inspector). Officers qualify if they were serving with BTP on or before 31 August 1994 and are entitled to this unless provided with housing quarters or rent free of charge (see 2(1) of Schedule 3 of the Police Regulations 2003) (<http://www.legislation.gov.uk/ukxi/2003/527/schedule/3/paragraph/2/made>).

BTP members receiving housing allowance who transfer to a police force in England and Wales are treated from the date of transfer as qualifying members. Transferring officers are required to complete a probationary period and some adaptation training may be required – these are matters for the chief officer. Forces should confirm that transferring officers have completed their College of Policing foundation training.

5.6. Ministry of Defence Police and Port of Tilbury Constabulary

Periods of service at the rank of officer with the Ministry of Defence Police and Port of Tilbury Constabulary are reckonable for pay purposes and annual leave entitlement. Entitlement to rent and housing allowances are not retained. Transferring officers are expected to complete a probationary period with the new force and some adaptation training may be required – these are matters for the chief officer. Forces should confirm that transferring officers have completed their College of Policing foundation training.

5.7. Channel Isles, Isle of Man Police

Periods of service at the rank of officer with the Channel Isles or Isle of Man police are reckonable for pay purposes but not for annual entitlement. Entitlement to rent and housing allowances is not retained. Transferring officers are expected to complete a probationary period with the new force and some adaptation training may be required – these are matters for the chief officer. Forces should confirm that transferring officers have completed their College of Policing foundation training.

5.8. National Crime Agency

Direct policy queries on transferees from the National Crime Agency to the Home Office.

- 5.9. Other non-Home Office forces not listed above, including the Civil Nuclear Constabulary

Other bodies of people attested as officers are not classed as police forces under the Police Act 1996 (<https://www.legislation.gov.uk/ukpga/1996/16/contents>). Accepting transferees from these forces is the decision of the receiving force. If accepted, they should be classed as new recruits for terms and conditions purposes. Transferees are required to undergo a two-year probationary period and forces need to conduct a training skills analysis in order to ascertain if transferees have completed the correct foundation training and if any adaptation training is necessary. Service in these forces is not reckonable for pay purposes or annual leave entitlement and entitlement to rent and housing allowances is not retained.

- 5.10. The police officer should only be able to make a transfer request if there is a vacancy at the receiving force.

6. Transferees and Policing Education Qualifications Framework

- 6.1. Existing rules/guidance relating to transferees apply to Policing Education Qualifications Framework (PEQF) initial entry routes.
- 6.2. There will be no requirement for an individual transferring from a non-PEQF-compliant force (for example, a non-Home Office force) to obtain PEQF-related qualifications for existing rank if the receiving force is operating in line with the PEQF.
- 6.3. There may be additional requirements in place for individuals on an apprenticeship, due to the additional rules that funded apprenticeship provision attracts. Forces should check with the Education and Skills Funding Agency (ESFA) in England or Welsh Government rules to ensure a good understanding of potential implications and what is required for compliance. In some cases, this may prevent individuals transferring until after completing their entry programme.
- 6.4. During the transition period, a number of potential interoperability situations may arise. The below table details the scenarios and associated recommendations:

Scenario	Recommendation
All scenarios subject to receiving force agreeing to transfer arrangements	
Pre-join/degree-holder student officers seeking to transfer to an Initial Police Learning Development Programme (IPLDP) (i.e. non-PEQF) force.	As per College's Police Constable Transfer Guidance.
Pre-join/degree-holder student officers seeking to transfer to a PEQF-compliant force.	As per College's Police Constable Transfer Guidance.
IPLDP student officer seeking to transfer to a force operating Police Constable Degree Apprenticeship (PCDA).	<p>If a degree-holder, entry via degree-holder route.</p> <p>Non-degree holders would need to be accepted onto the PCDA programme with the application of Recognising Prior Learning (RPL) processes to the individual as needed – receiving force would need to consider potential positive/negative funding impacts.</p>
Existing PCDA student officer seeking to transfer to non-PCDA force.	<p>Not recommended.</p> <p>Student officer would fail to complete PCDA and may not be awarded the degree (unless case-by-case negotiation permitted a special arrangement via the higher education institution).</p> <p>Apprenticeship success rates for exiting force (and their higher education provider) would be negatively affected and funding would be curtailed.</p>

Scenario	Recommendation
All scenarios subject to receiving force agreeing to transfer arrangements	
Existing PCDA student officer seeking to transfer to another force running PCDA.	<p>As per College’s Professional Development and Integrity circular on PC transferees.</p> <p>Plus consideration and application of relevant ESFA or Welsh Government funding rules if a funded programme.</p>
Transfers from an English force to a Welsh force.	<p>As above scenarios except in the case of PCDA provision.</p> <p>At the time of writing, Welsh PCDA may not attract funding, so a funded PCDA student officer may be moving to an unfunded programme – this would require the explicit agreement of the receiving Welsh force.</p> <p>RPL processes should be applied to the individual as needed to avoid unnecessary duplication of learning.</p>
Transfers from a Welsh force to an English force.	<p>As above scenarios except in the case of PCDA provision.</p> <p>At the time of writing, Welsh PCDA may not attract funding, so an unfunded PCDA student officer may be moving to a funded programme – this would require the explicit agreement of the receiving English force.</p> <p>RPL processes should be applied to the individual as needed to avoid unnecessary duplication of learning.</p>

7. Transfer procedure

7.1. All requests for transfers should be made by application to the home force FTC.

i. Applications as a result of resignation

Where a force identifies a police officer submitting their resignation for the reason of relocation to another force area, the FTC should initiate contact with that police officer to encourage and/or inform them of the opportunity to transfer to another force.

ii. Applications initiated by an individual police officer

A police officer who wishes to transfer to another force should submit a transfer application (incorporating a release form for permissions to forward personal details to the receiving force) by their home force. Once completed, they should submit this form to the home force FTC for processing.

7.2. The FTC should then contact the receiving force. The police officer should be provided with the details of the FTC at the receiving force to ensure that they have a contact for addressing queries about the receiving force or transfer process. The receiving force should send any documentation/application forms to the transferring police officer.

7.3. Upon receiving the completed permissions form, the home force should send:

- a copy of the police officer's personal file
- latest PDR (if available)
- part/completed personal development portfolio
- vetting information
- statement of training
- confirmation of completion of probation
- any outstanding complaints or discipline cases.

The home force will confirm details of the recruitment standards that were met by the police officer, if requested by the receiving force.

7.4. On receiving the transfer application form, the receiving force will write to the police officer within seven working days of making a decision, confirming the point of contact (FTC) for their application, outlining the process and inviting them for an interview, and notify the FTC in the home force.

- 7.5. As this guidance is aimed at individuals already serving in the police service, they should not need to go through the full recruitment process. Individuals do not possess a right to transfer, however, and forces should interview prospective transferring police officers to make a decision as to suitability.
- 7.6. The receiving force is responsible for maintaining regular communication with the police officer and the FTC of the home force throughout the transfer process.
- 7.7. The police officer will be notified in writing of the outcome of the interview from the receiving force and an update should be sent to the FTC in the home force.

8. Successful transfer applications

- 8.1. If a police officer is successful in their application to transfer, the receiving force should carry out any necessary vetting, reference checks and any medical and fitness tests in line with force policy. For additional information on vetting, please see paragraph 10.
- 8.2. The receiving force should also notify in writing the police officer and the home force of the effective date of the transfer.

9. Unsuccessful transfer applications

- 9.1. If a police officer is unsuccessful in their application to transfer, the police officer should be informed in writing of the decision. A copy should be sent to the FTC in the home force. The applicant can request feedback on the decisions that informed the outcome of the application.

10. Vetting and other checks

- 10.1. A transferring police officer will have to undergo vetting checks by the receiving force. This may cause some delay in the overall application process time. Vetting forms an integral part of the recruitment process, however, forces should minimise the time taken without compromising the integrity of the vetting process. Please refer to the [College of Policing APP Vetting Guidance 2017](#) for further details.

11. Attestation

- 11.1. Where a police officer transfers under the arrangements described in this guidance, they are not required to resign from their home force, but they are deemed to have discontinued their service with the home force on completing the transfer to the receiving force. Service before and after the transfer counts as a single period of continuous service.
- 11.2. Transferees should be attested in the new force area, given the specific wording of the provisions set out in section 29 of the Police Act 1996 (<https://www.legislation.gov.uk/ukpga/1996/16/section/29>). Some forces add the force name in the second line of dots, however, the final decision as to whether to attest transferring police officers rests with the chief officer of the receiving force.
- 11.3. Where a force accepts an application from a police officer whose home force is Police Scotland or non-Home Office forces, that individual must be attested as a police officer in the second force to allow them to exercise their powers across England and Wales.

12. Disclosing information about an applicant between forces

- 12.1. Any information held by a police force about an officer or individual is personal data and must be handled in accordance with the provisions of the Data Protection Act 1998 (<https://www.legislation.gov.uk/ukpga/1998/29/contents>). Forces must therefore ensure that they handle information about a police officer wishing to transfer in accordance with this Act and any other relevant legislative provisions. Forces should take particular care where a police officer fails a vetting check by the second force. Forces should clarify any legal issues with their appropriate legal representatives.