PSD: VETTING

Policy & Procedures

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POLICY

POLICY PURPOSE

1.1 The publication of this policy demonstrates the British Transport Police (BTP) commitment to minimising corruption and the potential for corruption within the force. It will provide the framework for structured and accountable procedures for the vetting of all BTP employees and other individuals as required, to ensure that those employed or engaged to work for or with BTP are appropriate to do so.

1.2 This policy supports the safeguarding of criminal intelligence, operational, and financial assets, and seeks to preserve the safety, welfare and security of employees and the public.

1.3 This policy is directed towards enabling BTP to:
   • Identify those individuals who should be vetted
   • Identify the circumstances under which they should be vetted
   • Set out the vetting procedures including vetting renewal and aftercare procedures

SCOPE

2.1 This policy and procedure applies to:
   a. All BTP employees. Within this policy and procedure, except where categories are specifically excluded, the term ‘Employee’ includes police officers, special constables, all categories of non-warranted employees including police staff and PCSOs, agency and temporary contract workers, consultants, workers seconded to BTP from other organisations, auditors, community volunteers and those acting as our servants or agents

PRINCIPLES

3.1 This policy is underpinned by the ACPO National Vetting Policy for the Police Community.

3.2 Compliance with this policy will be the responsibility all employees and affected individuals as set out at 2.1, and those within who recruit or manage staff, or who have responsibility to ensure National Security Vetting guidelines are adhered to.

3.3 Self declaration is an essential part of compliance with this policy, and affected individuals must ensure that relevant information that could affect their vetting clearance is provided to the Vetting Unit.

3.4 Failure to comply with the Vetting Policy and associated procedures may result in misconduct or capability proceedings and could put employment or association with BTP at risk.
KEY INFORMATION

4.1 Further information on the ACPO National Vetting Policy for the Police Community can be found here.

4.2 Vetting types

4.2.1 There are two categories of vetting:
- Force Vetting
- National Security Vetting

There are various vetting levels within these two categories, refer to the table on page 5.

4.2.2 Force Vetting and National Security Vetting are separate processes, designed to counter specific threats. Force Vetting is to specifically provide a level of assurance, which National Security Vetting cannot provide, as to the integrity of individuals who have access to sensitive criminal intelligence, financial or operational police assets and premises.

4.2.3 National Security Vetting is relevant to Government information and cannot on its own, guarantee that an applicant will meet the BTP vetting criteria. Its purpose is to protect sensitive government security information by providing an acceptable level of assurance as to the integrity of individuals who have access to protectively marked government assets and/or who require access to persons, sites and materials, at risk of terrorist attack.

4.3 Terms & Definitions

4.3.1 Personal Information Questionnaire (PIQ) – this is the form that is used to record details of the applicant in relation to Recruitment Vetting and Non Police Personnel Vetting.

4.3.2 Non Police Personnel – these are persons working with BTP who are not recruited as Police employees, for example maintenance contractors, Independent Advisory Groups and volunteers. This list is not exhaustive and the level of vetting required should be checked in line with the access requirements set out in the table on page 4, advice should be sought from the Vetting Unit if in doubt.

4.3.3 Vetting Verification Record – is a form completed by the recruiting department and submitted with the PIQ to ensure that the necessary identity documents have been checked. Where there is any doubt in relation to identity documents this should be referred to the Force Vetting & Auditing Manager (FVAM).

4.3.4 Taint – This term refers to matters which would impact on an employee’s credibility to provide evidence or witness testimony on court. Dependent on an employee’s role or prospective role with BTP, this will be a key consideration for vetting clearance. Further information can be found in the

WHO TO CONTACT ABOUT THIS POLICY/PROCEDURE

5.1 Any questions regarding this policy or the associated procedures should be directed to the BTP Vetting Unit at

Table 1: Vetting Types and Renewal Periods*

Vetting Policy
March 2014, version 1
<table>
<thead>
<tr>
<th>VETTING TYPE</th>
<th>PURPOSE</th>
<th>RENEWAL</th>
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<tbody>
<tr>
<td>Recruitment Vetting (RV)</td>
<td>This allows police officers, police staff, Special Constables and PCSOs regular access to CONFIDENTIAL and occasional access to SECRET government or police assets. It is designed to provide a level of assurance as to the trustworthiness and integrity of individuals whose work gives them unsupervised access to police premises.</td>
<td>10 years</td>
</tr>
<tr>
<td>Management Vetting</td>
<td>Allows regular access to SECRET government or police assets and occasional access to TOP SECRET police assets must be vetted to MV. MV is also a requirement for roles with duties, responsibilities or access that could present an increased risk to BTP and/or the police service as designated by the FVAM. MV is also a pre-requisite for a Security Clearance (SC).</td>
<td>7 years, with annual reviews.</td>
</tr>
<tr>
<td>NPPV1</td>
<td>Applies to those persons having unsupervised access to police premises but no access to any electronic systems and/or hard copy material. In the main this applies to utility workers such as plumbers, electricians etc.</td>
<td>1 year</td>
</tr>
<tr>
<td>NPPV2</td>
<td>Applies to those persons having frequent and regular unsupervised access to police premises and/or access to police information and/or hard copy material or protectively marked material, either on police premises or by remote access for example Independent Advisory Groups, volunteers, work experience students, and BTPA staff. Level 2 allows regular access to police protectively marked assets up to CONFIDENTIAL and occasional access up to SECRET.</td>
<td>3 years</td>
</tr>
<tr>
<td>NPPV3</td>
<td>Applies to all Non Police Personnel who require long term, frequent and uncontrolled access to SECRET – POLICE, and occasional access to TOP SECRET – POLICE assets, for example IT contractors.</td>
<td>5 years</td>
</tr>
<tr>
<td>CTC</td>
<td>CTC is a requirement for all personnel whose work involves proximity to public figures who are assessed to be a particular risk from terrorist attack, or who have access to premises, information or material assessed to be of value to terrorists.</td>
<td>10 years</td>
</tr>
<tr>
<td>SC</td>
<td>SC is a requirement for all personnel who require long term, frequent and uncontrolled access to SECRET government assets and occasional access to TOP SECRET.</td>
<td>10 years</td>
</tr>
<tr>
<td>DV</td>
<td>DV is a requirement for all personnel who require long term, frequent and uncontrolled access of TOP SECRET government assets/data. It will allow regular access to TOP SECRET police assets/data.</td>
<td>5 year initial review, then at 7 years</td>
</tr>
</tbody>
</table>

*The FVAM will advise on vetting requirements for new roles and any temporary, consultant or non-police personnel roles*
MONITORING AND REVIEW

6.1 This policy and the associated procedures will be reviewed at least every 3 years. The next review date is 21st March 2016.

6.2 Compliance with this policy will be monitored by the Vetting Unit and other relevant parts of PSD to ensure action is taken to address non-compliance.

6.3 Self declaration obligations will be reviewed under standard renewal procedures.
1 ROLES & RESPONSIBILITIES

1.1 The Force Vetting and Auditing Manager (FVAM) is responsible for the design, implementation and maintenance of BTP vetting procedures in accordance with the ACPO National Vetting Policy for the Police Community.

1.2 The People & Development Department, including the HR Business Centre are responsible for ensuring the vetting procedures are applied appropriate during the recruitment process, including internal movements and promotion.

1.3 Division Commanders and Department Heads are responsible for ensuring that employees comply with vetting procedures as required, including requirements for self declaration of relevant information and changes in circumstances.

1.4 Employees are responsible for promptly declaring to the BTP Vetting Unit any changes in their circumstances which may change their vetting status.

2 VETTING

2.1 Most vetting will take place as part of the recruitment process, including existing employees moving posts or being promoted. Vetting of existing employees outside of recruitment may also take place where the FVAM considers it necessary. For the purposes of this document, the term applicant will be used to refer to any individual or employee seeking to obtain vetting clearance for any reason.

2.2 Applicants for National Security Vetting checks must ensure they have completed the required Force Vetting checks first:
   - For CTC checks, Recruitment Vetting must have been successfully completed first
   - For SC and DV checks, Management Vetting must have been successfully completed first

2.3 Applicants will complete the relevant forms and questionnaires for the vetting type required (see table 1) and return them either directly to the Vetting Unit, or through the relevant department as instructed. Copies of the vetting forms can found in [insert location].

2.4 Vetting will only be conducted on successful candidates/individuals confirmed to be carrying out work for BTP. The Vetting Unit will not pre-vet short listed candidates or suppliers not confirmed to be providing services/accessing BTP property and assets. Candidates selected for interview may be asked to complete vetting forms, but only the successful candidate will have their form processed.

2.5 Vetting checks for Police Officers, PCSOs and Special Constables will only be conducted once the assessment centre has been passed.

2.6 Where prospective police recruits are not appointed for several months the information provided could be out of date, therefore these individuals will be provided with their original application forms and security questionnaire. They will be required to re-sign
and re-date these forms. Where applicants notify relevant changes, the implications of their declarations should be assessed by the Vetting Unit prior to attestation.

2.7 Applicants will be informed that any offer of appointment will only be made upon satisfactory completion of all medical, reference and vetting procedures.

2.8 For recruitment of Non-Police Personnel, all contracts and agreements must contain clauses mandating the requirements of this policy, and the fact that BTP reserves the right, without explanation, to withdraw consent for access to BTP premises or information systems.

2.10 Transfer of Police Employees within the Police Community

2.10.1 This section applies to:

- Individuals who wish to transfer from one Police Force to another;
- Those who have resigned from the Police Service and wish to rejoin at a later date;
- Those returning from secondment

It also includes any other extended period of absence, including maternity leave and any form of career break, with the exception of absence related to sickness/leave on medical grounds.

2.10.2 Where employees transfer between forces, their previous vetting files will transfer with them.

2.10.3 The standard recruitment vetting procedures will apply. Vetting clearance will not be granted without consultation with both the parent and the receiving forces’ Professional Standards Departments, and the parent force’s Vetting Unit, irrespective of the time absent from the force. The full Professional Standards file will need to be disclosed in order that required checks can be completed.

2.11 Reinstatement

2.11.1 This section applies to police officers and staff who have been dismissed or required to resign and who have successfully appealed against the original sanction and have been re-instated.

2.11.2 For employees who have been reinstated to their posts following dismissal/requirement to resign, their return to work will not be delayed for completion of vetting checks, however they will be required to complete the checks in due course following HR notification to the Vetting Unit that employment has recommenced.

2.11.3 Where adverse information is brought to light following return to work, standard procedures will apply following the vetting decision, including any PSD or HR procedures required to mitigate or remove risk to BTP.

2.12 The Vetting Process

2.12.1 At the initial point of receipt, the Vetting Unit or other receiving department, a preliminary check will be made to ensure the following:

- All required forms have been fully completed, signed and dated as required
- There is nothing that would automatically exclude the applicant from clearance, for example residency criteria (3 years RV and NPPV, 5 years MV), or declared
convictions or cautions
  • Identity and proof of residency documents have been supplied

Guidance on acceptable forms of ID and residency proof is included in the Vetting Forms.

2.12.2 Where applicants do not meet this basic requirement, the process will be halted. The HR Business Centre will be informed where the vetting is part of recruitment in order that the applicant can be informed. For existing employees, the applicant will be informed directly and the relevant Divisional Commander or Department Head and local HR Manager may also be informed in order that appropriate risk assessment and actions can be taken, this may include capability procedures. Where required, PSD will be informed to assess whether disciplinary action is required.

2.12.3 If the applicant meets these criteria, if not already completed, the forms will be submitted to the Vetting Unit for completion as required dependent on the vetting type.

2.12.4 Recruitment Vetting checks will include the following:
  • Check Vetting Verification Record for correct recording of applicant details and identity/residency documents checked
  • PNC/PND (applicant, partner/spouse and immediate family members shown on appropriate vetting form)
  • Special Branch Checks
  • Financial checks
  • Professional Standards checks (as appropriate)
  • Open source Internet checks as required
  • PenTIP - the national system for recording the issuing and collection of penalty notices and the collection of related penalties

2.12.5 Management Vetting (MV) checks will include those listed above, and in addition the following:
  • A letter sent to the applicants supervisor;
  • Financial Checks (credit reference check);
  • Liaison with Occupational Health as appropriate;
  • Interviews with current and former supervisors to be conducted at the discretion of the SVO;
  • Interview with the person subject to MV to be conducted at the discretion of the SVO;

2.12.6 Further information on the Recruitment and MV checks can be found in the guidance sections attached to the forms, which can be found [link]

2.12.7 National Security Vetting forms (CTC, SC, DV) will be submitted to the Security Services for completion of checks as required. Military checks will also be carried out on applicants who have previously served in the Armed Forces.

2.12.8 Once vetting checks have been completed the Vetting Unit will inform the HR Business Centre who will update applicants as to the result, or inform the individual directly where vetting is outside of recruitment. For Non-Police Personnel, the Vetting Unit will
inform the BTP sponsor of the result.

3 DECISION CRITERIA

3.1 Applicants must declare all relevant information as requested on the forms, attention must be paid to the guidance attached to the forms and where there is any doubt advice should be sought from the Vetting Unit.

3.2 It should be noted that the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 does not apply to the police service. Police forces are therefore entitled to ask all prospective applicants to reveal spent convictions during the recruitment or vetting process. This does not apply to the spent convictions of applicants’ families or associates.

3.3 Where an individual discloses any outstanding investigation the decision should be deferred until the outcome is known, at which point it will be considered in accordance with this guidance.

3.4 The issue of Taint will be taken into account for any applicant likely to be acting as a ‘professional witness’ as part of their role with BTP. Under the provisions of the CPS Disclosure Manual, Police employees required to give evidence in court must disclose relevant information including, but not limited to, convictions, cautions, and disciplinary sanctions. Further information on requirements under this process can be found in the

3.5 Where adverse information relating to a third party is revealed, consideration will be given to what risk this information poses to:

- The organisation
- The individual
- The public

The results of checks on third parties will not be revealed to applicants in line with the provisions of the Data Protection Act 1998.

3.6 Eligibility for vetting clearance will depend on the vetting type required and information provided and obtained through checks. It is not possible to provide a full list of circumstances that will preclude an individual from obtaining clearance for any given vetting type, and all cases will be assessed on their merits.

3.7 It is important to note that failure to declare any relevant information will be treated as an honesty and integrity matter likely to result in failing vetting checks. For existing employees, whilst our response to any failed vetting checks will be proportionate and take into account the role they are employed to perform, misconduct or capability action may be taken. As such, employees are advised to ensure that they consider events that may have happened some time in the past, or which may have held relatively minor significance, for example Driver Awareness Courses. If employees are in any doubt, they should contact the Vetting Unit for guidance.
3.8 Decisions as to whether vetting clearance should be granted will be based on the information available, identified risks to BTP, BTP employees, the public and the police service as whole. All decisions will be documented including the rationale.

4 FAILED VETTING

4.1 External applicants

4.1.2 The HR Business Centre and/or other relevant department will be informed where the vetting is part of recruitment in order that the applicant can be informed and appropriate action taken regarding recruitment to the vacancy.

4.1.3 External applicants can request a review of an adverse vetting decision and must do so in writing to the Vetting Unit within 28 days of receiving notification of the original decision. A review will be conducted by a member of BTP not previously involved in the decision, and with a working knowledge of vetting procedures, usually the Head of PSD. The review will take place within 28 days of receipt of the request and the decision communicated in writing as soon as practical. Any decision will be final.

4.1.4 There is no obligation for BTP to postpone recruitment to vacancies pending review decisions.

4.2 Internal Applicants

4.2.1 The applicant will be informed directly by the Vetting Unit and the relevant Divisional Commander or Department Head and local HR Manager may also be informed.

4.1.3 The wellbeing of employees will be a priority throughout the vetting process, and if there are any concerns for an employee’s welfare, the Vetting Unit will ensure that local management and supporting departments are advised as appropriate. The employee will be informed where this is the case.

4.2.2 The applicant will be provided with as much information as possible as to the reason for the failure, unless doing so would be likely to:

- Damage or endanger national security
- Result in BTP breaking any law, for example the Data Protection Act
- Impede the apprehension or prosecution of offenders
- Result in the disclosure of sensitive information, for example information regarding ongoing criminal investigations
- Breach the confidentiality where information has been provided in confidence

4.2.3 Where potential conduct issues have been identified PSD will be informed to consider any further action required. Standard procedures under the BTP Misconduct and Complaints policy will apply.

4.2.4 Where the vetting decision affects the employee’s current post within BTP, local management and the relevant HR Manager will undertake activities to review the implications and put in place appropriate measures to address any identified risks. This may include but is not limited to:

- Role amendments, permanent or temporary
- Access/ work type restrictions
4.2.5 Internal applicants have a right of appeal which should be submitted in writing to the FVAM within 14 days of receipt of the vetting decision. An ACPO ranked officer will be appointed as Chair and will review the case within 28 days of receipt of the appeal. The individual will be given the opportunity to make personal representation and may be accompanied by a colleague, support group member or staff association representative. The employee will be informed of the decision in writing within 7 working days of the appeal. The Chair’s decision is final.

5 AFTERCARE & RENEWAL OF CLEARANCE

5.1 Aftercare refers to procedures to ensure that vetting clearance remains up to date with relevant changes in circumstances; this includes full renewal of vetting clearance, and informal updates on changes of circumstances and incidents that could affect clearance.

5.2 Renewal periods for vetting types are set out table 1, on page 4 of this document. At the end of these periods employees are required to completed full vetting checks again at the level required for their role.

5.3 In addition to standard renewal procedures, as part of vetting aftercare all individuals who are subject to the vetting process have a responsibility to report any changes in their circumstances which may be of relevance to their vetting clearance. Such changes may include but are not limited to:

- Change of home address;
- Change in partner;
- Co-habitant details;
- Involvement in a criminal investigation as a suspect;
- Arrest for criminal offence;
- Conviction for a criminal offence;
- Receipt of fixed penalty notice;
- Bankruptcy;
- Adverse County/Sheriff Court Judgement;
- Entry into an Individual Voluntary Arrangement (IVA);
- Known/suspected criminal association;
- Relevant changes in medical condition – to be notified and acted upon by Occupational Health.

An annual check will be conducted to allow employees to declare any changes, but is the responsibility of employees to ensure that information that could affect their vetting
status is declared to Vetting Unit as soon as practical.

5.4 Where the aftercare process reveals a change in circumstances which may have a prejudicial effect on the individual’s suitability to maintain the relevant level of clearance, consideration should be given to withdrawal of that clearance. Only in the most serious of cases will clearance be withdrawn, and a common sense approach will be taken. Consideration may be given to role amendments, redeployment or other actions to mitigate risk to BTP, employees and the public.

5.5 Where the aftercare process reveals potential conduct issues, the matter will be referred to PSD to consider further action. Standard procedures under the BTP Misconduct and Complaints policy will apply.

6 RECORD RETENTION AND DISPOSAL

6.1 Please see separate [redacted].

7 ASSOCIATED DOCUMENTS

7.1 Vetting Forms