



Meeting	SPA Complaints and Conduct Committee
Date	27 February 2024
Location	Video Conference
Title of Paper	Police Scotland Vetting - Overview
Presented By	T/Deputy Chief Constable Alan Speirs, Professionalism, Strategy and Engagement
Recommendation to Members	For Discussion
Appendix Attached	No

PURPOSE

The purpose of this paper is to provide the SPA Complaints and Conduct Committee with an overview of the ongoing work to understand disproportionality within the vetting process and to provide a progress update.

Members are *invited to note and discuss* the contents of this paper and to determine whether further work is required in this space.

1. BACKGROUND

- 1.1 When an individual applies to join Police Scotland in any role, relevant background checks are conducted by the Force Vetting Unit (FVU). These checks involve researching a wide range of information on the applicant and also includes information in relation to third parties and associates of applicants.
- 1.2 A thorough and effective vetting process is a key component in assessing an individual's honesty and integrity. By identifying those who might pose a risk, vetting acts to prevent crime or harm and to protect members of the public against improper conduct by people working for, on behalf of, or in partnership with the Scottish Police Authority (SPA) or Police Scotland. The process reassures the public that appropriate checks are conducted on individuals in positions of trust and supports public confidence. It also ensures there are no conflicts of interest which could adversely impact the ability of the individual to discharge their policing duties effectively and impartially.

2. VETTING - OVERVIEW

- 2.1 Vetting is undertaken in line with the Police Scotland Vetting Manual of Guidance, which is largely mirrored on the College of Policing's Authorised Professional Practice (APP) and Code of Conduct for vetting in England and Wales.
- 2.2 Vetting is by its very nature, an intrusive process. In order to ensure vetting officers are equipped to carefully consider a varied and diverse range of issues they may encounter, we have invested in training to ensure that they are culturally aware and treat each applicant's circumstances individually and sensitively. Every aspect of the process is objective, professional and non-judgemental.

2.3 Protected Characteristics

Police Scotland's vetting application forms do not currently ask for protected characteristic or diversity data for the purposes of vetting as it is not relevant for decision making and risk assessment, nor is there any requirement contained within the Vetting Manual of Guidance to monitor this type of data for disproportionality purposes. This is in contrast to the Vetting APP for England and Wales which places a responsibility on forces to:

4.1.5 Forces must monitor vetting applications, at all levels, against protected characteristics to understand whether there is any disproportionate impact on particular groups. Where

disproportionality is identified, forces must take positive steps to address this, while maintaining the safeguards that vetting provides.

It is also a statutory duty within the Chief Officer requirements, 5.3 of the 2023 Vetting Code of Practice:

Vetting application outcomes must be monitored to establish whether there is a disproportionate impact on under-represented groups. Where disproportionality is found, this should be examined to determine what steps, if any, can be reasonably taken to counter this.

- 2.4 Work is ongoing within the College of Policing to develop and introduce new vetting application forms which will specifically ask for protected characteristic information from applicants and explain why, encouraging people to provide the data. In summary, the form will highlight;
- The information is for monitoring purposes only and will be treated in confidence, not affect the vetting outcome in any way.
 - Data will be recorded and processed in accordance with the General Data Protection Regulation (GDPR) principles.
 - Completion is voluntary. However, by completing the form it will greatly improve information gathering, help to monitor disproportionality in vetting and shape future policies.
 - Will help us build data to improve our awareness and understanding in relation to equality and inclusiveness in the vetting process by sharing information.
 - The police service is committed to promoting equality of opportunity in line with our responsibilities under the Equality Act 2010 and the public sector equality duty.

It would be the intention of Police Scotland to adopt the new vetting forms in their entirety when available.

- 2.5 A request was made from Committee members in June 2023 to understand the number of vetting applicants with a protected characteristic that have been refused vetting. It was later established Committee members were interested in ethnicity data to allow members to be assured that specific community groups were not being excluded as a result of the vetting process.
- 2.6 Since that date, the Force Vetting Unit have been working alongside the Police Scotland Recruitment Team to obtain diversity data which is collected during the recruitment process. Data for approvals/refusals since December 2021 is as below:

Vetting Result for Ethnic Origin - White Minority Ethnic/Black Minority Ethnic

Outcome	Number	Percentage
Approved	106	82.2%
Refused	23	17.8%
Total	129	100%

Vetting Result for Ethnic Origin - White Scottish / Any other White British / Choose not to disclose

Outcome	Number	Percentage
Approved	1,112	79.4%
Refused	288	20.6%
Total	1,400	100%

2.7 Data for the last two police officer intakes – May 2023 and September 2023 – has also been obtained:

May 2023

Ethnic Origin Category	No. of Refusals	Reason for Refusal
White Scottish	49	11 - applicant convictions/ATPs 5 - Applicant adverse information 21 - Third party 5 - Integrity/Failure to declare 7 - Financial
Any other White British (AOWB)	3	1 - Applicant convictions/ATPs 1 - Third party 1 - Integrity/Failure to declare
Black and Minority Ethnic (BME)	1	Integrity/Failure to declare

September 2023

Ethnic Origin Category	No. of Refusals	Reason for Refusal
White Scottish	52	13 - Applicant convictions/ATPs 5 - Applicant adverse information 19 - Third party 6 - Integrity/Failure to declare 1 - Residency 8 - Financial

Any other White British (AOWB)	10	2 – Applicant convictions/ATPs 1 – Applicant adverse information 4 – Third party 1 – Integrity/Failure to declare 2 – Financial
Black and Minority Ethnic (BME)	2	2 – Third party

- 2.8 Police Scotland publish certain protected characteristic data when recruits take their oath of office and become a probationary constable. For the May intake, 6% of the probationers (12 officers) identified as BME. For the September intake, 8% (15 officers) identified as BME.
- 2.9 Based on the above information, in May and September, 13 and 17 BME applicants were vetted with only one and two refusals respectively, indicating an approval rate of 92% and 88% for BME applicants. This would tend to suggest an increase in approval rates for BME candidates and would not tend support any suggestion that the Police Scotland vetting process disproportionately affects those from a minority ethnic group.
- 2.10 To provide additional context to the figures in 2.6 and 2.7 above, further information was requested from the Recruitment Team to understand the current pipeline of applicants and how many identify as minority ethnic. The 'pipeline' covers individuals from application stage to offer of appointment. Currently, only 9% of those applicants identify as minority ethnic, with 5% of those identifying as BME.
- 2.11 It is also worth noting the 2011 Census found that 96% of Scotland's population identified as White. The population in Asian, African, Caribbean or Black, Mixed or Other ethnic groups was 4% and African Caribbean or Black groups was 1%. This data would suggest there is a lack of diverse candidates within Scotland and this could explain the lack of disproportionality evidence as seen above.
- 2.12 The Force Vetting Unit will continue to monitor these statistics going forward and will continuously seek opportunities to engage with the College of Policing and its ongoing work to combat disproportionality.

3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications in this report.

4. PERSONNEL IMPLICATIONS

4.1 There are no personnel implications in this report.

5. LEGAL IMPLICATIONS

5.1 There are no legal implications in this report.

6. REPUTATIONAL IMPLICATIONS

6.1 There are no reputational implications in this report.

7. SOCIAL IMPLICATIONS

7.1 There are no social implications in this report.

8. COMMUNITY IMPACT

8.1 There are no community implications in this report.

9. EQUALITIES IMPLICATIONS

9.1 There are no equality implications in this report.

10. ENVIRONMENT IMPLICATIONS

10.1 There are no environmental implications in this report.

RECOMMENDATIONS

Members are requested to note the contents and determine whether:

1. The action can be closed based on the sample data collected above;
2. Whether a larger data sample should be provided;
3. Whether ongoing data samples provided to the Committee in regular intervals would assure members further.