



Agenda Item
6.1

Meeting	SPA People Committee
Date	31 May 2023
Location	Video Conferencing
Title of Paper	Internal Governance – Acting Ranks
Presented By	Katy Miller, Director of People and Development
Recommendation to Members	For Discussion
Appendix Attached	No

PURPOSE

The purpose of this report is to provide assurance on the application of an open and transparent process for selection of acting and temporary promotions. This report has been produced at the request of SPA People Committee Chair, Fiona McQueen.

Members are invited to discuss the content of this paper.

1. BACKGROUND

- 1.1 The Police Service of Scotland (Promotion) Regulations 2013 state:
Regulation 7 – Temporary Promotion:
(1) Paragraph (2) (below) applies to a constable who—
- (a) Is required to perform the duties of a higher rank; and*
 - (b) Has obtained the qualifying diploma or completed the PLDP.*
- (2) A constable to whom this paragraph applies may be promoted temporarily to that higher rank, for such period and on such conditions as the chief constable may determine.*
- 1.2 The Police Promotion Exams are no longer offered by Police Scotland and the Diploma in Police Service Leadership and Management DPSLM, or 'qualifying diploma' as per the Regulations concluded in 2021. The mechanisms to become **qualified** for promotion therefore no longer exist, out with the Police Leadership Development Programme PLDP.

2. FURTHER DETAIL

2.1 Current Position:

- 2.1.1 Every year Police Scotland requires to substantively promote approximately 300-400 **qualified** substantive Sergeants. During the same time period there is a requirement to temporarily promote 300-400 'Temporary' Sergeants.
- 2.1.2 Police Scotland no longer has sufficient numbers of officers who are **qualified** by Police Exams or by Diploma to fill the temporary vacancies at the rank of Sergeant. While there are still approximately 500+ **qualified** officers, they are not seeking temporary or substantive leadership roles.
- 2.1.3 Historically, the use of 'Acting Sergeants' was predominantly limited to a small number of areas in the East and North of Scotland to provide short term supervisory cover. This position has changed and all Local Policing Commands and National Divisions now have no option other than to rely on the use of Acting Ranks in order to ensure operational and supervisory resilience across Police Scotland.

2.1.4 Acting Ranks do not require the officer to be **qualified** for promotion and therefore unqualified officers can temporarily be moved to the rank of Acting Sergeant to fill short term vacancies. All movement is deemed as personal development to support a future substantive promotion attempt.

2.1.5 The 2022 Pay Award supports Police Scotland's requirement to change its' use of Acting Ranks whereby the Police Negotiating Board agreed that from 01 January 2023 all periods of temporary duty performed at a higher rank will be reckonable for the purpose of pay and pension. This means for the purpose of pay and pension only Acting Ranks can be used without detriment to the candidate for both qualified and unqualified officers.

2.1.6 It is recognised that an acting sergeant is not, in law, the same as a temporary sergeant. The latter has all the powers and privileges of a 'substantive' sergeant whereas the former does not. This is critical in a small number of police roles, where the role is rank specific. One such role is a custody sergeant and this identified role and any others, will continue to be filled by qualified officers, in a temporary promotion.

2.1.7 The changes proposed will manage the immediate identified work force concern, until a longer term solution can be developed and implemented.

2.2 **Ownership:**

2.2.1 The Head of Recruitment and Selection is responsible for the Policy and Procedure which governs substantive promotion and those being moved to a higher rank on a temporary basis, namely Acting or Temporary Ranks.

2.2.2 A new Police Scotland Acting Rank Policy and EQHRIA has been developed and is in the final stages of consultation, before being adopted. Both documents generally follow the rules, procedure and governance of the previous Temporary Promotions Policy and EQHRIA. A Force memorandum has been circulated to advise Police Scotland of this change.

2.2.3 The primary principle of substantive promotion, or those electing to move to a higher rank temporarily is that it is accessible to all officers, subject to My Career evidence and Line Management support.

2.3 Authorisation:

2.3.1 Acting Ranks up to Inspector will be advertised within local business areas to ensure ALL local officers have the opportunity to access this development opportunity. On occasion, local Command Teams may open their opportunities up to other areas to allow for cross skilling and enhanced development.

2.3.2 Chief Superintendents have the authorisation to approve an acting rank up to the rank of Inspector.

2.3.3 Acting Ranks from Chief Inspector or above are ALL advertised nationally and open to any officer from any business area, who meets the essential criteria for the role advertised.

Assistant Chief Constables – Approve Chief Inspectors

Deputy Chief Constables – Approve Superintendents

The Chief Constable - Approves Chief Superintendents.

2.4 Transparency:

2.4.1 Once an officer has been selected through a local assessment, a business case is required to be completed to record the following:

1. The position was advertised and open to all who meet the essential criteria of the role.
2. There was a transparent selection process, which has been recorded.
3. Evidence recorded why the selected officer was chosen, ahead of other applicants.
4. The position has the correct authorisation.

2.5 Governance:

2.1 All business cases are submitted to the Recruitment and Selection Support and Service Delivery team, at which time:

1. Each business case will be reviewed to ensure due process has been correct and aligns to the policy.
2. At 5 months the business case will be sent to the vacancy owner seeking rationale for reverting or retaining officer beyond 6 months.
3. At 11 months the business case will be sent to the vacancy owner seeking rationale for reverting or retaining officer beyond 12 months. Retention beyond 12 months requires Assistant Chief Constable Approval for all ranks.
4. At 16 months the business case will be sent to the vacancy owner to ensure the officer is reverted prior to 18 months.

- 2.2 All business cases will be retained and available for review as per the document retention policy guidance.

3. FINANCIAL IMPLICATIONS

- 3.1 The above reflects a policy revision in respect of qualification requirement and terminology. The extension of reckonable benefits as outlined are already applied under the Temporary Promotion policy and therefore no additional financial considerations are required.

4. PERSONNEL IMPLICATIONS

- 4.1 The paper outlines the resourcing picture in terms of annual supervisory requirements at Sergeant level to maintain operational and organisational resilience. These levels will not be achieved without the implementation of the policy change as outlined.

The resource requirement to provide continued governance to the application and administration of the policy will be provided by the existing Recruitment and Selection Support and Service Delivery team.

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 invited to discuss the content of this report.