GREATER MANCHESTER POLICE

# Performance Management

# Policy

## Version 14

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# 1. Policy Statement

Greater Manchester Police (GMP) is committed to supporting staff to achieve and maintain acceptable standards of performance. We encourage staff and managers to have regular discussions, so all are clear about expectations.

We recognise that performance is important in order to achieve the required standards at work. Underperformance can have a damaging effect on morale, retention and job satisfaction. We must address unsatisfactory performance as it has a significant impact on our ability to provide a quality service to the public at a reasonable cost. It can also affect other people at work.

If we have concerns about your performance, we will speak to you at the earliest opportunity. We aim to deal with cases consistently, ensuring fairness in the application of this policy.

## 1.1 Aims

This policy is about making sure everyone meets the standards required for their role. In all cases the main aim is to bring about the required improvement and provide support to individuals.

This policy is designed to explain the set of principles and overall procedure we will follow. Every case will be managed on an individual basis according to the circumstances.

# 2. Scope

This policy applies to Police Officers up to the rank of Chief Superintendent, Police Staff, and Special Constables.

It does not apply if you are in your probationary period, for which there are separate procedures.

Where we refer to ‘staff’ in this policy, it also applies to Officers and Specials unless we say otherwise.

This policy applies to performance issues.

However, it does not apply in cases considered to be misconduct which will be dealt with under the Police (Conduct) Regulations 2020 or the Police Staff Discipline Policy. This includes if your conduct or behaviour is unacceptable.

# 3. Terms and Definitions

*For definitions of people referred to in this Policy, see Appendix A*

Definitions of terms used in this Policy:

### Unsatisfactory Performance
The failure to perform the duties of your role to a satisfactory standard. This may be due to your competence, ability, skills, effort, illness or other factors.

### Gross Incompetence
A serious failure or serious inability to perform the duties of your role or rank to a satisfactory standard, to the extent that dismissal would be justified.

### Action Plan
A document recording what actions you should take to achieve the required improvement, and what actions your manager will take to support you. It is written by your manager after discussions with you. The actions will have timescales and will be regularly reviewed.

### Improvement Notice
A statement the Decision Maker will include in your outcome letter if they find Unsatisfactory Performance. It will include:

- in what respect(s) your performance is considered unsatisfactory
- the improvement(s) required to bring you to an acceptable standard,
- the date by which improvement is expected to be made (“Improvement Period”)
- the date up until which the improvement notice is valid (“Validity Period”), and
- the possible consequence if you do not make and maintain the improvement required.

#### - Improvement Period
The period of time the Decision Maker gives you to achieve the required improvement. It will usually be three months and will never be more than 12 months.

#### - Validity Period
The 12 months from the date the Improvement Notice is issued. During this period you must maintain the improvement required, or the next stage of the procedure may be commenced.

#### - Final Improvement Notice (Police Staff Only)
A statement the Decision Maker will include in your outcome letter if they find unsatisfactory performance at Stages 2 or 3.

### Working Days
Monday to Friday (regardless of whether you work Monday to Friday).

### Dismissal
Employment is terminated for unsatisfactory performance or for gross incompetence.

# 4. Roles & Responsibilities

## 4.1 Responsibilities of Staff

You have a responsibility to:

- Maintain satisfactory performance.
- Perform your duties and responsibilities to the best of your ability.
- Cooperate if you are involved in any action taken under this policy.

- Advise your line manager/ Appeal Manager as soon as possible if you wish to be accompanied in any meetings. It is your responsibility to arrange for the person accompanying you to attend the meeting.

## 4.2 Responsibilities of Managers

Managers will:

- Be clear about the standards of performance required of you.
- Provide you with appropriate support.
- Address unsatisfactory performance in line with this policy.
- Keep accurate records of poor performance and the support put in place to assist improvement.
- Maintain records in line with GDPR principles.
- Lead the process under this policy and seek advice from HR as required.
- Make HR aware of any action taken under this policy.
- be aware of the wider support they can access to assist them.

## 4.3 Responsibilities of People Branch

People Branch will:

- Provide HR support and advice to local Senior Leadership Teams.
- Identify training needs and develop and deliver training where appropriate.
- Develop policy for the management of poor performance that enables GMP to provide an effective service.
- Advise on policy as required.
- Provide advice and guidance to managers, to achieve consistency and equality of treatment for all staff.
- Provide appropriate advisors to the formal stages of this policy.
- Inform Professional Standards Directorate of all dismissals under this policy.

## 4.4 Responsibilities of a Witness (for Stage 2 (Officers) and Stage 3 (Staff) hearings

Witnesses, if required, attend for the duration of their evidence and to any answer any follow-up questions. Witnesses are required to maintain confidentiality.

## 4.5 Responsibilities of Professional Standards Directorate (PSD)

PSD will notify College of Policing details of all staff that need to be entered on the Police Barred or Advisory list under this policy.

For Police Officers, following a misconduct investigation PSD may also refer a police officer to be dealt with under The Police (Performance) Regulations where the appropriate authority determines there is no case to answer or that no misconduct proceedings will be brought. Where the appropriate authority assesses that the conduct, if proved, would amount to practice requiring improvement, or that the matter should be referred to be dealt with under the Performance Regulations the appropriate authority must consult the line manager of the officer concerned before making this assessment.

# 5. Principles

## 5.1 Support

We expect supportive action to be used to resolve performance issues. The underlying principle of this policy is to provide an open and proportionate method of dealing with performance issues and to encourage a culture of learning and development for individuals and the organisation. Where it is appropriate to take informal action, line managers are encouraged to do so. The aim of any action taken under this policy is to achieve improvement, therefore your manager will discuss possible supportive solutions with you, for example further training or coaching, and arrange them if appropriate.

Your manager will provide all reasonable support throughout the informal and formal stages of this process to help you improve your performance to the required level. Reasonable support from your manager refers to the actions and resources a manager provides to help you achieve acceptable performance levels while balancing organisational needs. It is up to both of you to identify what support is needed. Therefore, it is important you tell your manager about anything they can do to help you to achieve the required standards.

## 5.2 Right to be represented / accompanied

You have the right to be accompanied at all stages by a representative of a Trade Union or Staff Association, or by a work colleague. If you have a disability you can request to bring someone else to the meeting for additional support, e.g. Sign Language interpreter.

If you want to be accompanied at any meetings under this policy:

- it is your responsibility to contact the person you want to accompany you and facilitate their attendance with your manager or the Meeting Organiser.
- you should tell your Manager/Meeting Organiser as soon as practicable and whether they are a colleague or a Trade Union/Staff Association representative.

You do not have the right to bring legal representation to the meeting (unless you are a Police Officer, and it is a Stage 2 meeting for gross incompetence).

## 5.3 Records and confidentiality

We will keep records of action taken under this policy and add them to your electronic personal file. We will keep these records confidential and in accordance with the requirements of the Data Protection Act 2018 & GDPR.

We will not take records into account after a Validity Period has expired.

## 5.4 Police Barred List and Advisory List Regulations

The Police Barred List and Advisory List Regulations 2017 introduce the Police Barred List and the Police Advisory List with effect from December 2017.

### The Police Barred List

This is a list of all officers and special constables who have been dismissed from policing through the Police Conduct and Performance Regulations and Police Staff who have been dismissed through relevant force policy e.g. Performance Management Policy.

Whilst on the barred list you will be prevented by law from re-joining Home Office police forces and certain law enforcement bodies.

Please refer to Home Office Guidance, for further details.

PSD will review each case and decide if your details need to be entered on the Barred List or not. If your employment is terminated for medical reasons i.e. medical retirement, then your details will not be entered on to the Barred List.

### The Police Advisory List

The Police Advisory List is a list of all officers, special constables and police staff members who have resigned or retired during an investigation or who leave before an allegation comes to light relating **to conduct only**. It also includes designated volunteers who have had their designated status withdrawn due to conduct or performance matters.

As it is not possible to conclude performance or Unsatisfactory Police Performance proceedings once you have left the force, there is no need to report to the College of Policing under these circumstances.

Being on the advisory list is not an absolute bar to gaining employment within policing. The police recruiting body will decide on whether or not to recruit you.

Both lists are held and administered by the College of Policing.

For further information on the Police Barred and Police Advisory List Regulation please refer to Home Office Guidance

## 5.5 Automatic Removal from the Barred list

If you are dismissed for unsatisfactory performance, then you'll be entered on the barred list for a period of 12-months after which you'll be removed automatically.

However, if you are dismissed for gross incompetence, then you are not eligible for automatic removal from the barred list. This means that you cannot by law re-join a Home Office Police Force and certain law enforcement bodies in any capacity.

## 5.6 Police staff with dual roles in policing

If you have a dual role in policing, for example:

- Police staff and a special constable either with GMP or another police force

- Employed in two police staff posts.

You cannot be employed in either post if dismissed from one of your roles and your details will go onto the barred list.

The above list is not exhaustive of all possible scenarios.

## 5.7 Removal of barred status

If you are not eligible for automatic removal (please refer to 5.5) then three years after being dismissed, you can apply to the College of Policing (COP) for your barred status to be removed. The COP will make their decision based on; -

- if you can demonstrate your suitability to be employed by a policing body
- circumstances that led to the original findings
- the impact of removing your barred status might have on public confidence.

Note: This appeal is in relation to removal of your barred status and not an appeal against the outcome of the Stage 2 (Police Officers) or Stage 3 (Police Staff) hearing. You should follow the normal appeal process as detailed at 6.10 to appeal the outcome of the Stage 2 (Police Officers) or Stage 3 (Police Staff) hearing.

## 5.8 Disability / Ill-health

For the purposes of this policy, a disability is defined in line with the Equality Act 2010. You are disabled if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities. You automatically meet the disability definition under the Equality Act 2010 from the day you are diagnosed with HIV infection, cancer or multiple sclerosis. Employers have a legal duty to make reasonable adjustments for employees who meet this definition.

We will take any disability or illness into account, and we will comply with the requirements of the Equality Act. If you have a disability, you should declare this, as we will consider any reasonable adjustments, we can make to help you to improve your performance. Please see the Disability Page on People Pages for further information.

If you have a disability this does not prevent us from taking action under this Policy. However, your manager will consider any reasonable adjustments that will support you and how this impacts the management of your performance. Your manager will refer you to the Occupational Health and Wellbeing Service to obtain expert medical advice on this. Adjustments may involve support in attending meetings and making amendments to any Improvement Notice or Action Plan.

## 5.9 Occupational Health and Wellbeing Service

Where the reason for your unsatisfactory performance may be health-related, we may refer you to Occupational Health and Wellbeing Service (OHWS). We may do this at any stage of the process.

We may ask OHWS for up-to-date information and advice, and we will take that advice into account in order to make informed decisions and to provide the most appropriate support to you.

## 5.10 Your Responsibilities before Meetings

Before any meeting, you should consider providing any evidence in support of your case to the Decision Maker.

## 5.11 Review during any Improvement Period

During any Improvement Period, your line manager will monitor and regularly review your performance. They will review all previous action, support and progress and assess whether it is appropriate and proportionate to progress action under this policy.

- If you do not achieve the requirements of your Improvement Notice, you may be required to attend a meeting under the next stage of the procedure.
- If you do make the required improvement, your manager will notify you of this in writing but remind you that you must maintain the standard required for the Validity Period.

## 5.12 Extensions to any Improvement Period (Police Officers only)

You may apply for an extension of the “specified period” at any time in the procedures. The decision maker will consider your application and extend the period if they consider it appropriate. This will allow some flexibility for unforeseen circumstances e.g. where you have not had sufficient time to improve due to emergency deployment to other duties.

In extending a specified period, the decision maker will give consideration to any periods of extended absence from your normal role e.g. long periods of pre-planned holiday leave or other leave. The extension should not lead to the improvement period exceeding 12 months unless the decision maker is satisfied that this is appropriate due to exceptional circumstances. The reasons for the extension should be recorded.

## 5.13 Review During any Validity Period

During any Validity Period, your line manager will continue to monitor and review your performance. They will review all previous action, support and progress and assess whether it is appropriate and proportionate to progress action under this policy.

- If you do not maintain the standard required until the end of the Validity Period, you may be invited to a meeting under the next Stage of the procedure.
- If you do maintain the required standard for the Validity Period, that will be the end of the process.

## 5.14 Multiple forms of Unsatisfactory Performance

In order to proceed to the next stage, the Unsatisfactory Performance must be of a same or similar form to the previous stage. For example, we will deal with Unsatisfactory Performance separate from Unsatisfactory Attendance.

## 5.15 Police (Conduct) Regulations 2020 and The Police (Conduct, Performance and Complaints Misconduct) (Amendment) Regulations 2025 – Applies to Police Officers Only

Under these regulations a complaint or conduct allegation against a police officer can be addressed, following direction by the Appropriate Authority in Professional Standards Directorate, in the following ways: -

If the conduct, if proved, would amount to neither misconduct or gross misconduct (triggering the misconduct regs) then the options are:

(a)the conduct, if proved, would amount to practice requiring improvement;
(aa)the matter should be referred to be dealt with under the Vetting Regulations;
(b)the matter should be referred to be dealt with under the Performance Regulations, or
(c)it should take no further action.

Reg 14(2) of the Police (Conduct) Regulations 2020.

Where it has been deemed appropriate to use UPP (Unsatisfactory Police Performance) to deal with the issue, this will commence at the formal stages of this policy, at the stage appropriate to the level of underperformance.

### 5.16 Data Protection

We will keep records of action taken under this policy and add them to your electronic personal file. We will keep these records confidential and in accordance with the requirements of the Data Protection Act 2018 & GDPR.

Plans and actions set in the formal stages of this policy will not be taken into account for future meetings after a Validity Period has expired.

### 5.17 Travelling Expenses

If you need to travel to a meeting under this policy, you will be entitled to necessary and reasonable travelling expenses. These should be claimed from your District/Branch.

## 6. Procedures

### 6.1 Informal Action and Support

If your manager identifies unsatisfactory performance, they will speak to you about it.

They will explain why your performance does not meet the standard required for your role and discuss with you what you can do, and what they can do, to help improve your performance and agree a plan of action. This will include specific objectives you need to achieve to improve your performance, and the timelines in which you need to do this. They will offer you support, guidance or training to address the issue.

They will document these discussions and actions. This might be on an Action Plan or in another format. They will offer you support and have regular discussions and reviews with you.

There may be setbacks in which case it may need to be revised. They will document these discussions and actions. You will discuss what further support or training might be available.

Only where your performance can not be improved to an acceptable level will they consider formal action in line with this policy. Before taking this decision, your line manager will write to you to summarise the support offered to try and help you improve.

Informal action will not apply when an Appropriate Authority in Professional Standards refers underperformance (in police officers only) to be dealt with under this policy. In these circumstances, you would proceed directly to formal action.

### Formal Stages

When deciding whether or not to progress to each stage, your line manager will consider whether it is reasonable to do so taking into account your individual circumstances.

For Police Officers, this policy should be used alongside reference to the Police (Conduct, Performance and Complaints Misconduct) (Amendment) Regulations 2025 and the Home Office Statutory Guidance.

*Arrangement of Meetings*

Wherever possible, your line manager will try to agree dates and times for meetings under this procedure that are convenient to you (and take into account the availability of your representative). However, if it's not possible to agree, they may give you 5 working days' notice of a meeting.

If you are off sick you may still be required to attend a meeting, depending on the nature of your illness. You should discuss any difficulties with the Decision Maker.

If you cannot attend an arranged meeting due to serious illness or medical appointment we will postpone it. However, we will not be able to postpone it repeatedly. We will consider other options to allow the meeting to go ahead, for example, changing the location or using video or telephone conferencing.

If you are repeatedly unable to attend a meeting the Decision Maker may consider going ahead without you.

## 6.2 Stage 1

If, after informal action, your line manager considers your performance is still unsatisfactory, they will notify you that you must attend a meeting under Stage 1. The letter will tell you the reasons why your performance is considered to be unsatisfactory. It will include documents your line manager will rely on in support of their case.

You are encouraged to provide, in advance of the meeting, any documentation that you will rely on. You should aim to provide the documents at least 2 calendar days before the meeting. Any document or other material not submitted in advance of the meeting may be considered at the meeting but at the sole discretion of the line manager.

At the meeting, the Decision Maker will be your line manager. They will take all the evidence into account, including your responses. For the procedure during meetings, see Appendix B for police staff and Appendix C for police officers.

The Decision Maker will aim to tell you their decision on the day. The possible decisions at Stage 1 are:

- that your performance is satisfactory and no further action will be taken, or
- that your performance is unsatisfactory and if so:
    - in what respect it is unsatisfactory, and
    - what improvement is required.

You will be provided with written notice of the decision, findings, outcome and reason within 3 working days after the meeting. If unsatisfactory performance was found, the Decision maker will also give you an Improvement Notice.

To help you to achieve the objectives of the Improvement Notice as soon as possible after the meeting your line manager will discuss and set an Action Plan with you. The Improvement Notice confirms the improvement required and the timeframe this is expected to be achieved. The action plan will include details of the actions you, your manager and/ or the organisation will take to support you to achieve the improvement notice.

The Improvement Notice should be set for 3 months, it could be longer but should be for no more than 12 months.

You have the right to appeal this outcome. Please see section 6.10.

## 6.3 Stage 2 (Police Officers)

If you do not meet and maintain the requirements of the Improvement Notice, we may require you to attend a Stage 2 meeting. If your line manager considers that your performance is still unsatisfactory, they will notify you in writing of this. The notice will confirm that you are required to attend a second stage meeting to consider your ongoing performance issues and will explain all the next steps for the meeting arrangements and potential outcomes to you.

As soon as the Stage 2 Decision Maker(s) are confirmed, we will notify you of their name(s). This notice will explain the procedure to follow if you object to any of the Decision Makers.

You are encouraged to provide, in advance of the meeting, any documentation that you will rely on. If you choose to do this, the documents should be provided with at least 2 calendar days of the meeting.

At the meeting, the Decision Maker(s) will take all the evidence into account, including your responses. For the procedure during the meeting see Appendix C.

The Decision Maker(s) will aim to tell you their decision on the day. The possible outcomes of a Stage 2 Meeting are:

- redeployment
- reduction in rank
- dismissal (with notice) or
- an extension to your improvement notice (in exceptional circumstances).

You will be provided with written notice of the decision, findings, outcome and reason within 3 working days after the meeting.

You have the right to appeal this outcome. Please see section 6.10.

If you are dismissed, we will give you a minimum of 28 days' notice.

We will send a report containing information set out in the Police Barred List and Advisory List Regulations 2017 to the College of Policing. The College will then update the barred list with those details.

Whilst on the barred list you will be prevented by law from re-joining Home Office police forces and certain law enforcement bodies.

## 6.4 Stage 2 – Gross Incompetence (Police Officers)

If we consider that your actions / inactions may amount to Gross Incompetence, we may decide to fast-track your case straight to a Stage 2 meeting. If this happens, we will notify you to attend a Stage 2 (Gross Incompetence) meeting. This notice will explain all the next steps to you. The meeting will be arranged for a date within 30 working days of this notice.

As soon as the Stage 2 Decision Maker(s) are confirmed, we will notify you of their name(s). This notice will explain the procedure to follow if you object to any of the Decision Makers.

Police Officers have the right to have legal representation at a Stage 2 (Gross Incompetence) meeting.

At the meeting, the Decision Maker(s) will take all the evidence into account, including anything you have to say. For the procedure during the meeting see Appendix C.

For Stage 2 (Gross Incompetence) meetings the Decision Maker(s) has the same options as at a Stage 2 meeting (see section 6.3), as well as further options to:

- issue an Improvement Notice if they find unsatisfactory performance but it does not amount to gross incompetence, or
- issue an Improvement Notice.

You will be provided with written notice of the decision, findings, outcome and reason within 3 working days after the meeting.

You have the right to appeal this outcome. Please see section 6.10.

If you are dismissed for Gross Incompetence it will be with immediate effect. We will send a report containing information set out in the Police Barred List and Advisory List Regulations 2017 to the College of Policing. The College will then update the barred list with those details.

Whilst on the barred list you will be prevented by law from re-joining Home Office police forces and certain law enforcement bodies.

## 6.5 Any Further Stage 2 Meetings (Police Officers Only)

If at the Stage 2 Meeting, the decision is to issue a written Improvement Notice or extend your written Improvement Notice, we will review your progress during the Improvement Period and Validity Period as per this policy.

If you do not make and maintain the required improvement, the Decision Maker(s) may notify you to attend a further Stage 2 Meeting.

The possible outcomes of a further Stage 2 Meeting are:

- redeployment
- reduction in rank or
- dismissal (with notice).

You will be provided with written notice of the decision, findings, outcome and reason within 3 working days after the meeting.

You have the right to appeal this outcome. Please see section 6.10.

If you are dismissed, we will send a report containing information set out in the Police Barred List and Advisory List Regulations 2017 to the College of Policing. The College will then update the barred list with those details.

Whilst on the barred list you'll be prevented by law from re-joining Home Office police forces and certain law enforcement bodies.

## 6.6 Stage 2 (Police Staff)

If you do not meet and maintain the requirements of the Improvement Notice, we may require you to attend a Stage 2 meeting. If your line manager considers that your performance is still unsatisfactory, they will notify you in writing of this. The notice will confirm that you are required to attend a second stage meeting to consider your ongoing performance issues and will explain all the next steps for the meeting arrangements and potential outcomes to you.

As soon as the Stage 2 Decision Maker(s) are confirmed, we will notify you of their name(s). This notice will explain the procedure to follow if you object to any of the Decision Makers.

You are encouraged to provide, in advance of the meeting, any documentation that you will rely on. If you choose to do this, the documents should be provided with at least 2 calendar days of the meeting. At the meeting, the Decision Maker(s) will take all the evidence into account, including your responses. For the procedure during the meeting see Appendix B.

The Decision Maker will aim to tell you their decision on the day. The possible decisions at Stage 2 are:

- that your performance is satisfactory, and no further action will be taken, or
- that your performance is unsatisfactory and if so:
    - in what respect it is unsatisfactory, and
    - what improvement is required.

You will be provided with written notice of the decision, findings, outcome and reason within 3 working days after the meeting. If unsatisfactory performance was found, the Decision maker will also give you a Final Improvement notice.

To help you to achieve the objectives of the Final Improvement Notice, as soon as possible after the meeting your line manager will discuss and set an Action Plan with you. The Improvement Notice confirms the improvement required and the timeframe this is expected to be achieved. The action plan will include details of the actions you, your manager and/ or the organisation will take to support you to achieve the Final Improvement Notice.

The Final Improvement Notice should be set for 3 months, it could be longer but should be for no more than 12 months.

You have the right to appeal this outcome. Please see section 6.10.

## 6.7 Stage 3 (Police Staff only)

If you do not meet and maintain the requirements of the Final Improvement Notice, we may require you to attend a Stage 3 meeting. If your line manager considers that your performance is still unsatisfactory, they will notify you in writing of this. The notice will confirm that you are required to attend a third stage meeting to consider your ongoing performance issues and will explain all the next steps for the meeting arrangements and potential outcomes to you.

As soon as the Stage 3 Decision Maker(s) are confirmed, we will notify you of their name(s). This notice will explain the procedure to follow if you object to any of the Decision Makers.

You are encouraged to provide, in advance of the meeting, any documentation that you will rely on. If you choose to do this, the documents should be provided with at least 2 calendar days of the meeting. At the meeting, the Decision Maker(s) will take all the evidence into account, including your responses. For the procedure during the meeting see Appendix B.

The Decision Maker(s) will aim to tell you their decision on the day. The possible outcomes of Stage 3 are:

- no further action will be taken, or
- that your performance is unsatisfactory, and if so:
- that you will be redeployed,
- that you will be dismissed (with notice), or
- there will be an extension to your improvement notice (in exceptional circumstances)

You will be provided with written notice of the decision, findings, outcome and reason within 3 working days after the meeting.

You have the right to appeal this outcome. Please see section 6.10.

If you are dismissed, we will give your contractual notice.

We will send a report containing information set out in the Police Barred List and Advisory List Regulations 2017 to the College of Policing. The College will then update the barred list with those details.

Whilst on the barred list you will be prevented by law from re-joining Home Office police forces and certain law enforcement bodies.

## 6.8 Stage 3 – Gross Incompetence (Police Staff Only)

If we consider that your actions / inactions may amount to Gross Incompetence, we may decide to fast-track your case straight to a Stage 3 meeting. If this happens, we will notify you to attend a Stage 3 (Gross Incompetence) meeting. This notice will explain all the next steps to you. The meeting will be arranged for a date within 30 working days of this notice.

As soon as the Stage 3 Decision Maker(s) are confirmed, we will notify you of their name(s). This notice will explain the procedure to follow if you object to any of the Decision Makers.

At the meeting, the Decision Maker(s) will take all the evidence into account, including anything you have to say. For the procedure during the meeting see Appendix B.

For Stage 3 (Gross Incompetence) meetings the Decision Maker(s) has the same options as at a Stage 3 meeting (see section 6.7), as well as further options to:

- issue an Improvement Notice if they find unsatisfactory performance but it does not amount to gross incompetence, or
- issue an Improvement Notice.

You will be provided with written notice of the decision, findings, outcome and reason within 3 working days after the meeting.

You have the right to appeal this outcome. Please see section 6.10.

If you are dismissed for Gross Incompetence it will be with immediate effect. We will send a report containing information set out in the Police Barred List and Advisory List Regulations 2017 to the College of Policing. The College will then update the barred list with those details.

Whilst on the barred list you will be prevented by law from re-joining Home Office police forces and certain law enforcement bodies.

## 6.9 Any Further Stage 3 Meetings (Police Staff Only)

If at the Stage 3 Meeting, the decision is to issue a Final Improvement Notice or extend your Final Improvement Notice, we will review your progress during the Improvement Period and Validity Period as per this policy.

If you do not make and maintain the required improvement, the Decision Maker(s) may notify you to attend a further Stage 3 Meeting.

The possible outcomes of a further Stage 3 Meeting are:

- redeployment, or
- dismissal (with notice).

You will be provided with written notice of the decision, findings, outcome and reason within 3 working days after the meeting.

If you are dismissed, we will give your contractual notice.

We will send a report containing information set out in the Police Barred List and Advisory List Regulations 2017 to the College of Policing. The College will then update the barred list with those details.

Whilst on the barred list you will be prevented by law from re-joining Home Office police forces and certain law enforcement bodies.

## 6.10 Appeals Procedure

**Remit of the Appeal Meeting**

The appeal meeting is not a full re-hearing of the original meeting. The purpose of the appeal is to:

- consider your grounds for appeal,
- review whether the procedure was followed correctly,
- review the decision and determine whether, on the basis of the evidence presented, the decision was fair, and
- consider any new evidence that was not available at the original meeting.

There is no further right of appeal following the Appeal Decision Maker's decision.

## Appeals at Stage 1 (Police Officer), or Stage 1,2 or 3 against anything other than dismissal (Police Staff)

If you disagree with the finding or the terms of any Improvement Notice you may appeal within 10 working days of receiving the written decision. Police Regulations provide that an officer can appeal within 7 working days. This has been extended within GMP to allow all officers and staff a period of 10 working days to submit an appeal.

To appeal, send the completed appeal form, or a letter including your grounds of appeal, to the relevant Appeal Decision Maker (see Appendix A).

Whilst you are waiting for the appeal meeting you must continue to follow the terms of any Improvement Notice.

The relevant Appeal Decision Maker will give you written notice of the appeal date, time and location and any documents.

The procedure at the appeal meeting is set out in Appendix E.

The possible outcomes of the appeal meeting are:

- the finding of Unsatisfactory Performance is reversed and the Improvement Notice is withdrawn, or
- the finding of Unsatisfactory Performance is confirmed and:
    - the terms of the Improvement Notice are confirmed, or
    - the terms of the Improvement Notice are changed.

The Appeal Decision Maker will tell you their decision on the day. We will send you written confirmation of the decision including a summary of the reasons for the decision within 3 working days.

## Appeals against dismissal (Police Staff)

You must appeal within 10 working days of receiving the written decision of the Stage 3 Panel.

To appeal, send the completed Appeal Form or a letter including your grounds of appeal, to the Appropriate HR Professional who will liaise with the Governance Team, External Relations and Performance Branch, to arrange the Appeal Hearing.

Appeals will be heard by a GMP Appeals Panel. The panel will comprise 3 members: Chief Officer (chair), Chief Superintendent or Superintendent (or police staff equivalent) and a member of the Combined Authority employed to undertake the Mayor's Police and Crime Commissioner function. Members of the panel will not have had any previous

involvement in the case. A senior HR professional will be in attendance as an advisor to the panel.

### Appeal against Stage 2 outcome (Police Officer)

You must appeal within 10 working days of receiving the written decision of the Stage 2 Panel. Police Regulations provide that an officer can appeal within 7 working days. This has been extended within GMP to allow all officers and staff a period of 14 calendar days to submit an appeal.

The appeal process for a stage 2 outcome is governed by the Police Appeal Tribunal Rules 2020 as amended by The Police (Conduct, Performance and Complaints and Misconduct) (Amendment) Regulations 2025.

## 7. Associated Documents

**GMP Policies**

- Discipline Policy

**GMP Toolkits/guidance**

- Performance Management – Management Toolkit
- Performance Management – Formal Stages – Police Staff Template Letter Toolkit
- Performance Management – Formal Stages – Police Officer Template Letter Toolkit

**GMP Forms**

- Appeal Form

**Legislation**

- Employment Rights Act 1996
- Equality Act 2010
- Police Performance Regulations 2020
- Police (Conduct, Performance and Complaints and Misconduct) (Amendment) Regulations 2025
- Home Office Statutory Guidance
- Police Appeal Tribunal Rules 2020
- Data Protection Act 2018
- GDPR 2018
- Police Pensions Regulations 1987, 2006 and 2015

# 8. Statutory Compliance & Consultation

## 8.1 Statutory Compliance

### 8.1.1 Equality Act (2010)

The Performance Management Policy supports the General Equality Duty, which requires the Force to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that it prohibited by or under the 2010 Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant *protected characteristics* to be considered are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Measures are in place to ensure staff with a disability are supported by seriously considering all requests for Reasonable Adjustments. This policy has been developed to promote fair and reasonable management of performance, ensuring compliance with relevant legislation.

For more detailed considerations, please see the Equality Impact Assessment.

### 8.1.2 The General Data Protection Regulation (GDPR) and Data Protection Act (2018)

The policy and procedures are compliant with the Act and Regulation.

### 8.1.3 Freedom of Information Act (2000)

This policy could be published immediately, should a request be received under the Freedom of Information Act.

## 8.2 Consultation

| Department | Comments |
|---|---|
| GMB | Negotiation has taken place with GMB, their comments/concerns raised and considered. Amendments made to policy where appropriate and agreed. |
| UNISON | Negotiation has taken place with UNISON, their comments/concerns raised and considered. Amendments made to policy where appropriate and agreed. |
| Police Federation | Consultation has taken place with the Police Federation, their comments/concerns raised and considered. Amendments made to policy where appropriate and agreed. |

| | |
|---|---|
| Superintendents Association | Consultation has taken place with the Superintendents Association – no concerns raised. |
| Staff Support Networks | Engagement has taken place with the Staff Support Networks, comments/concerns received by them have been taken into consideration. |

## 9. Version History Table

| VERSION NO | DATE | SUMMARY OF CHANGES | AUTHOR(S) | PUBLISHED ON CCOs |
|---|---|---|---|---|
| Version 1 | 1.6.13 | Combines Police Staff (Capability) and Police Officer Unsatisfactory Performance and Attendance Procedures. | Policy and People Relations | |
| Version 2 | 10.6.13 | Clarification Appendix B (procedure at meeting). Tape recording at Stage 3 required for police officers only | Policy and People Relations | |
| Version 3 | | Amendments to wording made following further consultation. Addition of statement in relation to police officer ill-health retirement. | Policy and People Relations | |
| Version 4 | 1.9.14 | Appeals against dismissal amended to reflect the change in employer (from PCC to Chief Constable) following the Stage 2 PCC transfer. | Policy and People Relations | |
| Version 5 | 19.1.15 | Responsibility of Staff section amended to embed the Code of Ethics | Policy and People Relations Unit | |
| Version 6 | 20.04.16 | Amended to bring in line with the new Attendance Policy | Policy and People Relations | |
| Version 7 | 03.08.17 | Updated to bring in line with HR Transformation and change of Borough from Division.<br><br>Appeal against dismissal process amended to bring in line with the introduction of the Combined Authority. | Policy and People Relations | |
| Version 8 | 23.10.17 | Amended to clarify HR roles and responsibilities post GMSS | Policy & People Relations Unit | |
| Version 9 | 18.05.19 | Amended in line with the implementation of Police Barred and Police Advisory List Regulations 2017 and to reflect implementation of the GDPR | Policy & People Relations Unit | |
| Version 10 | 24.11.20 | Amended to include referral from PSB direct to UPP, as per Police Conduct Regulations. | Policy & People Relations | |

| | | | | |
|---|---|---|---|---|
| | | HR Management Procedures During Social Distancing Toolkit added as an appendix. | | |
| Version 11 | 10.03.20 | Changed in line with revised HR structure | Strategic Policy & People Relations | |
| Version 12 | 01.10.2021 | Update change Employee Assistance Programme (EAP) from CiC to Health Assured | Strategic Policy & People Relations | |
| Version 13 | 24.07.2024 | Updated with new cipher | Strategic Policy & People Relations | |
| Version 14 | 1 May 2026 | Amendments to previous Standards, Performance and Attendance Policy to remove reference to Attendance steps which have transferred to the Attendance Management Policy, and to align to a 2-step formal process for police officers only. | People Branch | 1 May 2026 |

# 10. Appendices

Appendix A – Definitions of People Referred to in this Policy

Appendix B – Procedure at Formal Stage Meetings - Police Staff

Appendix C – Procedure at Formal Stage Meetings - Police Officers

Appendix D – Appeal Form

Appendix E – Procedure at Appeal Hearings

Appendix F- Police Officer Stage 2 Appeals

Appendix G – Professional Standards Department Guidance on Barred and Advisory List

# Appendix A: Definitions: People Referred to in this Policy

**Decision Maker**

The person or panel of people, as per the Table of Decision Makers, who at each of the formal stages will consider all the evidence and make the decisions.

**Decision Maker's Advisor**

A person who'll assist the Decision Maker with the preparation for the meeting and advise the Decision Maker during the meeting, and during any adjournment.

- For Police Staff this may be a HR representative or Appropriate Senior HR Professional.
- For Police Officers this may be a HR representative or Appropriate Senior HR Professional or a Police Officer with experience of Police Performance) Regulations.
- For Police Officers at a Stage 2 gross incompetence meeting, there may also be a Solicitor or Barrister for points of law.
- For Specials at Stage 2, there will also be a member of the Special Constabulary.

The Decision Maker's Advisor will be familiar with the policy and procedures. A Decision Maker's Advisor is compulsory at Stage 2 (Police Officers) and Stage 3 (Police Staff).

**Appropriate HR representative**

A HR Advisor would assist and advise the Decision Maker during Stage 1 (Police Officers) and Stage 1 and 2 (Police Staff).

An appropriate Senior HR Professional who under this policy will:

- consider applications for an extension to the Improvement Period
- make arrangements for a Stage 2 (Police Officers) or Stage 3 (Police Staff) meeting
- appoint a Stage 2 (Police Officers) or Stage 3 (Police Staff) Panel and consider any objections to Panel Members, and
- consider the need for a Stage 2 (Police Officers) or Stage 3 (Police Staff) Gross Incompetence meeting.

In relation to Police Officers, this person has delegated authority from the Chief Constable to act as Appropriate Authority under Regulation 4(4b) of the Police (Performance) Regulations 2012.

**Appropriate Senior HR Professional**

Senior HR Professional means a HR Professional who is consider has sufficient seniority, skills and experience to be a Panel Chair, and who is considered to be equivalent to or a more senior rank or grade than you.

**Appeal Manager**

A person of a rank or level of seniority which is equal to or is above that of your line manager.

**Senior Manager**

Someone of at least the same rank or level of seniority as the person who is the appeal manager.

| Table of Decision Makers | | |
|---|---|---|
| **Police Officers / Specials** | **Meeting** | **Police Staff** |
| Your Line Manager | **Stage 1** | Your Line Manager |
| An Appeal Manager | **Stage 1 Appeal** | An Appeal Manager |
| A panel of three people who are all at least an equivalent rank to you. There'll be at least one Police Officer and at least one Senior HR Professional.<br><br>Panel Chair:<br>A Chief Officer or a Senior HR Professional<br><br>Panel Member 2:<br>Superintendent or Senior HR Professional we consider to be equivalent to the rank of Superintendent<br><br>Panel Member 3:<br>Superintendent or Police Staff person we consider to be equivalent to the rank of Superintendent | **Stage 2** | Your District/Branch Commander or his/her nominated representative. |
| Police Appeals Tribunal | **Stage 2 Appeal** | Your District/Branch Commander or his/her nominated representative not previously involved. |
| n/a | **Stage 3** | A person with delegated authority to dismiss a member of police staff, i.e.<br><br>A Chief Superintendent, Branch Head or Head of HR Operations.<br><br>The Decision Maker's Advisor will be a suitably qualified and experienced Senior HR Professional. |
| n/a | **Stage 3 Appeal (non-dismissal)** | A police officer or member of police staff not previously involved, of equivalent, or higher rank/grade to the Stage 3 decision maker. |
| n/a | **Stage 3 Appeal against dismissal** | A police officer or member of police staff not previously involved, of equivalent, or higher rank/grade to the Stage 3 decision maker. |

## Appendix B: Procedure at Formal Stage Meetings - Police Staff

The purpose of the meeting is to hear the evidence of the unsatisfactory performance and to give you the opportunity to put forward your views. It will also be an opportunity to hear of any factors that are affecting your performance and what you consider can be done to address them.

The Decision Maker(s) may be accompanied by a HR Professional at stage 1 and must be accompanied by a HR Professional at stage 2 or 3. Other relevant parties may be present in accordance with your notification letter. A written record of the meeting will be made.

1. The Decision Maker will explain the purpose of the meeting and the maximum outcomes. This will include the potential of dismissal under the third stage.

2. The management representative will explain the reasons why you have been required to attend the meeting. At stage 1 the decision maker and management representative roles will both be fulfilled by your line manager,

3. You will have the opportunity to make representations in response.

4. Your representative (if you have one) will have an opportunity to make representations.

5. At Stage 3 meetings agreed witnesses will give evidence. You and a management representative will be able to put any questions to the witnesses through the Panel Chair.

6. The decision maker will listen to what you, your representative/ companion (and witnesses if applicable for the duration of their evidence) have to say and will ask questions and comment as appropriate.

The Decision Maker can agree a break at any time during the meeting If you require a break, you should request one. The Decision Maker will also decide when to break to consider their decision.

The Decision Maker will inform you of their decision and the action that will be taken.

## Appendix C: Procedure at Stage 2 Meetings (Police Officers)

The purpose of the meetings are to hear the evidence of the unsatisfactory performance and to give you the opportunity to put forward your views. It will also be an opportunity to hear of any factors that are affecting your performance and what you consider can be done to address them.

**Stage 1**

The Decision Maker(s) must be accompanied by a HR Professional. Other relevant parties may be present in accordance with your notification letter. A written record of the meeting will be made.

1. The Decision Maker will be your manager. They will explain the purpose of the meeting and the maximum outcomes and explain the reasons why you have been required to attend the meeting.

2. You will have the opportunity to make representations in response.

3. Your representative (if you have one) will have an opportunity to make representations.

4. The decision maker will listen to what you, your representative/ companion have to say and will ask questions and comment as appropriate.

The Decision Maker can agree a break at any time during the meeting. If you require a break you should request one. The Decision Maker will also decide when to break to consider their decision.

The Decision Maker will inform you of their decision and the action that will be taken.

**Stage 2**

The Panel will be supported by a HR Professional. An audio recorded record of the meeting will be made.

1. The Panel Chair will explain the purpose of the meeting. They will explain the maximum outcomes including the potential of dismissal.

2. The management representative will explain the reasons why you have been required to attend the meeting.

3. You will have the opportunity to make representations in response.

4. Your representative (if you have one) will have an opportunity to make representations.

5. Any agreed witnesses will give evidence. You and a management representative will be able to put any questions to the witnesses through the Panel Chair.

6. The decision maker will listen to what you and your representative (and witnesses if applicable for the duration of their evidence) have to say and will ask questions and comment as appropriate.

The Panel Chair can agree a break at any time during the meeting. If you require a break, you should request one. The Panel Chair will also decide when to break to consider their decision.

The Panel Chair will inform you of their decision and the action that will be taken.

## Appendix D: Appeal Form

Name:

PIN/ Collar:

Rank/ Grade:

I wish to appeal against:

☐ the finding of Unsatisfactory Performance

☐ the respect in which my performance is considered unsatisfactory.

☐ the improvement which is required of the me and/ or

☐ the length of the period set for improvement.

Detail:

My grounds for appeal are:

☐ that the finding of Unsatisfactory Performance is unreasonable.

☐ that any of the terms of the improvement notice are unreasonable.

☐ that there is evidence that could not reasonably have been considered at the meeting which could have materially affected the finding of Unsatisfactory Performance or any of the terms of the written improvement notice.

☐ that there was a breach of the procedures or other unfairness which could have materially affected the finding of Unsatisfactory Performance or the terms of the improvement notice.

Detail:

Signed

Date

## Appendix E: Procedure at Appeals Hearings (all cases apart from stage 2 appeals for Police Officers)

The Decision Maker(s) may be accompanied by Advisor(s). Other relevant parties may be present in accordance with your notification letter. A written record of the meeting will be made.

1. The Decision Maker will explain the purpose of the Appeal meeting.
2. You will have the opportunity to make representations.
3. Your representative (if you have one) will have an opportunity to make representations.
4. The management representative will have the opportunity to respond.
5. The decision maker will listen to what you, your representative/companion (and witnesses if applicable for the duration of their evidence) have to say and will ask questions and comment as appropriate.

The Decision Maker can agree a break at any time during the meeting. If you require a break, you should request one. The decision maker will also decide when to break to consider their decision.

The Decision Maker will inform you of their decision and the action that will be taken.

## Appendix F: Police Officer Stage 2 Appeals

Officers can submit and appeal on three bases:

1. The finding or sanction was unreasonable.
2. New evidence emerged that challenges the hearing outcome.
3. The original hearing was procedurally unfair or did not adhere to correct procedures.

A typical Police Appeals Tribunal panel comprises three members:

- A legally qualified chair, appointed from a Home Office-maintained list.
- A serving senior police officer (or HM Chief Inspector of Constabulary for senior rank appeals).
- A lay member (or the Permanent Secretary/another senior Home Office official in senior rank cases).

Hearings are public by default, unless the chair rules otherwise for reasons such as national security, witness welfare, or crime prevention. Public attendance is permitted, though observers must adhere to conditions like no recordings and show ID.

Officers may represent themselves or choose legal/lay representation—legal representation is not mandatory.

The outcomes from an appeal may be that the tribunal:

- Uphold the decision,
- Vary the outcome, or
- Quash the initial verdict, potentially ordering a rehearing.

## Appendix G: Police Barred and Advisory List Regulations 2017

**Advice and Guidance for all Police Officers, Special Constables, Police Staff and Designated Volunteers working for GMP subject to the Police Officer and Police Staff Misconduct, Unsatisfactory Performance and Attendance Management Procedures**

**Why have these changes come into effect?**

In the past there has been a public perception that police officers who have committed serious wrongdoing have avoided accountability through resignation or retirement. However, not allowing officers to resign or retire while investigations are on-going has created an unsatisfactory situation for the force or officer. These changes will ultimately increase transparency and accountability of the police discipline system.

In January 2017 the Policing and Crime Act (PCA) 2017 received Royal assent, with the Act containing a number of reforms to be implemented across the complaints and discipline system and new regulations are being constructed to work to both the PCA and amendments in other primary legislation. These changes fall into the Improving Police Integrity reform programme led by the Home Office and a phase implementation approach is being taken.

**When did these changes come into effect?**

Both the Former Officer and Barred and Advisory List Regulations 2017 were laid before Parliament on 22nd November 2017, and they took effect on 15th December 2017.

**What was the position before 15th December 2017?**

For a number of years, officers being investigated in respect of allegations of gross misconduct were prevented from retiring or resigning by Regulation 10A of Police (Conduct) (Amendment) Regulations 2014, unless exceptional circumstances applied that were accepted by the Chief Officer.

**What changes came into effect on 15th December 2017?**

From 15th December 2017, disciplinary procedures were extended to **former officers** and **allow for officers under investigation to resign or retire**. However, **misconduct proceedings will be taken to conclusion** and a hearing may be held as a result. A possible outcome at those hearings is that a finding can be made that the officer 'would have been dismissed' if they were still serving in the police.

From May 2019 the same procedure applies for Police Staff, should a member of Police Staff resign or retire during a gross misconduct investigation, then the misconduct proceedings will be taken to a conclusion and a hearing may be held as a result. A possible outcome at those hearings is that a finding can be made that the member of staff 'would have been dismissed' if they were still employed.

**What will be the consequence of being found guilty of gross misconduct?**

Where the officer, member of police staff or designated volunteer has retired or resigned and a hearing has subsequently taken place, if the outcome was that the individual 'would have been dismissed' had they still been serving, they will be placed onto the **barred list**.

If the officer or member of police staff did not resign or retire but were dismissed having been found guilty of gross misconduct (or misconduct if they have a live final written warning), they would likewise be placed onto the **barred list.**

An outcome short of dismissal would not attract entry onto that barred list and it would also trigger removal from the advisory list (see below for further information).

**What is the Barred List?**

This is a list published by the College of Policing, accessible through their website that will document all officers and special constables who have been dismissed from policing after investigations under the Police (Conduct) Regulations 2012 or Police (Performance) Regulations 2012 and Police Staff and Volunteers who have been dismissed through Misconduct, Unsatisfactory Performance and Attendance Management Procedures.

In respect of officers and former officers (including Special Constables) dismissed under the Conduct Regulations or where a finding was given that they 'would have been dismissed' if still serving, the default position is that this information is publicly available. Rather than a simple open list where all dismissed officers visible, the data set will be searchable by name.

Whilst dismissed members of police staff and officers dismissed under the Performance Regulations will be entered onto the barred list, their details will not be publicly available.

**What types of dismissal will trigger inclusion on the Barred List?**

Police Officers dismissed under the Conduct Regulations with a further finding of misconduct (i.e. there is a live sanction of a final written warning).

Individuals dismissed under the Conduct Regulations with a finding of gross misconduct or under the Performance Regulations for gross incompetence, unsatisfactory performance or unsatisfactory attendance.

Former officers, staff and designated volunteers where a hearing for Gross Misconduct has made a finding that had the individual still been employed, they would have been dismissed.

Police staff members and Designated Volunteers dismissed under Misconduct, Unsatisfactory Performance and Attendance Management Procedures

**What happens if an individual is dismissed or leaves employment outside the circumstances listed in the above question and answer?**

The individual will not be entered onto the barred list. This would apply if the individual ceased to be employed for medical reasons or due to redundancy, notwithstanding that it would apply if at the time they left the Force, they were also under investigation for an allegation of a gross misconduct and a disciplinary process later determined that had they been still serving, they would have been dismissed.

Student officers dismissed in relation to standards of behaviour or integrity under Regulation 13 Police Regulations 2003 would not be entered onto the barred list. Likewise, members of Police Staff dismissed under Probation policy, would not be entered onto the Barred List.

**Are there circumstances where details of a dismissed officer will not be made publicly available?**

The College of Policing on considering representation by the Force and / or chair of the hearing may restrict the details on account of national security, compromise to an on-going criminal or civil investigation, or where it would result any significant harm to any individual, including the officer themselves.

**What is the consequence of being placed on the Barred List?**

The list acts as a bar on working within policing and certain law enforcement bodies, to ensure that those who do not meet the high standards required of the police service are not able to continue to work in the profession.

Therefore, those on the barred list will be prevented by law from re-joining Home Office police forces and certain law enforcement bodies including the Independent Police Complaints Commission (IPCC) / Independent Office for Police Conduct (IOPC), Her Majesty's Inspectorate of Constabulary Fire and Rescue Service (HMICFRS) and any Office for a Police and Crime Commissioner (OPCC)

**What if the individual holds more than one role in policing?**

In circumstances where an individual holds a dual role in policing i.e. as a police staff member and a special constable, such a person cannot continue to be employed in either position if dismissed from one of those roles.

**How long will an individual stay on the Barred List?**

Details of officers dismissed under the Conduct Regulations will be available publicly for 5 years and thereafter will no longer be publicly available, but will nevertheless continue to be held on the barred list indefinitely and will be accessible to policing employers.

Individuals dismissed for gross incompetence will remain on the barred list indefinitely. Their details will never be made publicly available, but nevertheless the information will still be accessible to policing employers.

Individuals who have been dismissed as a result of performance and attendance matters that do not amount to gross incompetence will be automatically removed from the barred list after 12 months.

Police staff members dismissed under the Police Staff Disciplinary procedure will remain on the barred list indefinitely, but at no time will the details be made publicly available, albeit they will be accessible to policing employers.

**Can an individual apply for removal of their barred status?**

Yes, they may make an application to the College of Policing after a period of five years having been dismissed for a conduct matter, or after a three year period if dismissed as result of gross incompetence.

The College of Policing will make their decision based on the individual's demonstration of their suitability to return to policing, the circumstances that led to the original finding and the impact removing the barred status might have on public confidence.

For any unsuccessful appeal, the individual can re-appeal to the College of Policing 5 years thereafter that earlier appeal determination where the dismissal was for gross misconduct, or 3 years after the appeal determination where dismissal was as a result of gross incompetence.

**What is the Advisory List?**

This is a private list maintained by the College of Policing and made available to law enforcement bodies. It lists all officers, special constables and staff members who have

resigned or retired whilst under investigation for matters that could lead to dismissal, or who leave before such an allegation comes to light.

Likewise, it lists all volunteers who have had their designated status withdrawn as a result of conduct, efficiency or effectiveness, or where the individual decides to stop volunteering after a relevant allegation comes to light.

The advisory list is intended to act as a vetting tool for police forces or other specified law enforcement bodies and will be used when completing regular pre-employment checks. The intention is to give relevant authorities a broader picture of any outstanding disciplinary matters relation to a potential employee.

The advisory list is not made available to the public.

**Is inclusion on the Advisory List an automatic bar to employment in policing?**

Being on the advisory list is not an absolute bar to employment within policing. Where an applicant appears on the advisory list, it will be a matter for the police recruiting body to consider when taking a decision on whether or not to recruit.

**When will an individual be removed from the Advisory List?**

Where an individual has been included on the advisory list whilst an investigation is ongoing, they will be removed from it when one of the following points is reached:

(a) If the outcome of a subsequent hearing is a finding of gross misconduct along with a finding that the individual 'would have been dismissed' if still serving, the individual would be removed from the advisory list **but transferred to the barred list**.

(b) If there is a finding that is less than 'would have been dismissed' if still serving.

(c) If it is determined that no disciplinary proceedings will be brought.

(d) If disciplinary proceedings are started but then withdrawn.

(e) Their inclusion on the list did not relate to a conduct matter and a period of 5 years has elapsed, they will be automatic removed after that time. (reg 16 Barred and Advisory list regs)

**Can an individual apply for removal from the Advisory List?**

Individuals can apply to the College of Policing for removal from the advisory list when they have been included in that list for 5 years or more and the matter in question relates to conduct.

If unsuccessful, the individual can apply in another 5 years after their previous application, or within a shorter time period if the College of Policing has specified a shorter period of time at the initial review point.

**Further advice and assistance**

A copy of the Police Barred List and Police Advisory List Regulations 2017 can be found at:

http://www.legislation.gov.uk/uksi/2017/1135/contents/made

Home Office Guidance to accompany the above regulations can be found at the following website address. Annex H and annex I give detailed guidance on the two lists:

https://www.gov.uk/government/publications/circular-0122017-new-former-police-officer-and-barred-list-regulations-an-amended-determination-on-retirement-and-amended-home-office-guidance

You can also speak to Greater Manchester Police PSB or alternatively Greater Manchester Police Federation or Unison. Contact details can be found below:

Greater Manchester Police PSD: XXXX XXX XXXX

Occupational Health and Wellbeing Service: XXXX XXX XXXX

Greater Manchester Police Federation: XXXX XXX XXXX

UNISON: XXXX XXX XXXX

The Greater Manchester Police PSD recognises that this may be a difficult time for any individual directly and presently affected by such reforms. Well-being is important and the PSB would advise that support can be accessed through services made available by Greater Manchester Police; the Force chaplain; staff associations; or local health services.

Contact can be made with the Health Assured Employee Assistance Programme (EAP). The EAP is a confidential and free counselling and practical advice service operated by Health Assured on behalf of Greater Manchester Police. The service is available to all Greater Manchester Police employees and their immediate families and is available 24 hours a day. They can be contacted directly on XXXX XXX XXXX.

The following may also be of use:

The Blue Light programme offers support for emergency services and may be a source of useful advice at this time:

https://www.mind.org.uk/news-campaigns/campaigns/bluelight

NHS peer support via

https://www.nhs.uk/Conditions/stress-anxiety- depression/Pages/Depression-help-groups.aspx

Other links, including the Samaritans, can be found at

http://www.depressionuk.org/favicon.ico