Award of the Long Service & Good Conduct Medal Procedure

1. THE POLICY - NOT PROTECTIVELY MARKED

The Constabulary will decide upon eligibility for the Long Service and Good Conduct Medal within an ethical framework which protects the rights of staff who are eligible for the award and provides a mechanism of appeal for those declared ineligible.

1.1 The aim of the policy

The aim of this policy is to formalise the criteria by which the Force medal panel will judge the eligibility of an officer to receive the Long Service and Good Conduct Medal. The policy provides clear direction as to the factors that will render an officer ineligible to receive the award and any accompany time limitations on such ineligibility.

1.2 Individual roles and responsibilities

The Policy encompasses the following roles:-

Deputy Chief Constable - Chair, medal panel; decides on eligibility.
Head, Professional Standards Dept - sits on the medal panel to advise.
Head, Human Resources - sits on the medal panel to advise.
Police Federation representative - sits on the medal panel to advise.
Chief Constable - rules on appeals by staff against finding of ineligibility.
2. GUIDANCE/PROCEDURES/TACTICS

2.1 Risk assessments and health and safety considerations

The full range of Constabulary Occupational Health and Welfare Support Services will be available to staff ruled ineligible for the award of the Long Service and Good Conduct Medal.

2.2 Specific Instructions, tactics, methods, practices and procedures

2.2.1 Any officer who has completed the qualifying period - 20 years pensionable or approved and good service - is entitled to the award of the Long Service and Good Conduct Medal.

2.2.2 A medal panel will be chaired by the Deputy Chief Constable. It will also be attended by the Head of the Professional Standards Department, a Police Federation representative and the Head of Human Resources. (N.B, for the purposes of this policy any reference to ‘Head of Human Resources’ shall include his/her nominated deputy.) The panel will inquire as to whether the officer has any unexpunged sanctions or whether there are any outstanding complaints or misconduct enquiries, or whether the Service Confidence procedure is being invoked. The Deputy Chief Constable will then decide upon the officer’s eligibility or otherwise for the award.

2.2.3 Where an officer has a formal discipline record at the time of the proposed award, the Long Service and Good Conduct Medal will not be awarded until any sanction imposed is regarded as being expunged.

2.2.4 The period between a sanction being imposed and it being regarded as expunged will not count towards the 20 years of good conduct, for the purposes of the medal panel.

2.2.5 The period for which any sanction triggers the operation of this policy will run from the date the sanction was imposed and will be as follows:

1. Words of advice from a senior officer will attract no penalty in relation to the medal panel procedure.
2. A written warning or caution will, for the purposes of the medal panel, be regarded as expunged after a maximum of twelve months, the exact period to be determined by the panel.
3. An officer subject of the Service Confidence procedure will not receive the Long Service and Good Conduct Medal whilst the confidence issue remains unresolved.

4. A sanction of a fine or a reprimand shall be regarded as expunged after three years.

5. A reduction in rank shall be regarded as expunged after five years.

A requirement to resign, or dismissal, will of course render the officer ineligible for the award.

2.2.6 Where there are any outstanding complaints or misconduct enquiries these matters will be considered individually. If it is considered that an officer may be subject to misconduct proceedings or criminal action, the decision whether to make the award will be deferred until the issues have been concluded against the officer.

2.2.7 Where it is decided that an officer will not be granted the award they will be informed of the reasons and the length of the deferment period, if applicable. Such notification will be undertaken by Human Resources as soon as reasonably practicable after ratification by the panel.

2.2.8 Any appeals regarding the decision taken by the medal panel will be made by way of a full written report to the Chief Constable.

2.2.9 In rare circumstances an officer with 20 years pensionable or approved service may be the subject of a covert investigation. If in these circumstances the Deputy Chief Constable believes that to refuse the award would jeopardise the covert investigation and the officer otherwise fulfils the criteria for the award, a medal will be awarded. If that officer is subsequently convicted of a misconduct or criminal offence that occurred during the qualifying period an application can be made to the Secretary of State for the medal to be cancelled or annulled.

2.2.10 If an officer is found guilty of a misconduct offence or a criminal offence subsequent to the award the Secretary of State is empowered to cancel or annul the conferment of the medal. Each case will be considered on its merits but the major factor will be the seriousness of the offence and its potential to damage the reputation of the Force. Such an application to the Secretary of State will be delayed until all avenues of appeal have been exhausted.
3. SUPPORTING INFORMATION

3.1. The origins/background information

3.1.1. In June 1951 King George VI instituted the Long Service and Good Conduct Medal by Royal Warrant. It became available to officers who had completed 20 years pensionable or approved service and who were certified as "being of very good character and conduct".

3.1.2. Some concern has been expressed at the lack of criteria for the withholding of the award of the Long Service and Good Conduct Medal where officers have discipline records. Of particular concern were the questions as to whether (i) awarding the medal to someone with a discipline record would devalue the award and thereby affect other recipients, and (ii) if it were withheld in such a case, whether officers so affected would be able to cite others with similar records who had received the award.

3.1.3. Home Office guidance (HOC 104/1988) refers and has been incorporated into this Policy.

3.2. Motivators/Driving Forces

There is no existing policy relating to this business area.

3.3. The Legal Basis and legitimate aims

Legal basis:

Police Act 1996
Police (Conduct) Regulations 1999
Human Rights Act 1998

Legitimate aims:

The protection of the rights and freedoms of others.
4. **IMPLICATIONS OF THE POLICY**

4.1 **Financial implications / Best Value**

The Policy will have a minor impact on resources, and costs will be met from within existing budgets.

4.2 **Human Resources / Training / Health and Safety**

There is a requirement to introduce a monitoring system with the Human Resources department as to; (i) the outcome of appeals to the Chief Constable and (ii) the expiry of any period of ineligibility.

4.3 **Information management**

The Human Resources department will be responsible for the management of information relating to this policy, within their existing frameworks.

4.4. **Strategic Considerations / Links with Corporate Projects**

Strategic Aim 5 - Enhance public confidence  
Strategic Aim 6 - Motivated workforce  
Strategic Aim 10 - Promote continuous improvement.

4.5 **Diversity**

This Policy does not have the potential to impact upon any particular group or individual in society.

4.6 **Race Relations (Amendment Act)**

This policy is non-discriminatory.

4.7 **Crime and Disorder Act**

This policy does not include or require the involvement of partnership agencies. It reflects the requirement of s.17, Crime and Disorder Act, within its area of business.

4.8 **Environment**

The Policy does not have any implications for the environment or environmental issues.

4.9 **Property / Security issues**
The policy does not have any property or security implications.

4.10 Corporate / Business Plan

Links to Corporate plan:-

As per strategic aims at 4.4 above.

Links to Business plan:-

4.11 Internal Policy Links

The Policy links with :-

- Integrity Strategy - Professional Standards in Policing.
- Integrity Testing Policy.
- Professional Standards and Integrity.
- Professional Standards Reporting Policy.

4.12 Consultation

The following have been consulted:

- Chief Constable
- Deputy Chief Constable
- Human Resources
- Force Solicitor
- Professional Standards Department
- Police Federation.
5. HUMAN RIGHTS CONSIDERATIONS / CERTIFICATION

5.1 Auditing for potential interference and discrimination

5.1.1. Have the contents of this policy (and any attendant powers, authorities and directions contained within it) been audited for the potential interference with an individual's rights?

Yes - this policy may engage the following articles of the Human Rights Act 1998:

First Protocol, Article 1 - Protection of Property

5.1.2 Have the contents of this policy been audited for the potential for it to be discriminatory, in relation to the application or provision of such rights?

Yes - in the application of this policy the Constabulary will not discriminate against any persons regardless of sex, race, colour, language, religion, political or other opinion, national or social origin, association with national minority, property, birth, or other status as defined under Article 14 of the Human Rights Act 1998.

5.2 Key Human Rights Principles

5.2.1 Does the policy contain a statement explaining the legal basis for the policy (and any attendance powers, authorities or direction given within it)?

The legal basis for this policy can be found in :-

The Royal Warrant - June 1951
Statute as at 3.3. above.

5.2.2 Does the policy provide details of what could be considered as a legitimate aim(s) for the potential interference with an individual's rights by virtue of exercising the policy and its attendant powers, authorities or directions?

Legitimate aim is established at 3.3. above.

5.2.3 Are supervisors and practitioners made aware of the need to follow a clearly defined decision making process in considering all information, and deciding on courses of action?
A decision making process and associated guidelines are clearly stated.

5.2.4 Is it explicit within the policy what the minimum standards are in relation to the documentation of such decision making?

Decisions of the Panel will be fully documented and records retained within the Human Resources Department.

5.2.5 Does the policy provide staff with clear guidance on establishing:

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° The legal basis of their action?
° The aims of their actions (legitimate aims can only be established by virtue of the exemptions and derogations given in the Act)?
° Whether their actions are justified and proportionate in seeking to achieve their aim(s)?
° Whether the intended action is the least intrusive and damaging option to achieving the aim(s)?
° The need to document clearly the decision making processes and outcomes of action?
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The Policy provides clear guidance on establishing legality, legitimacy of aims, justification and proportionality.

5.3. **Delineating Between Policy and Tactics**

5.3.1 Does the policy incorporate police tactics that would make it impractical to publish the contents (due to publication requirements it is suggested that tactical material is capable of separation from the policy documentation for security reasons)?

There is no tactical advice accompanying this procedure.

5.4. **Rights, Publication, Audit and Inspection**

5.4.1 Does the policy contain:

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° A statement in favour of public disclosure or, if this is inappropriate, justification of any reservation to this rule on public interest or other grounds?
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A clearly defined statement of rights when a power, authority or direction is exercised. Including the right to make representations, access to legal advice etc.?

A statement about the availability of the policy (method of proposed publication to the public.)

A clearly defined appeals procedure.

A recommendation about maintaining audits and inspection of decision making?

A recommendation about the level of independent scrutiny of decision making and complaints?

5.4.2 This policy is suitable for full public disclosure.

5.5 Certification of Compliance

5.5.1 Does the policy contain a certification that it has been drafted in accordance with the Human Rights Act and the principles underpinning it?

Consideration has been given to the compatibility of this policy and related procedures with the Human Rights Act; with particular reference to the legal bases of its precepts; the legitimacy of its aims; the justification and proportionality of the actions intended by it; that it is the least intrusive and damaging option necessary to achieve the aims; and that it defines the need to document the relevant decision making processes and outcomes of action.

5.6 Legal Vetting

5.6.1 Has this policy been through legal vetting for Human Rights compliance?

Yes.

5.7 Policy Review Date

5.7.1 Has the policy got a review date to ensure ongoing compliance in light of emergent legislation and Human Rights case law?

The policy should be reviewed annually from its date of inception. The review date should be brought forward if required by changing legislation and/or legal challenge.
6. **PROMOTION / DISTRIBUTION**

The policy should be promoted by an entry in Weekly Orders and inclusion on the Force Policy database.
7. **MONITORING / REVIEW**

7.1. **Monitoring**

The Deputy Chief Constable will monitor all decisions made by the Panel to ensure consistency, and compliance with Policy.

7.2 **Review**

The policy will be formally reviewed annually from its date of inception, to consider its effectiveness, changes to legislation, legal challenges and any identified inefficiencies.