

Procedural Guidance



Politically Restricted Posts

URN: J-Pr-202

Version:	1.2
Effective Date:	02/02/2024
Version Date:	19/01/2025
Review Date:	19/01/2027
Host Force:	Dorset Police
Host Policy Unit:	Dorset Police Legitimacy Team
Policy Owner:	Alliance Head of Employee Relations
Policy Author:	Strategy & Policy Lead (ER)
Associated Policy:	n/a

Applicable to:

Devon & Cornwall Police	☒
Dorset Police	☒
OPCC Devon & Cornwall	☒
OPCC Dorset	☒
Officers	☒
Staff	☒

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1.0 Introduction

The guidance is produced in accordance with Home Office circular 12/2005 and the Police Regulations 2003, which extend the restrictions on the private lives of members of police forces. In particular, they provide that a member of a police force may not be a member of an organisation which is specified or described in a determination of the Secretary of State.

The procedural guidance outlines the position for all members of the Force in relation to political activity. This procedure does not restrict a person from being a member of a political party, or from having political views, rather it applies to direct political activity such as standing for election or actively canvassing for a political candidate.

This guidance intends to protect interests and integrity in relation to possible allegations of political bias or favour that could arise through any political affiliations or voluntary activity. Officers, staff and staff of the Office of the Police and Crime Commissioner (OPCC), except the Deputy Police and Crime Commissioner, who occupy specific posts with particular responsibilities which require political impartiality, or where the post involves duties of a politically sensitive nature, are subject to additional restriction.

The public expects the highest standards of integrity and behaviour from the Police Service. It is vital that members of the Force secure and maintain the confidence of all communities in line with the Standards of Professional Behaviour. In the application of this procedure individuals are reminded of the need to comply with the standards and principles of the Code of Ethics.

2.0 Organisations Where Membership is Forbidden to all Members of the Force

Membership of certain organisations is inappropriate for all members of the Force, as this is incompatible with the Force responsibility to promote equality. Home Office circular 12/2005 places restrictions on the private life of members of police forces. Schedule 1, Police Regulations 2003 provide that a member of a police force shall at all times abstain from any activity which is likely to interfere with the impartial discharge of their duties.

Home Office circular 12/2005 sets out that membership of the following organisations is forbidden:

- The British National Party (BNP)
- Combat 18
- The National Front

Members of the Force may not become involved or join any organisation whose objectives or pronouncements contradict the standards of professional behaviour including undermining public confidence in policing. Individuals are also reminded of their obligations concerning proscribed organisations under the Terrorism Act 2000.

Any member of the Force who considers that an organisation they have joined, or are considering joining, may fall into the category described above must seek guidance from the Professional Standards Department (PSD).

3.0 Politically Restricted Posts

There are two categories of politically restricted posts. These are those which are 'specified' due to being included in legislation or regulations and those which are deemed to be 'sensitive' due to the requirements of the role:

Specified posts

These post holders are politically restricted without rights of appeal:

- All police officer posts,
- Special Constables,
- Every member of staff of the elected local policing body, except for the Deputy Police and Crime Commissioner,
- Statutory Officers.

Sensitive posts

These post holders can appeal against the political restriction being placed on them:

- (a) All members of the Chief Officer Group (D&C) / Chief Officer Team (Dorset), and Executive Assistants to Chief Officers (to prevent any public perception of political bias of the senior leadership of the Force)
- (b) Police staff posts where the holder is required on a regular basis and as part of their duties to speak on behalf of the Force with the media (to avoid possible public perception of political bias by the Force).
- (c) Any post within Counter Terrorism Policing South West (CTPSW) (due to the nature of CTPSW duty and the information available to this specialist area of police work)
- (d) Any other police staff posts where the role requirements are such that political activity is likely to be detrimental to the reputation of the Force in terms of being fair and unbiased.

A record of sensitive, politically restricted police staff posts in each Force is maintained by the respective HR Operations – Corporate Support team and maintained by the Chief Executive for staff within the OPCC. The record will be reviewed annually, in conjunction with TU's / staff associations.

HR Operations – Corporate Support, are responsible for identifying, in conjunction with line managers, TU's / staff associations and business leads, as applicable, whether any new or amended post(s) meet the definition of a specified or sensitive post and include these on the record.

The Resourcing team (HR) will ensure that all posts which are politically restricted are clearly identified within:

- any advertisement for a politically restricted post,
- the role profile (D&C) / job description (Dorset) for the post, and / or
- the Written Statement of Employment Particulars (contract) for the post (staff), in conjunction with HR Operations.

Line managers are responsible for informing those recruited to politically restricted posts and those already occupying posts that become politically restricted, how this procedural guidance affects them before appointment or any change in classification.

4.0 Restrictions

Members of the Force holding politically restricted posts cannot become involved, or take part, in any of the following, without the written authority of the Chief Constable:

(a) stand as a candidate for election or be co-opted to public office in:-

- the House of Commons
- the European Parliament
- a local authority
- a parish council (police officers only),

(b) holding office in a political party,

(c) become / act as an agent or sub agent for any candidate standing for election,

(d) any committee or sub-committee of a political party,

(e) canvassing during an election period,

(f) speaking or writing publicly (all media, including social media) on matters of potentially political controversy (other than in the course of their responsibilities as representatives of trade unions or staff associations), and / or

(g) involvement in any official position concerned with the arrangements of conducting duties connected with polling stations (other than police duty in connection with upholding the legislation concerning Elections).

(Source: Representation of the People Act 1985 & the Electoral Registration and Administration Act 2013).

From time to time, during pre-election periods, (known as a 'period of heightened sensitivity') the Cabinet Office will impose restrictions. Resultant guidance is issued by the National Police Chiefs Council (NPCC) and political restrictions will apply to all police personnel. These restrictions are put in place to ensure that forces, and those that work within them, are protected from any assertions of political bias. These temporary restrictions are communicated directly with the organisation in the form of guidance which details the scope, duration and timing of the restrictions.

5.0 Appeal – Sensitive Posts Only

Individuals identified as occupying 'sensitive' posts have the right of appeal against the post being designated as sensitive. An appeal can be made on the grounds that they cannot influence policy, or that the duties-related criteria have been applied incorrectly. The appeal must be submitted in writing, including a copy of the current role profile (D&C) / job description (Dorset) before the end of seven calendar days following the date which it is communicated that the post is designated as 'sensitive.' Appeals are to be submitted to the Head of People (HR Operations). Individuals will be notified of the outcome of the appeal and the rationale, in writing within seven calendar days of receipt, or as soon as reasonably practicable. A copy of the letter will be sent to the line manager and HR Operations – Admin (for retention on the HR record) as soon as reasonably practicable, and within seven calendar days, where possible.

6.0 Responsibilities

All police personnel are responsible for complying with the requirements set out in this procedure, where occupying a politically restricted post. Failure to comply may lead to disciplinary action, which may result in dismissal from the Force.

Supporting Links and Guidance

The Policing and Crime Act 2017

Home Office Circular 12/2005

NPCC Pre Election Period Guidance

The Local Government Officers (Political Restrictions) Regulations 1990
(legislation.gov.uk)

Managers should contact HR Operations - (D&C) - Admin or .HR Ops Dorset – Admin (Dorset) if the situation they are managing does not appear to be straightforward.

7.0 Monitoring and Review

Review and amendments will be coordinated by the Policy Unit.

The Alliance Head of Employee Relations is responsible for overseeing this procedural guidance to ensure a consistent Force approach is maintained. Monitoring will be primarily carried out subject to Force processes of continuing review and in line with Force governance requirements.

This document will be reviewed every two years subject to legislation / process changes.

Please note: Where legislation / guidance changes have occurred / scheduled to occur or operational needs demand it, ahead of the revised review date, Alliance People policies and associated procedures / step by steps will be applied in line with prevailing legislation / guidance.

We welcome any comments or suggestions you wish to share about the content or implementation of this procedure. If you would like to make contact to discuss further, please email: .Policies@dorset.PNN.police.uk

8.0 Other Associated Documents

Policy and Procedure

- J-P-020 Business Interests Policy
- J-P-022 Vetting Policy

SharePoint

- Code of Ethics (DCP)
- Code of Ethics (DP)
- Equality Act (2010) including the Public Sector Equality Duty
- Freedom of Information Act 2000 (FOIA)
- Human Rights Act (1998)
- National Decision Model
- Records Management
- The Health and Safety at Work Act (1974)
- UK General Data Protection Regulation / Data Protection Act (2018)
- Our Purpose (DCP)
- Vision, Purpose & Priorities (DP)
- Standards of Professional Behaviour – Police Officers
- Standards of Professional Behaviour – Police Staff

College of Policing

- National Decision Model
- Authorised Professional Practice (APP)

Other

- Equality Impact Assessment
 - HR Privacy Notice
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9.0 Version History

Version:	1.0
Date:	02/02/2024
Reason for Amendments:	Initial document, replaces PSD20 (D&C) and P01:2013 (Dorset)
Amended by:	Strategy & Policy Lead (ER)
Approved by:	Board – See Governance
Date Approved:	24/01/2024
Quality Assured:	Legitimacy Team

Version:	1.1
Date:	14/06/2024
Reason for	

Amendments: Link / Template updates
Amended by: Legitimacy Team
Approved by: Legitimacy Officer
Date Approved: 14/06/2024
Quality Assured: Legitimacy Team

Version: 1.2
Date: 19/01/2025
**Reason for
Amendments:** Fit for purpose review completed.
Amended by: Employee Relations
Approved by: HoD
Date Approved: 13/01/2025
Quality Assured: Legitimacy Team

10.0 Governance

Present Portfolio Holder: Alliance Head of People (HR Operations)
Present Document Owner: Alliance Head of Employee Relations
Present Owning Department: Alliance People Portfolio

Name of Board: Strategic People Board
Chief Officer Approving: ACO (D&C) & Assistant Chief Officers / ACO
People, Director of People & Support Services
(Dorset)
Date Approved: 24/01/2024

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