



Circular 03/2012

This circular is about: Police Service Recruitment:
Biometric Vetting Checks

Department: Professional Development & Integrity

Date for implementation: 20th August 2012

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This circular is addressed to: Chief Officers of Police

Dear Chief Officer

1. This stated policy and guidance is the result of a recommendation made by the Police Advisory Board for England and Wales (PABEW) that biometric vetting checks should be made on applicants' suitability for joining the police service. Ministers subsequently accepted the Board's recommendation and the legislation has now been enacted under Regulation 10A of the 2003 Police Regulations and Regulation 1ZA of the Special Constables Regulations 1965.

2. Biometric vetting checks will be undertaken on those candidates who have reached the stage of being conditionally offered an appointment. Biometric vetting will apply to prospective police officers, special constables and relevant police staff (See PSC Joint Circular 52).

3. The purpose of this circular is to provide guidance to police forces on the speculative checks made using applicants' fingerprints and DNA profiles derived from their DNA samples against both local and the National Fingerprint Database (IDENT1) and the National DNA Database (NDNAD).

4. This circular is linked with Home Office Circular 23/2005: Fingerprints and the use of the Police Elimination Database (under revision) and the ACPO and ACPOS National Vetting Policy for the Police Community.

5. It should be noted that whilst the legislation allows for fingerprints taken to be checked against the National Fingerprint Database (IDENT1), this will not be possible until technical changes are made to the database. Hence, until notified otherwise forces should check fingerprints against local databases, where these exist.

General

1. Regulation 10A of the 2003 Police Regulations and Regulation 1ZA of the Special Constables Regulations 1965 provides for speculative searches to be undertaken on the fingerprints and DNA profiles provided by prospective police officers and special constables against the relevant local and national databases. Prospective relevant police staff should be subject to the same checks as police officers and special constables.

2. Biometric vetting checks will be undertaken on those candidates who have reached the stage of being conditionally offered an appointment. Speculative searching of fingerprints and DNA profiles, derived from DNA samples provided by prospective new recruits will be made against the respective databases. Legislation provides for speculative searching against local and the National Fingerprint Database (IDENT1) and the National DNA Database (NDNAD).

3. The purpose of the searches will be to determine whether:

- the individual has come to police attention;
- if so, whether that was under the identity being used for the application;
and
- the individual is linked to any outstanding crime scene marks or stains.

4. Such searches will be conducted following the satisfactory completion of all other stages of the recruitment and vetting processes. Subsequent to a conditional offer being made, a fingerprint and DNA sample will be taken and checks made against the appropriate databases. Appointment should not be confirmed until the checks have been carried out to the satisfaction of the relevant chief officer and the chief officer is satisfied of the applicants' suitability for appointment. It is recommended that HR oversee the process of biometric vetting.

5. Where the results of the searches are negative, appointment of the individual can be progressed normally.

6. Only one set of fingerprints and DNA sample will be required, and after checking and successful appointment, the DNA profile (derived from the DNA sample) and fingerprints will be held on the respective Police Elimination Database (PEDb).

7. Where the results of the searches are positive, these will be notified to the relevant force vetting officer for appropriate action to be taken. Appointment of the individual will be held in abeyance until such a time as any issues emanating from the positive result have been satisfactorily resolved. The ultimate decision as to whether to recruit or not will be that of the relevant chief officer.

8. The providing of fingerprints and a DNA sample for the purposes of a speculative search and the retention of fingerprints and DNA profile on the PEDb (until an individual leaves the police service) will be given by the expressed consent of the prospective appointee. A sample letter can be found at Annex A.

9. This guidance will not apply retrospectively for existing police officers, special constables or relevant police staff.

Police staff

10. There is no legal requirement for fingerprints or DNA samples of police staff to be given for the purpose of a speculative search. However, it is recognised that certain police staff roles that are intrinsically front line facing and involve considerable time spent with the public (e.g. PCSOs, forensic investigators) should be subject to the same checks on recruitment as police officers. Individual chief officers should determine if other police staff roles within their force or agency should be subject to biometric vetting processes at the point of recruitment as outlined in this circular.

11. The providing of fingerprints and a DNA sample by police staff for the purposes of a speculative search and the retention of fingerprints and DNA profile on the PEDb (until an individual leaves the police service) will be given by the expressed consent of the prospective appointee. A sample letter can be found at Annex B.

Disposal of records

12. Any prospective police officer, special constable or relevant police staff will have their fingerprints, DNA sample, DNA profile and all copies and records destroyed immediately if they are not appointed.

13. The fingerprints, DNA samples and DNA profiles for police officers, special constables or relevant police staff will be removed from all databases and destroyed as soon as such individuals leave the police service. This does not apply to those transferring to another police force.

14. The destruction of fingerprints and DNA profiles will be subject to the retention of hard copies with case papers until the conclusion of any outstanding investigation or impending legal proceedings where these may need to be disclosed.

15. If a satisfactory DNA profile is derived from a DNA sample, then this sample will be destroyed within 6 months of it being taken.

Recruitment literature

16. The police service should be transparent throughout their recruitment processes and literature. Prospective candidates from the earliest stages of recruitment should be aware that if successful, they will be asked to consent to providing a fingerprint and DNA sample. These will be checked against the relevant local and national databases prior to them commencing employment.

Annex A

Letter for issue to prospective police officers/special constables: taking of DNA and fingerprints

Dear

I am writing to you to seek your assistance in the progression of your application for police officer/special constable. I am asking for your consent to take your fingerprints and a sample of your DNA for the purposes of a speculative search and for your fingerprints and DNA profile to be retained on the Police Elimination Database (PEDb).

Every prospective police officer and special constable is required to have his/her fingerprints and a DNA sample taken in accordance with Regulation 10A of the Police Regulations 2003 and Regulation 1ZA of the Special Constable Regulations 1965.

The purpose of obtaining fingerprints and DNA samples is to allow for a speculative search to be made against the local and national databases prior to your appointment to the police force. This is to ensure that you have not previously come to adverse police attention, which you have not informed us of, and also that you are not linked to any outstanding crime scenes.

Should your appointment be progressed, your fingerprints and DNA profile will be taken and kept separately on the respective Police Elimination Database (PEDb). This will be used for the purposes of elimination only and allow the force to identify fingerprints and DNA which may be left unwittingly at scenes-of-crime by police officers, special constables or relevant police staff. Records may be held locally by the force in hard copy format. Scenes-of-crime fingerprints are searched routinely against all records on the fingerprint PEDb.

The speculative search of your fingerprints and DNA profile and their retention on the respective PEDb (which will be removed when you leave the police service) is a consensual process and it is important that you fully understand what is being done and provide consent to this taking place. I must however inform you that should you decline your consent for this procedure your appointment to the police service will not be progressed.

Your DNA sample will be destroyed within six months of it being taken, following a satisfactory profile being derived from it and your fingerprints, DNA sample and DNA profile and all copies and records will be destroyed immediately if you are not appointed, or when you leave the police service. This is subject to the retention of hard copies with case papers until the conclusion of any outstanding case or impending trial where the fingerprints may be subject to disclosure.

Yours sincerely

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Chief Officer

Letter of consent to be returned signed by prospective police officer/special constable: taking of DNA and fingerprints

I consent to my fingerprints and a DNA sample being taken. I understand these will then be used for a speculative search made on the respective databases to ascertain whether I have come to adverse police attention or whether my fingerprints or DNA are linked to any outstanding crime scenes. I also consent to my fingerprints and DNA profile being added and retained on the respective Police Elimination Database (PEDb) for elimination purposes, if I am appointed.

I understand that records and copies of my fingerprints, sample and profile will be destroyed if I am not appointed or when I leave the police service.

Signed..... Date.....

Annex B

Letter for issue to prospective PCSO's/police staff: taking of DNA and fingerprints

Dear

I am writing to ask for your consent to take your fingerprints and a sample of your DNA for the purposes of a speculative search and for your fingerprints and DNA profile to be retained on the Police Elimination Database (PEDb).

The purpose of obtaining fingerprints and DNA samples is to allow for a speculative search to be made against the local and national databases prior to your appointment to the police force. This is to ensure that you have not previously come to adverse police attention, which you have not informed us of, and also that you are not linked to any outstanding crime scenes.

Should your appointment be progressed, your fingerprints and DNA profile will be taken and kept separately on the respective PEDb. This will be used for the purposes of elimination only and allow the force to identify fingerprints and DNA which may be left unwittingly at scenes-of-crime by police officers, special constables or relevant police staff. Records may be held locally by the force in hard copy format. Scenes-of-crime fingerprints are searched routinely against all records on the fingerprint PEDb.

The speculative search of your fingerprints and DNA profile is a consensual process and it is important that you fully understand what is being done and provide consent to this taking place. I must however inform you that should you decline your consent for this procedure your appointment to the police service will not be progressed.

Your DNA sample will be destroyed within six months of it being taken, following a satisfactory profile being derived from it and your fingerprints, samples and DNA profile and all copies and records will be destroyed immediately if you are not appointed, or when you leave the police service. This is subject to the retention of hard copies with case papers until the conclusion of any outstanding investigation or impending legal proceedings where the fingerprints may be subject to disclosure.

Yours sincerely

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Chief Officer

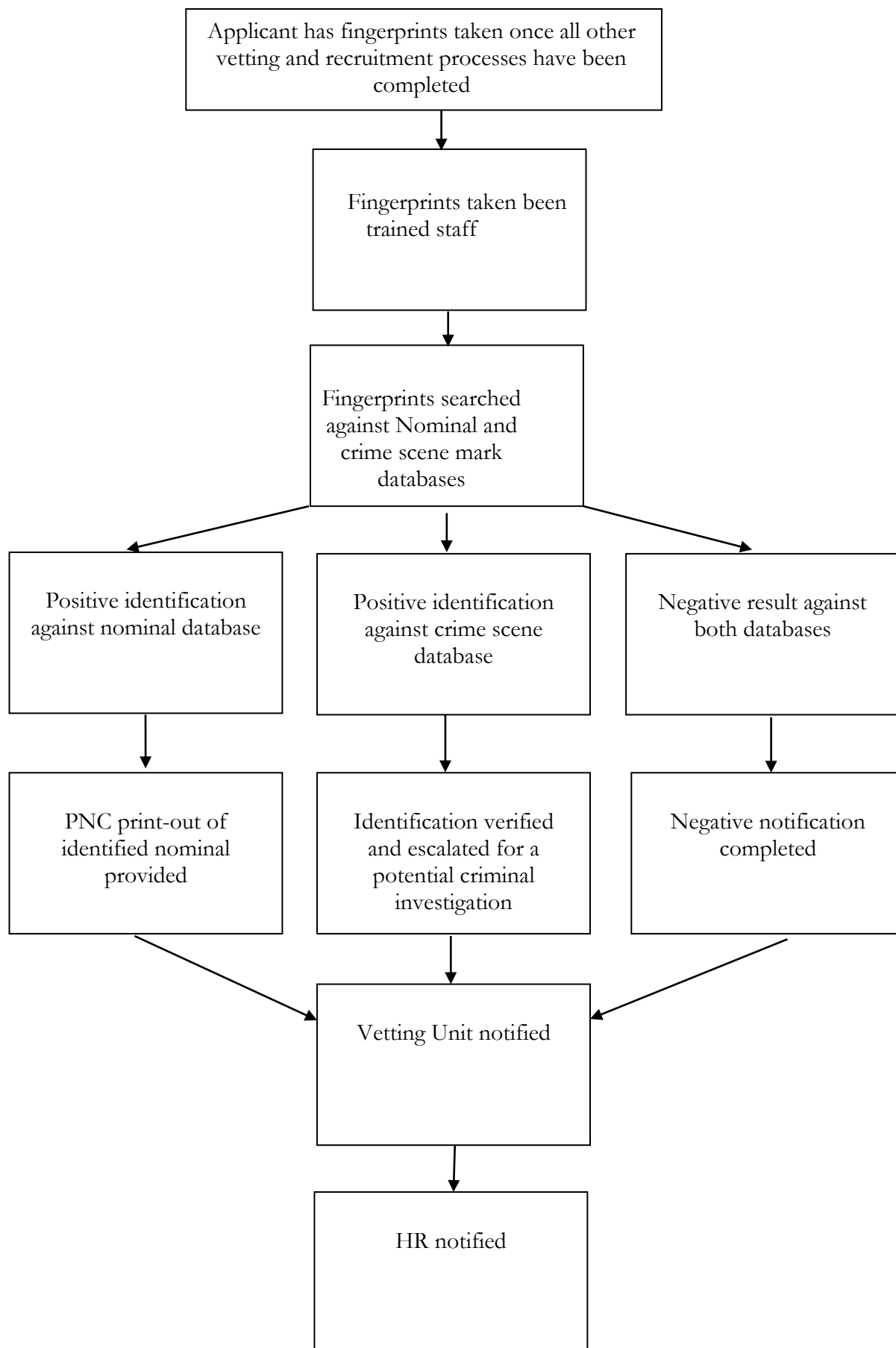
Letter of consent to be returned signed by prospective PCSO/ Police staff: taking of DNA and fingerprints

I consent to my fingerprints and a DNA sample being taken. I understand these will then be used for a speculative search made on the respective databases to ascertain whether I have come to adverse police attention or whether my fingerprints or DNA are linked to any outstanding crime scenes. I also consent to my fingerprints and DNA profile being added and retained on the respective Police Elimination Database (PEDb) for elimination purposes, if I am appointed.

I understand that records and copies of my fingerprints, sample and profile will be destroyed if I am not appointed or when I leave the police service.

Signed..... Date.....

Police Officer, Special Constable and Police Staff applicants – fingerprint process



Police Officer, Special Constable and Police Staff applicants – DNA process

