

Date: 29/09/2020
Our Reference: FOIA-2020-104
Your Reference: N/A

(Via email: [REDACTED])

Dear [REDACTED]r,

RE: Freedom of Information Act 2000 Request

I write in response to your Freedom of Information Act 2000 (or 'FoIA 2000') request dated 02/09/2020 in which you requested the laws covered in the curriculum of the Police Constable Degree Apprenticeship (PCDA).

When a request for information is made under FoIA 2000, a public authority has a general duty under section 1(1) of the Act to inform an applicant whether the requested information is held. There is then a general obligation to communicate that information to the applicant. If a public authority decides that the information should not be disclosed because an exemption applies, it must, under section 17(1) cite the appropriate section or exemption of the Act and provide an explanation for relying upon it.

It is important to note that a freedom of information request is not a private transaction. Both the request itself and any information disclosed are considered suitable for open publication, that is, once access to information is granted to one person under the legislation, it is then considered public information and must be communicated to any individual should a request be received. In light of this, our responses and disclosures are published on our external website at a later date. This should be borne in mind where a request is made for personal data of named individuals.

Decision

After conducting careful searches for any information relevant to your request I can confirm that there is information held. The PCDA National Policing Curriculum is comprised of high-level learning outcomes and detailed minimum content coverage. In your previous request it was made clear that you were “not seeking an overview of the objectives of that training, but rather a full breakdown of the materials and tutoring provided to new officers”. As explained previously, the College does not produce trainer resources or deliverables such as presentations, exams or scripts and therefore does not hold such information. Each force (or collaboration) develops their own content and learning resources to deliver the nationally set learning outcomes. Should you require this information further freedom of information requests can be made to individual police forces. However, in the interests of assisting you with this request I have extracted elements of the curriculum around the legislation included in the PCDA National Policing Curriculum and provided them in the table below. Please note, this is an extract of the content that needs to be covered by forces and as explained above the way in which this is achieved is determined by each individual force.

Learning Outcomes	Minimum Content Coverage
Understand the extent of police powers and how these powers are regulated	How police powers are regulated: <ul style="list-style-type: none"> • Legislation • Professional Standards
Exercise police powers and procedures fairly and without bias	Legal requirement to use the least level of power necessary to achieve a legitimate and lawful aim: <ul style="list-style-type: none"> • Human Rights Act 1998
	Specific legislation applicable when dealing with typical policing incidents, including: <ul style="list-style-type: none"> • Offences Against the Person Act 1861 • Criminal Damage Act 1971 • Misuse of Drugs Act 1971 • Theft Act 1968/Theft Act 1978 • Road Traffic Act 1968/ Road Traffic Act 1988 • Police and Criminal Evidence Act (PACE) 1984 • Public Order Act 1986

	<ul style="list-style-type: none"> • Offensive Weapons Act 1996 • Human Rights Act 1998 • Regulation of Investigatory Powers Act 2000 (RIPA) • Police Reform Act 2002 • Sexual Offences Act 2003 • Licensing Act 2003 • Anti-social Behaviour, Crime and Policing Act 2014 • Psychoactive Substances Act 2016 • Policing and Crime Act 2017 • Investigatory Powers Act 2016
<p>Understand and apply core principles of ethics, equality, diversity and human rights in professional policing</p>	<p>Relevant legislation and guidance in a policing context:</p> <ul style="list-style-type: none"> • Human Rights Act 1998 • Equality Act 2010 • The Police Reform Act 2002 • The Police (Conduct) Regulations 2020 • The Police (Complaints and Misconduct) Regulations 2020 • The Police (Performance) Regulations 2020 • The IOPC Statutory Guidance 2015 • The Police Appeals Tribunal Rules 2020 • Code of Ethics
<p>Understand the necessity for maintaining professional standards in policing, and relevant governance, roles and responsibilities</p>	<p>Governance:</p> <ul style="list-style-type: none"> • Legislation <p>Professional standards:</p> <ul style="list-style-type: none"> • Police (Complaints and Misconduct) Regulations 2020 • Code of Ethics
<p>Apply evidence-based policing in practice</p>	<p>Development of police standards (e.g. Authorised Professional Practice (APP))</p>

<p>Explain the types of situations where conflict may occur and the appropriate response</p>	<p>Legislation and guidance governing a lawful response</p>
<p>Describe the process for determining whether the use of force is necessary in a conflict situation</p>	<p>Legislation governing the use of force and personal protection equipment</p>
<p>Explain the national drivers for the police service in providing a professional and ethical service to individuals who are, or may be, vulnerable, have suffered harm or be at risk of harm</p>	<p>Legislation, policies and 'what works' in relation to vulnerable people or those at risk of harm, including:</p> <ul style="list-style-type: none"> • Serious Crime Act 2015 • Mental Capacity Act 2005 • Mental Health Act 1983: Code of Practice (2015) • Care Act 2014 • Code of Practice for Victims of Crime 2015 • Working Together to Safeguard Children 2015 • Children Act 1989 and 2004 • Information sharing: Advice for Practitioners Providing Safeguarding Services to Children, Young People, Parents and Carers 2015 • Safeguarding Disabled Children – Practice Guidance 2009 • Achieving Best Evidence 2011
<p>Explain key definitions, legislation and guidance associated with 'public protection' policing</p>	<p>Legislation and guidance associated with public protection policing, including:</p> <ul style="list-style-type: none"> • Protection from Harassment Act 1997 • Racial and Religious Hatred Act 2006 • Sexual Offences Act 2003 • Modern Slavery Act 2015
<p>Understand and be able to apply the law, policy and guidance in the treatment of victims and witnesses</p>	<p>Key legislation, codes of practice, guidance and policies when dealing with victims and witnesses:</p> <ul style="list-style-type: none"> • The Youth Justice and Criminal Evidence Act 1999 • Code of Practice for Victims of Crime 2015 (the Victims' Code)

	<ul style="list-style-type: none"> • The Witness Charter • Achieving Best Evidence 2011 • Criminal Procedure Rules
Explain the criminal justice system and the legislation and processes that support it	Relevant legislation applicable to the criminal justice system, including PACE Code G 2012
	<p>Legislation associated with criminal justice, including:</p> <ul style="list-style-type: none"> • Criminal Justice Act 2003 • Criminal Procedure Rules 2015 • Policing and Crime Act 2017 • Youth Justice and Criminal Evidence Act 1999 • Civil Evidence Act 1995 • Criminal Procedure and Investigations Act 1996
Understand and apply the processes for detaining and escorting a suspect to custody	<p>Legislative requirements for escorting persons to custody and detaining the person, including:</p> <ul style="list-style-type: none"> • Police Reform Act 2002 • PACE Code of Practice
Explain statutory processes relating to a person detained in police custody	Legislation associated with interviewing of detainees
Understand and apply the procedures in relation to charging a person(s)	<p>Policies and legislation relevant to charging, including:</p> <ul style="list-style-type: none"> • Director of Public Prosecutions Guidance (DPPG) on Charging • CPS (2012) Guidance on Joint Enterprise Charging • The Code for Crown Prosecutors • Police and Criminal Evidence Act 1984 (and relevant Codes) (specifically bail post-charge under section 38(1)) • Policing and Crime Act 2017 • Prosecution of Offences Act 1985 • National File Standard • Bail Act 1976

<p>Explain the processes for provision of materials for disclosure by CPS</p>	<p>Specific disclosure legislation and case law, including the Crown Prosecution Service (CPS) Disclosure Manual</p>
<p>Identify and manage the personal and organisational risks associated with using personal devices and being a member of law enforcement</p>	<p>Key legislation applicable to ensure compliance and mitigate organisational risk when dealing with devices in a policing context:</p> <ul style="list-style-type: none"> • Computer Misuse Act 1990 • Wireless Telegraphy Act 2006 • Criminal Justice and Police Act 2001 • Investigatory Powers Act 2016 • Regulation of Investigatory Powers Act 2000 • Police and Criminal Evidence Act 1984 • Criminal Procedure and Investigations Act 1996 • ACPO Principles of Computer Based Digital Evidence 2012 • Data Protection Act 2018/General Data Protection Regulation 2018
<p>Provide an appropriate initial police response to a report of an incident involving digital services</p>	<p>Forensic considerations for crime scenes involving digital devices, including:</p> <ul style="list-style-type: none"> • Legislation and policy regarding search and seizure of devices • ACPO Principles of Computer Based Digital Evidence 2012
<p>Understand key legislation relevant to counter-terrorism policing</p>	<p>Relevant legislation including:</p> <ul style="list-style-type: none"> • Terrorism Act 2000 (as amended) • Counter Terrorism and Security Act 2015
<p>Apply practical policing skills when attending an incident as a first responder</p>	<p>Legislation to be complied with, if force is used during arrest, including:</p> <ul style="list-style-type: none"> • Criminal Justice and Immigration Act 2008 • Criminal Law Act 1967

<p>Understand and apply legislation relevant to public order policing</p>	<p>Offences associated with public order contrary to the Public Order Act 1986, Crime and Disorder Act 1998 and Criminal Justice Act 2003, including:</p> <ul style="list-style-type: none"> • Riot • Violent disorder • Affray • Fear or provocation of violence • (Intentional) harassment, alarm or distress • Racially or religiously aggravated • Aggravation related to disability, sexual orientation or transgender identity
<p>Explain legislation, police powers and the most common offences associated with policing the roads</p>	<p>Key legislation including:</p> <ul style="list-style-type: none"> • Road Traffic Act 1988 • Highway Act 1835, 1980 and 1988 • Road Traffic Regulation Act 1984
<p>Conduct detailed examinations of vehicles at the roadside, in relation to potential construction and use offences</p>	<p>Legislation and powers</p>
<p>Understand and operate within relevant legislation/guidance underpinning information and intelligence in policing</p>	<p>Relevant legislation, including:</p> <ul style="list-style-type: none"> • Data Protection Act 2018/General Data Protection Regulation 2018 • Human Rights Act 1998 • Protection of Freedoms Act 2012 • Freedom of Information Act 2000 • Regulation of Investigatory Powers Act 2000 • Investigatory Powers Act 2016
<p>Review the rights of the individual in respect of information held about them</p>	<p>Rights of the individual and exceptions, including:</p> <ul style="list-style-type: none"> • Protection of Freedoms Act 2012 • Human Rights Act 1998

Examine fundamental principles, legislation and powers related to conducting investigations	Relevant investigative legislation, including legislation applicable in specific areas (e.g. Proceeds of Crime Act 2002)
Conduct effective, ethical and professional interviews, employing differing approaches according to the investigation and the interviewee	Legislation to be considered during interviews, including: <ul style="list-style-type: none"> • PACE Code E – Audio Recording of Interviews • PACE Code F – Video Recording of Interviews
Apply comprehensive investigative procedures for complex investigations with a digital element	Investigatory procedures in relation to the internet, intelligence and investigations: <ul style="list-style-type: none"> • Relevant legislation for internet investigations, including IPA 2016, RIPA 2000 and CIPA 1996)
	How to process digital evidence opportunities: <ul style="list-style-type: none"> • Assessing digital evidence, including CPIA 1996, IPA 2016, ACPO Principles of Computer Based Evidence 2012
Apply police powers in relation to commercial vehicle enforcement	Legislation and regulations relating to commercial vehicles and drivers of commercial vehicles: <ul style="list-style-type: none"> • Roach Vehicles (Construction and Use) Regulations 1986
Gather and evaluate relevant intelligence from a range of sources, as appropriate to a policing operation	Legislation applicable to the gathering of information and intelligence, including the correct use and application of search warrants
Demonstrate comprehensive understanding of the roles and processes associated with conducting complex investigations	Relevant legislation in relation to complex investigations
	Authorities required for obtaining information e.g. RIPA
	Impact the family court proceedings may have on an investigation, including: <ul style="list-style-type: none"> • Sharing information under the Children’s Act 1090 (duty to safeguard and promote welfare of children)

Take into account additional professional considerations in relation to specific complex investigations	Specific legislation applicable
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Your rights are provided in **Appendix A**.

Yours sincerely,

Melda Squires | Legal Advisor
Information Management and Legal Team
College of Policing

Email: FOI@college.pnn.police.uk

Website: www.college.police.uk

Appendix A

Rights

If you are dissatisfied with the handling procedures or the decision of the College of Policing made under the Freedom of Information Act 2000 (the Act) regarding access to information you can request that the decision is reviewed internally.

Internal review requests should be made in writing, within **forty (40) working days** from the date of the refusal notice, and addressed to: FOI team, Central House, Beckwith Knowle, Otley Road, Harrogate, North Yorkshire, HG3 1UF or email: FOI@college.pnn.police.uk

In all possible circumstances the College of Policing will aim to respond to your request for internal review within **20 working days**.

The Information Commissioner

If, after lodging an internal review request with the College of Policing you are still dissatisfied with the decision you may make application to the Information Commissioner for a decision on whether the request for information has been dealt with in accordance with the requirements of the Act.

For information on how to make application to the Information Commissioner please visit their website at <https://ico.org.uk/for-the-public/official-information/>.

Alternatively, write to:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Phone: 0303 123 1113