

**Fitness Testing Policy**

Version 1

2023

|  |
| --- |
| The PFEW Policy Department has embarked on a programme to formulate and revise policy documents on matters of particular importance to its members.  It is the aim of PFEW to maintain clear policies on key topics that allow members to understand PFEW's official position on those areas.  These strategic documents are evidence-based, aligned with PFEW's Business Areas and championed by National Board members.    If you have any comments or queries, please direct them to  [Bahar.Munim@polfed.org](mailto:Bahar.Munim@polfed.org) |
|  |

**FITNESS TESTING POLICY**

1. **Policy statement**

The Police Federation of England and Wales (PFEW) believes that every officer should be physically able to undertake the role that they are required to perform by their Chief Officer. This means that they will be safe, their colleagues will be able to depend on them, and the public will be protected.

1. **Responsibility**

The PFEW’s National Board is responsible for all policy formation.

1. **Summary**

The PFEW believes that only those police officers who are required to undertake personal safety training (PST), as a requirement of their particular role, should be subject to an annual fitness test. We support the development of a new national curriculum for personal safety training by the College of Policing. We accept the assessment of Lilleshall Consultancy Services on behalf of the Fitness Test Working Group, that the completion of level 3.7 on a 15m multi-stage fitness test (MSFT) is equivalent to the physical requirements of the 2023 PST curriculum. We consider that the requirement to pass this fitness test is likely to be assessed as a “proportionate means of achieving a legitimate aim” for the purposes of the indirect discrimination provisions of the Equality Act 2010.

Furthermore, the PFEW believes that the alternative Chester Treadmill Walking Test (CTWT) must also be adjusted to reflect the demands of the new PST curriculum and equally match the demands of reaching level 3.7 on the MSFT. The CTWT must be made available for officers where this is supported on medical grounds.

Any derogation from the above standard carries a risk of legal challenge from an officer disadvantaged by the implementation of a higher or a lower standard, or where any additional standards or different methods of assessment are used.

The Equality Act 2010 requires that fitness standards for the purposes of employment, including in the police service, should be appropriate and necessary to the job. The PFEW believes that it is important that evidence based national standards are used by all forces so that when officers work together from different parts of the country they have all achieved the same standard and undertaken the same training.

The Equality Act 2010 requires public sector employers, including the police service, to have due regard to the elimination of discrimination, the need to advance equality of opportunity and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it, when introducing a new policy. A fitness test has the potential to unlawfully discriminate both indirectly and directly on the grounds of sex, age, and disability. The PFEW expects Chief Officers to justify potential differences to ensure proportionality in achieving a legitimate aim and to conduct diversity monitoring of all those required to undertake the test.

PFEW also expects Chief Officers to consider the positive action provisions under the Equality Act 2010, where it is shown that there are groups of officers with a protected characteristic who experience a disadvantage in access to employment opportunities.~~;~~ or example a force could run a mentoring programme or assistance with training and preparation for the test.

PFEW believes that the job-related fitness tests for 13 specialist posts, including firearms, dog handlers and police cyclists, developed by the Police Advisory Board for England and Wales Fitness Working Group and adopted by Chief Officers in 2012, currently remain appropriate and necessary to ensure the proper and effective performance of each specialist role. The fitness standards were set following a rigorous scientific assessment of the physical requirements of each role. The tests reflect the job and competence levels required in each role. Any derogation from these standards carries a risk of legal challenge from an officer disadvantaged by the implementation of a higher or a lower standard, or where any additional standards or different methods of assessment are used.

The PFEW believes that specialist post tests should be reviewed as and when appropriate.

Officers who fail a fitness test should not be subject to disciplinary procedures but should instead be provided with supportive action or, where appropriate or medically advised, offered an alternative test to assist them in passing the JRFT. The PFEW believes that Chief Officers should only use the unsatisfactory performance procedures where an officer is unable to achieve the required standard, and only when all appropriate support measures and alternatives have been explored.

The PFEW expects Chief Officers to ensure that a specific health and safety risk assessment for each fitness test is conducted by someone suitably experienced, and that it is reviewed on a regular basis. Staff assessing the fitness tests must also be competent to do so as well as being first aid certified.

1. **Procedures/implementation**

The PFEW will continue to work with the College of Policing and the National Police Chiefs Council in the Fitness Testing Working Group to ensure that job-related fitness tests are d appropriate and necessary for ~~the~~ roles officers are required to perform.

The PFEW will press Chief Constables to offer the approved alternative test and to develop a clear and consistent policy regarding the use of the alternative test based on medical grounds or as a reasonable adjustment, following a decision from occupational health.

Responsibility for maintaining this policy is delegated to the National Secretary and/or the appropriate business area.

Approved by National Board on: **June 2023**

Next review: **June 2024 (TBC)**