


<b>NORTHAMPTON POLICE DEPARTMENT</b>		
<b>Administration &amp; Operations Manual</b>		
<b>Policy: Personnel Record System</b>		<b>AOM: P-160</b>
Massachusetts Police Accreditation Standards Referenced: [32.2.3], [32.2.9], [32.2.3, 32.2.9]		Issuing Authority <hr/> John D. Cartledge Chief of Police
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## I. Introductory Discussion

A sound personnel records management system is essential for the documentation of significant events during an employee’s career. This chapter sets forth the procedures to be followed in the administration and maintenance of the Northampton Police Department personnel records system.

## II. Pre-employment and Hiring Process Records

A. A Pre-employment file shall be kept of all candidates for employment during the hiring process. This file shall include all applications, test results, letters and other documents associated with the selection process.

1. Background investigation records of candidates not selected for appointment to this department shall remain on file for a period of at least three years. [32.2.3]

- B. **Sworn Employees**: The following documents relative to the hiring of sworn employees shall be maintained in their permanent personnel files following the hiring of said employees:
1. Documentation of the subject's relative position on any eligibility list.
  2. The results of any background investigation conducted. [32.2.3]
  3. The results of any psychological evaluation conducted. [32.2.9]
  4. The results of any medical examination conducted, as well as the record of any fitness assessment conducted. [32.2.9]
- C. **Non-sworn Employees**: The following documents relative to the hiring of non-sworn employees shall be maintained in their permanent personnel files following the hiring of said employees:
1. All reports, investigations and documents, as well as any documentation of the employees' relative position on any eligibility list shall be kept in an employee's personnel file upon the hire of said employee.
- D. All employment history records shall be maintained in accordance with Records Retention Schedule RS-14-81, Number 14.36. [32.2.3, 32.2.9]

### **III. The Employee Permanent Personnel File System**

- A. The Chief of Police shall be responsible for maintaining a confidential personnel file for each employee of the Northampton Police Department.
- B. The personnel file for sworn employees shall consist of the following individually labeled folders:
1. Sick and Injured (use of sick leave, injury on duty, etc.)
  2. Payroll/Personnel (grade, step increases, etc.)
  3. Performance Reports/Evaluations
  4. POST Documents
  5. Awards/Commendations
  6. Equipment (documentation regarding issued equipment)
  7. Pre-Employment (All records listed in section 11 – B above)
  8. Miscellaneous (Any other documentation not appropriate for placement within the above folders)
  9. Civil Service (Documents regarding civil service employment dates, etc.)
  10. Education (Transcripts, Copy of Degree)
  11. Promotional Materials
  12. Disciplinary Action (documentation regarding disciplinary actions including investigative material, disciplinary notices, complaints, written warnings, etc.)
- C. All training records shall be maintained in a separate filing system by the Training Coordinator. These records shall include academy training, specialized schools,

- courses, certificates, and any other documents related to training received during an employee's tenure with the department.
- D. The personnel file for non-sworn employees shall consist of the same folders as in Section B above with the exception of 4 and 9.

#### **IV. File Security**

- A. All personnel files shall be maintained in a secure filing location within the administrative offices of the police department.
- B. The contents of departmental personnel files are confidential. Review, access, duplication or dissemination of the contents of any personnel file, except by authorized individuals performing a legitimate departmental function is prohibited.
1. The personnel file cabinet shall be kept secure when not under the supervision of an authorized member of the Department. Authorized members include the Chief of Police, the Division Commanders, and the Administrative Assistant. All other employees must have permission from an authorized member before being allowed to view the personnel files.

#### **V. In Person Review and Release of Information from Personnel Files**

- A. The review of a former employee's personnel file may take place under the authority of the following legal documents: A valid court order requiring the department to provide the contents of the file for review, or to a prospective employer with a *Waiver/Release of Liability* form from the investigating agency and signed by the current/former employee authorizing the review.
1. In cases where the interested party has a valid court order or properly executed waiver form authorizing review:
    - a. The party shall be referred to the Operations Division Commander.
    - b. The Chief of Police shall be notified.
    - c. A copy of the order/waiver shall be maintained for the file.
    - d. The review shall be directly supervised at all times.
  2. Any review will be limited in scope to only those materials authorized in the supporting document.
  3. As a general practice, photocopying of records by someone other than the employee themselves is not allowed. Under special circumstances, photocopying of documents may be allowed at the discretion of the Chief of Police or Operations Division Commander.

- B. Department Employees are provided the opportunity to review their own personnel file upon the approval of the Chief of Police or Operations Division Commander.

## **VI. Telephone/Facsimile/Mail Requests for Personnel History/Records**

- A. Telephone/Facsimile/Mail requests for information regarding present or past employees that are not accompanied by an appropriate waiver (appendix A) shall be limited to confirmation of employment/past employment, dates of employment and the position held by the employee. Any other request for information must be accompanied by an appropriate waiver.
  - 1. Requests for employment verification shall be directed to the Operations Division Commander.
- B. Telephone, facsimile and other requests for information not conducted in person that are accompanied by an appropriate waiver (appendix A), shall be limited in scope to the terms and conditions of the waiver. The waiver shall be maintained in the individual's personnel file.
  - 1. In cases other than simple employment verification, the Operations Division Commander shall encourage the in-person review of the employee/former employee's file.
- C. The Northampton Police Department reserves the right to assess reasonable copying fees to requests for information that are extensive in nature, following the permission of the Chief of Police or Operations Division Commander.

## **VII. Copying and Dissemination of Personnel Records**

- A. Copies of personnel records will be provided to current employees, upon request, within a reasonable time frame and at no cost to the employee. Approval of the Operations Division Commander is required prior to such release.
- B. Copies of personnel records will be provided to former employees, upon request, and within a reasonable time frame. Approval of the Operations Division Commander is required prior to such release.
  - 1. The Department reserves the right to charge the former employee a reasonable copying fee, depending on the volume of copying required, at the discretion of the Operations Division Commander.
- C. Copies of personnel records shall not be released to other parties, except as authorized by the Chief of Police, the Operations Division Commander or as specifically required by law or regulations.

## **VIII. Requests for Employee References & Recommendations**

- A. Any request for a reference or recommendation by a prospective employer on a current or former employee shall be referred to the Operations Division Commander.
- B. Only the Chief of Police is authorized to issue the Department's official statement about the work record or performance of an employee.
  - 1. Other members of this Department that provided references or recommendations may do so provided it is clear that they are providing their own personal opinion and not representing the police department or acting in any official capacity.
  - 2. Any member who makes any reference or recommendation under this section, without first clearing this through the Chief of Police, will be deemed to be not acting in an official capacity, and shall be responsible for any action for defamation or other legal action that may result.

## **IX. Documentation of Information Releases**

The Operations Division Commander shall ensure that a record of every release is maintained in the employee's personnel file, to include copies of waivers, letters of reference/recommendation, and documentation of any individual reviewing the file or provided with copies of records, to include an itemized list or file copy of documents released.