

Victoria Police Manual

The Victoria Police Manual is issued under the authority of the Chief Commissioner in s.60, Victoria Police Act 2013. Non-compliance with or a departure from the Victoria Police Manual may be subject to management or disciplinary action. Employees must use the VPM Professional and ethical standards to inform the decisions they make to support compliance.

Transfers without advertisement

Context

- The Chief Commissioner has the power to transfer:
 - Police officers pursuant to section 33 of the *Victoria Police Act 2013* (the Act); and
 - Protective services officers pursuant to section 42 of the Act.
- All such transfers must be in accordance with the requirements of the Act and the *Victoria Police Regulations 2014* (the Regulations).
- The mechanism to fill a position by way of transfer without advertisement is Regulation 11 (a) of the Regulations.
- This policy is relevant to police officers up to and including the rank of Senior Sergeant, and protective services officers.
- The policy does not apply to:
 - Transfers resulting from an organisational restructure or review type activity.
 - Police members being managed under **VPM Mobility (members)** and **VPM Redeployment (members)**.
- For the purposes of this policy, the term 'police member' should be taken to include police officers and protective services officers.
- For the purposes of this policy, the term 'Divisional Manager' is intended to mean a Superintendent or VPS equivalent.
- For the purposes of this policy, a transfer relates to a permanent transfer of a police member from their existing position to a vacant position, or position that is expected to become vacant.

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Scope and application

Policies are mandatory and provide the minimum standards that the employee must apply. Non-compliance with or a departure from a policy may be subject to management or disciplinary action. Employees must use the Professional and Ethical Standards to inform the decisions they make to support compliance with policy.

This policy applies to all employees of Victoria Police, except for Executive Officers, Commanders and above and persons employed on a casual basis.

Overview

For the purposes of this policy, there are several different types of transfer which apply:

- Section 33 transfer – a management initiated transfer of a police officer;
- Section 34 transfer – a transfer on application or request of a police officer;
- Section 35 transfer – a "directed transfer", where a transfer is reasonably necessary for the provision of policing services;
- Section 42 transfer – a management initiated transfer of a protective services officer;
- Section 43 transfer – a transfer on application or request of a protective services officer;
- Section 44 transfer – a "directed transfer", where a transfer is reasonably necessary for the provision of protective services.

Criteria

Sections 33 and 42 provide Victoria Police with broad powers to transfer police members, including for the following reasons (but is not limited to):

- assisting the personal development of a police member;
- resolving interpersonal conflict at a particular location;
- to allow closer supervision in the case of underperformance;
- resolving a supervisory problem;
- better utilising the skills of a particular police member to perform an alternative role or function; and
- addressing a failure to attain mandatory qualifications.

Section 34 and section 43 transfers occur on application or request of a police member and may include (but is not limited to) facilitating pressing necessity requests or other urgent and compelling circumstances.

Section 35 and section 44 transfers are management initiated and may be used where it is considered to be reasonably necessary for the provision of policing or protective services that the transfer occur.

If a proposed transfer relates to workplace flexibility the application should be managed in accordance with **VPM Workplace flexibility**.

Responsibilities and procedures

1. Police members

Police members are required to:

- complete and submit all of the required documentation associated with the transfer process;
- actively participate in all meetings to progress the proposed transfer;
- provide any additional information within the specified reasonable timeframes, when requested by any person with authority under this policy to progress the proposed transfer; and
- give reasonable advance notice to the person conducting the meeting, where the police member requires the assistance or attendance of a support person at any meeting scheduled under this policy (refer to part 3).

2. Managers

Managers are required to:

- treat transfer requests sensitively and promptly;
- ensure transfer decisions are fair and justified;
- offer welfare support, where relevant;
- offer police members the option of having a support person present during meetings (refer to part 3);

- give reasonable advance notice to the police member where another management representative will be present in any meeting scheduled under this policy (refer to part 3); and
- observe the rules of natural justice (refer to part 15).

3. Support person

- A police member is entitled to be supported by a person of their choosing at any stage of the transfer process. This person may be a colleague, friend, family member or a representative from The Police Association.
- A support person may attend a meeting with a police member scheduled in relation to a transfer under this policy.
- A support person must not advocate on behalf of the police member, but may, where requested by the police member:
 - provide moral, practical and emotional support and guidance;
 - take notes on behalf of the police member; and
 - assist the police member to prepare formal responses or submissions, if required.
- The support person must:
 - treat all matters in a confidential manner and agree to follow the principles and procedures as outlined in this policy;
 - work cooperatively to progress proposed transfers without undue or unreasonable delay;
 - declare any conflict of interest to the police member, managers and/or delegate. If a conflict of interest exists, the Senior Manager may request or require the police member to nominate an alternative support person.

Process for transfers

4. Immediate transfer

Where the interests of Victoria Police are such that they warrant a transfer to be made immediately, the Level 1 Delegate (following consultation and agreement with the Divisional Manager) may require the police member be temporarily transferred pending the submission and processing of a permanent transfer recommendation.

5. Identifying a transfer location

- It is the responsibility of the Divisional Manager to identify a suitable transfer location and position, whether it is within their Region/Department/Command or in another Region/Department/Command.
- If the proposed transfer is internal to the Region/Department/Command, the Divisional Manager should seek in principle endorsement of the transfer from the receiving Divisional Manager before progressing the formal notification to the police member.
- If the proposed transfer is to a position in another Region/Department/Command, the Divisional Manager should arrange for the releasing Level 1 Delegate to seek in principle endorsement of the transfer from the receiving Level 1 Delegate.

- Prior to making a decision on whether or not the proposed transfer is supported, the receiving area may undertake a suitability assessment to determine if the police member has the skills and experience to perform the role.

6. Transfer on application or request by police officers (section 34) or protective services officer (section 43)

6.1 *Initiating the transfer request*

The police member must submit a report including the following details, and provide sufficient supporting documentation for the delegate to reasonably consider the request, including:

- the reason they are seeking a transfer;
- why an advertised process should not proceed in the circumstances;
- other avenues they have explored to resolve their circumstance e.g. temporary placement; and
- where medical grounds are cited as a reason for a transfer, provide medical evidence in the form of a report from the police member's treating medical practitioner or Police Medical Officer.

6.2 *Assessment and recommendation*

- The Divisional Manager should assess the police member's application and determine whether there is sufficient information to make a recommendation to the delegate regarding the transfer request.
- Where the application contains insufficient information, the Divisional Manager should make all reasonable attempts to seek out the required information and/or supporting evidence from the police member. The police member should be informed that failure to meet the requests of the Divisional Manager will result in the Divisional Manager assessing the transfer request based on the information available.
- After receiving the required information and/or supporting evidence, or attempts to obtain the required information and/or supporting evidence have not been successful, the Divisional Manager must assess and determine whether or not they support the request. The assessment should consider the efficiency and seniority of the police member, where applicable, in accordance with section 34 or section 43 of the Act.
- If the Divisional Manager supports the transfer, they should:
 - inform the police member in writing of the recommendation and the proposed transfer location (refer to part 5 regarding identifying and seeking support for a transfer location if one has not already been identified and agreed);
 - where a Maximum time in position (MTIP) applies, seek written acknowledgement from the employee of the MTIP requirements by using the Maximum Time in Position Transfer Acceptance Form prior to transfer;
 - provide the employee with the relevant position description; and
 - refer the complete file to the Level 1 Delegate for consideration.
- If the Divisional Manager does not support the transfer request, they should meet with the police member to:

- advise the police member of their preliminary assessment and the reason(s) they do not support the transfer request;
 - allow the police member to present any additional material to support their request for a transfer; and
 - explore other opportunities which may alleviate the circumstances leading to the transfer request ie. temporary transfer, placing name on an expression of interest list.
- Following the meeting, the Divisional Manager should:
 - prepare a written summary of the matters discussed at the meeting;
 - assess all of the information to inform their recommendation to the Level 1 Delegate;
 - advise the police member in writing of the recommendation, whether or not their transfer request is supported, including the reasons for their recommendation and the transfer location if applicable; and
 - refer the complete transfer file to the Level 1 Delegate for consideration.

7. Management initiated transfer (sections 33, 35, 42 and 44)

7.1 *Initiating the proposed transfer*

- The Divisional Manager must arrange to meet with the police member. When arranging the meeting, the police member should be informed of the purpose of the meeting and that they may bring a support person (see part 3 for the role of a support person). The police member should also be advised if the Divisional Manager intends to have another management representative present.
- During the meeting, the Divisional Manager must:
 - observe the rules of natural justice (refer to part 15);
 - detail the reason(s) for the proposed transfer;
 - provide the police member with any documentation supporting the reason(s) for the proposed transfer eg. a report from the Police Medical Officer. The Divisional Manager should be aware that, in the case of a directed transfer under section 35 or section 44, in the event of an appeal to the Police Registration and Services Board (PRSB), they may be unable to present any further material in support of the transfer;
 - provide the police member with the opportunity to respond to the reason(s) for the transfer and, where applicable, the reason(s) why they believe the transfer should not occur (including the provision of any supporting documentation);
 - discuss possible transfer locations that take into account the needs of the parties; and
 - discuss other avenues that may resolve the need to proceed with a transfer, if applicable.
- At the completion of the meeting, the Divisional Manager should complete a written summary of the discussions to attach to the transfer file.

7.2 *Formal notification to police member*

If the Divisional Manager intends to proceed with a recommendation to transfer the police member following the meeting, they must write to the police member and include:

- the intention to proceed with a recommendation to the Level 1 Delegate for a transfer;
- the provision of the Act under which the transfer is being made (section 33, 35, 42 or 44);
- the reason(s) for the proposed transfer;
- the proposed location of the transfer (refer to part 5 regarding identifying and seeking support for a transfer location if one has not already been identified and agreed);
- any impact on their salary and allowances as a result of the proposed transfer, if applicable (refer to part 11);
- provide the employee with the relevant position description for the new position;
- any maximum time in position requirements and seek written acknowledgement from the employee by using the Maximum Time in Position Transfer Acceptance Form prior to transfer; and
- the opportunity for the police member to respond to the proposed transfer within 5 working days.

7.3 *Assessment and Recommendation*

- Upon receipt of the police member's response, or immediately following the conclusion of the five day response period, if the police member has not responded, the Divisional Manager should assess all of the information and determine whether to proceed with the proposed transfer. In reaching a conclusion, the Divisional Manager should also consider:
 - whether there are any other avenues to address the issue, such as a temporary placement; and
 - the impact the transfer may have on a police member's salary and allowances, career path and opportunities and family responsibilities; and
 - the impact on effective service delivery and community safety.
- If the Divisional Manager is of the opinion that the proposed transfer should proceed they should:
 - advise the police member in writing of the recommendation and the reason(s) for that recommendation; and
 - refer the complete file to the Level 1 Delegate for consideration.
- If the Divisional Manager does not intend to progress the recommendation, they should inform the police member in writing of their decision.

Approval

8. Authorisation

The following table represents the authorised delegate for intra and inter Region/Department transfers:

Type of transfer	Delegate
Section 33 transfer – a management initiated transfer of a police officer	- Level 1 Delegate – where the transfer is within the Region/Department/Command - By agreement between both releasing and receiving Level 1 Delegate – where the transfer is across Regions/Departments/Commands - Where agreement cannot be reached between the releasing and receiving Level 1 Delegates, the application will be referred to the Executive Director, Human Resource Department for review and final determination.
Section 34 transfer - a transfer on application or request of a police officer	
Section 35 transfer – a “directed transfer”, where a transfer is reasonably necessary for the provision of policing services	
Section 42 transfer - a management initiated transfer of a protective services officer	Level 1 Delegate, Transit and Public Safety Command
Section 43 transfer - a transfer on application or request of a protective services officer	
Section 44 transfer - a “directed transfer”, where a transfer is reasonably necessary for the provision of protective services	

9. Decision

- If the Level 1 Delegate is of the opinion that there is insufficient information contained in the file, the Level 1 Delegate should make all reasonable attempts to seek out the required information and/or supporting evidence from the police member and/or Divisional Manager to inform their decision.
- After receiving the required information and/or supporting evidence, or following unsuccessful attempts to obtain the required information and/or supporting evidence, the Level 1 Delegate will assess all of the available material, including any verbal and written submissions from the police member and Divisional Manager, and determine whether or not they approve the request.
- Where the transfer is within the Region/Department/Command, the Level 1 Delegate must inform the police member, in writing, of their decision and the reasons for that decision.
- Where the transfer is across Regions/Departments/Commands, the Level 1 Delegate in which the police member is located, must inform the police member, in writing, of the decision and the reasons for the decision.
- Where the releasing and receiving Level 1 Delegates do not agree on the transfer, the Level 1 Delegate in which the police member is located, must inform the police

member, in writing, that the matter has been referred to the Executive Director, Human Resource Department, for final decision.

- The Executive Director will review all available material. If the Executive Director considers that there is insufficient information contained in the file, the Executive Director will make all reasonable attempts to obtain the required information and/or supporting evidence. After receiving the required information and/or supporting evidence, or following unsuccessful attempts to obtain the required information and/or supporting evidence, the Executive Director will assess all of the available material, and determine whether or not they approve the request. The Executive Director will inform the Level 1 Delegates and police member, in writing, of their decision and reasons for that decision.
- If the decision is to transfer the police member, the written notification by the Level 1 Delegate or Executive Director, must also:
 - specify the provision of the Act in which the transfer decision is being made (section 33, 34, 35, 42, 43 or 44); and
 - indicate whether the police member has a right to seek a review of the decision (refer to part 14).
- A copy of the Level 1 Delegate or Executive Director's written decision must be attached to the transfer file. Approved applications should be referred to Payroll Services for processing.

Effect on conditions of employment

10. Time in position

- Police members initiating a transfer will be required to occupy their new position for a minimum of two years before being eligible to apply for, or request, transfer to another position, except where they meet one of the time in position exceptions prescribed in the *Victoria Police (Police Officers, Protective Services Officers, Police Reservists and Police Recruits) Enterprise Agreement 2025* (the Agreement).
- Police members transferred at the initiative of management (section 33, 35, 42 or 44) will only be required to satisfy the balance of time (if any) remaining in their present position prior to the transfer.
- Where police members, who occupy a position with maximum time in position and are transferred to an identical position in the same Region/Department/Command with maximum time in position, they will serve the balance of their maximum time in position in their new position prior to being referred for redeployment.
- Where police members are transferred into a position with maximum time in position requirements, the employee must be advised and acknowledge the maximum time in position requirements of the new position in writing before the transfer or else the time in position requirements do not apply. Refer to WRD Guideline – Maximum Time in Position.

11. Salary

- In the case of a transfer on application or request of a police member (section 34 or 43), the police member accepts the full terms and conditions of the new position, including salary and allowances.

- In the case of a management initiated transfer (section 33, 35, 42 or 44), where the new position results in a reduction in salary or allowances, the police member will only retain their salary and allowances of a permanent nature for a period of 12 months. This does not apply to transfers that are the result of a determination made by a Hearing Officer regarding a disciplinary matter or an inquiry into fitness for duty.

12. Relocation costs

Where a transfer includes a geographical relocation, the police member may be entitled to relocation costs prescribed by cl. 108 of the Agreement. The Region/Department/Command from which the police member is transferred will assess the claim and if approved, incur the associated relocation expenses.

13. Police residences

If a police member occupies a police residence and they are transferred to a position that does not require the police member to occupy a police residence, the police member will be required to vacate the property. The police member will be notified in writing of the requirement to vacate, including the timeframe for this to occur.

Appeal mechanism

14. Police Registration and Services Board

- Police members may seek a review by the PRSB of the decision to transfer them, in accordance with:
 - section 146(1)(h) of the Act if the transfer decision was a directed transfer made under section 35;
 - section 146(1)(i) of the Act in the case of all other compulsory transfers made under section 33;
 - section 146(2)(f) of the Act if the transfer decision was a directed transfer made under section 44;
 - section 146(2)(g) of the Act if the transfer decision was a directed transfer made under section 42.
- An application for review must be lodged with the PRSB:
 - in the case of a decision to make a directed transfer under section 35 or section 44 – within three days after the day on which the police member is notified of the decision; or
 - in the case of a decision to make a transfer under section 33 or section 42— within 14 days after the day on which the police member is notified of the decision.
- Where possible, the respective Level 1 Delegate will represent the Chief Commissioner at the review hearing as the relevant decision maker.
- Police members may seek an appeal by the PRSB in relation to non-selection for a transfer on application or request under section 34 or section 43, in accordance with sections 141 and 142 of the Act.

Natural Justice

15. Rules of Natural Justice

The Divisional Manager, Level 1 Delegate and the Executive Director, HRD, who have responsibility for assessing and reviewing transfers, are required to observe the rules of natural justice. Elements of natural justice include:

- decision makers act objectively and without bias;
- the process and outcome must be as timely as reasonably possible;
- police members are informed of the reasons for the proposal and decision which affects them;
- police members are afforded the opportunity to present their case, and provided with a reasonable opportunity to respond to any and all matters raised which have a reasonable bearing on the matter;
- all relevant information and evidence provided by a police member will be taken into consideration before a decision is made.

Employee wellbeing

Managers must take responsibility for employee wellbeing and offer assistance to all parties as required and where relevant. Assistance may include the offer of wellbeing services and counselling and representation as appropriate.

Related documents

- Victoria Police Act 2013
- Victoria Police Regulations 2014
- [Police Registration and Services Board Guide to Transfer and Promotion Appeals](#)
- Victoria Police (Police Officers, Protective Services Officers, Police Reservists and Police Recruits) Enterprise Agreement 2025

Further advice and information

For further advice and assistance regarding this policy, contact Workplace Relations by email to PBEA: WRD-GENERAL-MGR.

Update history

DATE UPDATED	SUMMARY OF CHANGE	FORCE FILE NUMBER
10/09/18	Replacing VPM Transfer under Regulation 11	FF-116248
12/09/18	Minor administrative updates	
18/12/20	Minor updates to incorporate changes to <i>Victoria Police</i>	FF-185267

	<i>(Police Officers, Protective Service Officers, Police Reservists and Police Recruits) Enterprise Agreement 2019.</i>	
17/02/21	Spelling correction	No file
10/03/21	Minor administrative amendments	FF-191451
15/07/25	Minor administrative amendments to correct references	FF-273676