

# Processes

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Every grant or renewal application received by a firearms department must be recorded and checked by firearms licensing staff. These should be recorded on the National Firearms Licensing Management System (NFLMS) as soon as practicable. The grant or renewal process ends in a decision about whether a certificate is granted or refused.

The process that leads to this decision presents various opportunities to assess suitability. This section highlights some of these opportunities and processes. (These also apply to decisions on revocations and return of firearms.)

The statutory guidance should be read in conjunction with this APP as it covers the criteria for assessing suitability.

## Applications

The Home Office provides a standard [form for applying for a firearms certificate](#). Forces should have systems in place to receive:

- applications (electronic and non-electronic)
- payments
- photos

Enquiries and checks for [suitability](#) by firearms licensing staff begin with the application.

These enquiries and checks should be sufficiently rigorous to provide firearms enquiry officers (FEOs) with as much information as possible before the home visit of an applicant. These enquiries and checks should be informed by the [statutory guidance](#).

## Home visits

The Home Office statutory guidance provides information on when home visits are required. Home visits for grants or renewals should be conducted by the FEO.

During the visit, the FEO should cross check any information on the application form relating to suitability concerns). They should also check the applicant's:

- ID
- physical security relevant to safe storage of firearms (see the [Home Office firearms security handbook](#))
- competence around safe handling and usage

The FEO should be inquisitive and apply [professional judgement](#) to the identification of other sources of information that could be relevant to the application.

As part of the visit, the FEO may identify issues that are wider than firearms licensing. For example, they may notice signs of vulnerability or criminality. In these cases, the FEO should:

- assess the impact of these issues on suitability
- be aware of how and where to escalate any wider issues where appropriate

The FEO should record information collected during a visit. Any outstanding issues or actions as a result of the visit should be followed up. This should be done by the FEO or other members of the firearms licensing department in a timely manner.

## Decision making

Investigative activity, including checks and in-person visits, should inform the assessment of the applicant or certificate holder's suitability. The decision to grant, refuse or renew will then be made by the post holder who has appropriate delegated authority.

If this investigative activity has not returned information that undermines or compromises the applicant's suitability to acquire, possess and lawfully use a firearm, a firearms certificate should be granted or renewed.

If investigative activity and assessment of suitability have established information that puts in question the applicant's suitability to acquire, possess or lawfully use a firearm, the decision will be to refuse the application or revoke the certificate, unless outstanding issues around suitability have been resolved.

In cases of refusal or revocation, sufficient rationale should be provided to the applicant. This should be clear and detailed enough to help them decide whether to appeal.

When considering the assessment on suitability, decision makers should apply professional judgement.

The majority of decisions may be straightforward. But the decision maker should:

- be ready to challenge any discrepancies and seek clarification
- remember all cases are unique and not be complacent in their decision-making

The [national decision model \(NDM\)](#) provides a framework that can be used to examine and challenge decision making.

## Quality assurance

The strategic lead for firearms licensing or the firearms licensing manager should develop and own a quality assurance (QA) strategy that covers all aspects of firearms licensing. This will help the force meet the aims and objectives of firearms licensing. It also enables and encourages continuous improvement.

QA can help ensure that processes (for example, quality of intelligence checks) are being undertaken appropriately and that the correct decisions are being made – whether in relation to ‘routine’ or ‘complex’ applications or renewals. Dip sampling decisions made can help achieve this.

## Increased complexity or risks to public safety

Some cases may have greater complexity and/or potential risks to public safety. (For example, the decision to return firearms after removal.)

In these cases, decision makers (this is likely to be the firearms licensing manager for many decisions) should always:

- consider the [underpinning aims and objectives](#) and use [the Code of Ethics](#) and [the NDM](#) to help guide decision making
- apply their professional judgement

- be prepared to seek additional information and advice – for example, from the force legal team, Firearms and Explosives Licensing Working Group (FELWG) or other partners

Peer review and support can also help the decision maker. For example, seeking the view of experienced colleagues with knowledge of firearms licensing and/or decision making in other areas of policing.

In accordance with the statutory guidance on authorising decisions, the decision can also be referred to an officer or staff member senior to the firearms licensing manager with functional responsibility for firearms licensing. For example, the strategic lead.

## Ongoing processes

### Managing risk, monitoring suitability and QA

Certificates are issued for five years (three years for registered firearms dealers). But the need to monitor and assess risk is a continuous and ongoing process during this period. This should be achieved in two ways.

1. Police systems (such as the Police National Database and the Police National Computer) and/or information or intelligence from internal or external partners and stakeholders may flag up issues on current certificate holders. This may affect their suitability.
2. Some certificate holders may require extra checks during some, or all, of the licensing period. For example, to monitor any issues identified during the application process that could affect ongoing suitability if not reviewed. Forces should factor this checking into their SDA.

Based on risk assessment and their professional judgement, decision-makers (likely to be the firearms licensing manager) will need to take proportionate and appropriate action in response to any information identified during monitoring.

However, in any circumstances where it is assessed that there is a risk to public safety, firearms, certificates and ammunition must be removed.

As a result of monitoring, additional enquiries and investigative activity may be required. Any required investigative activity should involve the most appropriate staff. For example, in some cases there may be a requirement for other departments, such as public protection, to be involved.

The progress, quality and outcome of any investigation should be monitored through processes agreed at the **governance meetings**.

Forces should also consider developing a dip sampling process to select and review current certificate holders. Forces should ensure there is an agreed process for this. This will support QA and could cover:

- decisions made to grant or renew certificates (including temporary permits) and returning firearms
- checking a certificate holder against the Police National Database, which may provide information around the involvement of certificate holders in incidents within and outside force boundaries
- checking local systems, for example intelligence and incidents

## Short notice removal of firearms and certificates

Chief constables and/or the strategic lead for firearms licensing should ensure that advice is available to officers on the processes and legal options available to them when responding to incidents where:

- a firearms certificate holder is involved
- an officer believes the holder should not remain in possession of their firearm(s) and certificate because they may pose a risk to public safety (to others or themselves)

This advice should emphasise the **underpinning aims and objectives** of firearms licensing and the process officers should follow if there is time and opportunity to seek advice from their force's firearms licensing department. For example, contact details for FEOs, staff with delegated authorities.

## Need for immediate action

There may be circumstances where officers assess the need for immediate action that requires the removal of firearms and certificates to ensure public safety. Relevant examples could include but are not limited to:

- alcohol or drug use
- medical suitability
- domestic abuse incidents

- violence or threats of violence made to others, including those made online
- ongoing and escalating disputes with neighbours
- associations or links to organised crime groups
- involvement in a crime where the conduct of the certificate holder is such that it would be a cause for concern if they were left in possession of their firearm

Note: Force procedures should be followed for the criminal use of firearms or immediate threats to life.

## Options for short notice removal of firearms and certificates

If an officer assesses there is a risk to public safety, they have the following options to remove firearms and certificates:

- seek voluntary surrender
- revocation
- use of legal powers to seize firearms and certificates

The **NDM** can be used to guide officers and staff (including those with delegated authority) on the most suitable action to take.

If seeking voluntary surrender of firearms and certificates, officers should engage with the individual and encourage voluntary surrender. They should also explain the rationale for why they are taking this course of action. Officers should ensure they have contingency options available to them should voluntary surrender be unsuccessful.

If voluntary surrender is unsuccessful, or it is not an appropriate option, there are legal options available to officers to remove the firearms and certificates. For example, revocation of the firearms certificate can be authorised by an individual with delegated authority.

Other options may be applicable, depending on circumstances. For example, if:

- the firearm(s) has been used or suspected of use in a criminal act (**section 19 of the Police and Criminal Evidence Act 1984**) and the officer is lawfully on the premises

- the possession of the firearm or shotgun is not authorised by a shotgun or firearm certificate or, in the case of an air weapon which, because of its power level, must be held on certificate or with the authority of the Secretary of State ([section 47 of the Firearms Act 1968](#))
- a warrant has been issued by a magistrate ([section 46 of the Firearms Act 1968](#))
- it is required to prevent a breach of the peace (Common Law) – this applies when an act is committed or threatened, which either harms a person or is likely to cause such harm being done

Officers should also follow any force processes associated with the removal of a firearm(s) and certificate. For example:

- obtaining/seizing certificates at the same time as firearm(s) and ammunition to prevent the purchase of more firearms
- recording serial numbers to ensure all firearm(s) associated with the certificate holder have been removed
- issuing of receipts and recording the removal, for example by using body-worn video or taking photographs
- whether to remove firearms in person's own gun slip or box, or attempt to dismantle the firearm(s) and any considerations around this
- considerations around storage of removed firearms (for example, registered firearms dealer, police premises or other certificate holder whose suitability has been reassessed in relation to the circumstances)
- ensuring all firearm(s) are made safe by a suitably qualified person

Regardless of the action taken, a slower time investigation by the firearms licensing department can ensure that any decision to return firearm(s) and certificates or revoke them is informed by the required information.

When firearms are removed from certificate holders, receipts must be issued as soon as practicable in accordance with the [Home Office statutory guidance](#).

## Tags

Firearms   APP