



Report of the Chief Constable to the Chair and Members of the Audit Committee 16th December 2016

Executive Officer: Mr Iain Spittal, Chief Constable

Status: For Information

Cleveland Police Ethics Committees

1. Purpose

- 1.1 The purpose of the report is to update Members on the work of the Force Ethics Committees.

2. Recommendations

- 2.1 It is recommended that Members note the content of the report.

3. Reasons

- 3.1 An explicit commitment to integrity is essential to the legitimacy of policing; legitimacy being one of the areas inspected by HMIC. Our behaviour, actions and decisions must always consider public interest. We value public trust and confidence in policing as an institution, and to earn this we need to be open to scrutiny and transparent. We recognise also that professional ethics is far broader than integrity alone. It incorporates the requirement to give an account of one's judgments, acts and omissions. In simple terms it is not only about doing the right deed but also about doing it for the right reason.
- 3.2 In recent years the actions of a small number of Police Officers and staff has led to a heightened focus on the integrity of them and their forces. The College of Policing published the Code of Ethics in 2014 which forces are continuing to embed.
- 3.3 One of the measures taken by a number of forces, to be more transparent and demonstrate their commitment to integrity, is the introduction of Ethics Committees. The remit of an Ethics Committee is to *promote the highest standards of ethical conduct, providing a focus for education into ethical issues, a source of support for others and ensuring compliance with organisational values.*

NOT PROTECTIVELY MARKED

- 3.4 The development of Ethics committees was conducted by a 'Proof of Concept' group consisting of eight forces led by Ex-Chief Constable Jacqui Cheer. These forces were: Cleveland Police, Durham Constabulary, Essex Police, Greater Manchester Police, Northamptonshire Police, South Yorkshire Police, Staffordshire Police and Wiltshire Police. The NPCC lead for Professional Ethics has now passed to the Cleveland's current Chief Constable, Iain Spittal.
- 3.5 Ethics Committees offer an opportunity for the Police Service to develop a structured environment in which to discuss and debate some of the most difficult and contentious issues we face. They have the potential to improve and strengthen the delivery of policing services to the public and to be seen to be taking the recent integrity challenges seriously. Ethics Committees are advisory groups and not decision making bodies; and can examine historic and current issues as well as future matters. They may be asked, to advise on live operations or events, or examine a decision maker's application of the National Decision Model (NDM). Their remit is to discuss and provide advice about ethical issues not just to scrutinise the application of policy and procedure. The Committees add value and provide something in addition to the current audit and scrutiny processes.
- 3.6 Cleveland Police were the first force to implement an Ethics Committee and they held their first meeting in December 2013. The committee is chaired by the Chief Constable, Iain Spittal. The committee consists of post holders, so as individuals in specific roles change, so does the representative.
- 3.7 The membership of the committee also includes our Strategic Partnership Director (Steria), the Chief of Staff for the Office of the Police and Crime Commissioner (OPCC), the Force Chaplain, and further volunteer members from the wider organisation to make 21 members in total.
- 3.8 The group meets four times per year to consider papers which have been submitted, as well as scrutinising Chief Officer expenses, gifts, gratuities and hospitality. There is also the capability to pull the group together at short notice to consider time critical issues.
- 3.9 Cleveland Police have an intranet site, which promotes the work of the group and identifies the members, so that officers can easily access advice and guidance on ethical issues. In line with 'openness and transparency' all submissions and the corresponding advice is published on the Intranet site. The table in Appendix 1 shows the issues considered during 2016.
- 3.10 In addition to the Internal Ethics Committee, an external independent Ethics Committee exists in collaboration with Durham Constabulary. The committee was formed in May 2015 and is a key contributor to maintaining and improving trust and confidence in the two organisations.

NOT PROTECTIVELY MARKED

- 3.10 Chief Officers in Cleveland and Durham are operating in an increasingly complex business environment as well as an operationally challenging one. We hope the skills and experiences of our committee members can enrich the decision making of senior leaders within Cleveland and Durham and improve our transparency for the benefit of the communities we serve.
- 3.11 The remit of the External Ethics Committee is to promote the highest standards of ethical conduct, providing a focus for education into ethical issues, a source of support for others and ensuring compliance with organisational values.
- 3.12 The Committee will ensure senior leaders are aligned to these values and the Code of Ethics, through scrutinising, challenging and advising the organisations in areas such as:
- Leadership.
 - Police culture
 - Complex operational decision making
 - Themes of national significance.
 - Strategic influence
 - Development and management of resources and estate

4. Implications

- 4.1 Finance
There are no financial implications arising from the content of this report.
- 4.2 Diversity and Equal Opportunities
There are no diversity or equal opportunity implications arising from the content of this report.
- 4.3 Human Rights Act
There are no Human Rights Act implications arising from the content of this report
- 4.4 Sustainability
There are no sustainability implications arising from this report.
- 4.5 Risk
There are no risk implications arising from the content of this report.

5. Conclusions

- 5.1 The Force continues to develop its work around the promotion of ethical behaviour using the principles from the Code of Ethics and further use of Ethics Committees to give recommendations based on the ethical dilemmas considered.

Iain Spittal
Chief Constable

Date	Subject	Outcome
20/01/2016	BAWP Awards	Supporting the British Association of Women in Policing (BAWP) will continue as it is supporting and encouraging underrepresented groups. The points outlined by the BAWP in support of the awards are well founded, particularly the opportunity to motivate women to fulfil their career aspirations, to celebrate the achievements of women in policing, and raise the profile of women working in police organisations.
22/01/2016	Provision of privately funded policing	The force should continue with its intended resource distribution model. The organisation with its current model can account for the distribution of its resources. The current model provides the fairest distribution of resources, the ability to purchase additional resources would create an unfair structure for the people we serve. The model of privately funded police officers undermines the Cleveland Police model of risk, harm and threat assessment that the Cleveland force is implementing.
01/02/2016	Partner agency welfare requests	Policy has been implemented whilst ensuring the partner agencies were fully briefed and aware of the transition and change of policy so as not to have any confusion where vulnerable people were not captured between organisations.
01/02/2016	Compensation for travel delay	If a ticket has been paid for by the organisation then any financial compensation received as a result of a delayed journey should be returned to the organisation, there are ample provisions in place for compensating the officer/staff involved.
11/03/2016	Accepting Discounted Goods	Accepting discounted goods as part of an official staff discount scheme is acceptable in line with other professional bodies' staff arrangements. Receiving a drink whilst working is acceptable however traveling to a location solely to receive free or discounted goods is not acceptable.
01/04/2016	Time off for Sport	External and Internal Committees recommend there is no place for paid time off for sport (in working hours) but suggest flexibility in amending shifts and granting leave where possible.
30/06/2016	Discount at EASports Village	Any staff discount can be considered in line with the existing guidance on staff discount schemes. Guidance should be given to the company to ensure any arrangement does not incorporate the Cleveland Police logo within its wider advertising. Fitness schemes are to be encouraged for staff if in line with existing staff discount guidance.
12/09/2016	Lawful Business Monitoring Guidance	The guidance policy will be circulated by Professional Standards Department having discussed the wording within the internal and external committees

14/09/2016	Specific discount at Stockton Store	Any discount offered to officers should be in line with official staff discount schemes. Retail premises that have suffered from a high level of retail crime should not be able to offer discounts in order to attract police to the store where that is perceived contrary to Operation Raptor and can be seen to be attracting officers in order to prevent offences in their premises.
20/09/2016	Custody detention and medical advice	Medical advice and duty of care incorporating Human Rights Article Two (Right to Life) should be the dominating factor when faced with an ethical dilemma on whether to detain someone or not. Where that conflicts with other advice or guidance full rationale and the decision making process should be documented.