College of Policing

THE PROFESSIONAL BODY FOR POLICING

Code of Ethics

A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales

Code of Ethics

A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales

Presented to Parliament pursuant to Section 39A(5) of the Police Act 1996, as amended by Section 124 of the Anti-social Behaviour, Crime and Policing Act 2014

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Foreword by the Chair of the College of Policing

The aim of this Code of Ethics is to support each member of the policing profession to deliver the highest professional standards in their service to the public.

Ethical behaviour comes from the values, beliefs, attitudes and knowledge that guide the judgements of each individual. Everyone in policing has to make difficult decisions and complex choices every day of the week. These range from how to talk to a distressed member of the public through to how to allocate scarce resources. The College of Policing, as the professional body for all in policing, has a responsibility to support the way these choices are made. We must make clear the ethical principles that we expect to guide decisions, whatever the context, and we must be clear about what happens if those expectations are not met. That is what we aim to do in this Code of Ethics.

Following extensive consultation we have arrived at nine policing principles. They are built on the Nolan principles for public life, with the addition of 'Fairness' and 'Respect'. Our nine policing principles are:

Accountability	Integrity	Openness
Fairness	Leadership	Respect
Honesty	Objectivity	Selflessness

These principles underpin and strengthen the existing procedures and regulations for ensuring standards of professional behaviour for both police officers and police staff. This gives the profession and the public the confidence that there is a system in place to respond appropriately if anyone believes that the expectations of the Code of Ethics have not been met.

These principles should also underpin every decision and action across policing. They should be used, for example, in day-to-day operations as interventions are planned and debriefed, in the selection of new staff, in educational and development programmes, in annual reviews and in promotion. The principles must be more than words on a page and must become embedded in the way police professionals think and behave.

Alongside the Code of Ethics, the College of Policing's commitment to help police professionals make the right decisions includes enhancing the knowledge and evidence base as well as developing a framework for continuous professional development. Over the next few years these actions will start to have a significant impact on the professional support available for all working in policing.

There is much important work to do to deliver these changes and to ensure that the Code of Ethics becomes a key part of growing police professionalism. It is a responsibility that we all share and will lead to greater confidence across the policing profession and in our communities.

Dame Shirley Pearce

Introduction by the Chief Executive of the College of Policing

Policing has always had outstanding people who work tirelessly to serve local communities. Indeed, many police officers have paid the ultimate price by putting themselves in harm's way to keep the public safe.

In 1829 Sir Robert Peel set out the model of an unarmed constable patrolling on behalf of their community, as a citizen in uniform. This connection between the police and the public is encapsulated in the phrase 'the police are the public and the public are the police'.

Peel's principles focus heavily on the importance of public support and emphasise the need for the police to 'secure and maintain public respect'. This Code of Ethics remains true to the founding principles of British policing and highlights the responsibility of those of us who work in policing to behave in a manner most likely to win the trust and support of fellow citizens.

The Code of Ethics is a first for everyone who works in policing in England and Wales. It sets out the principles and standards of behaviour we expect to see from police professionals. It applies to every individual who works in policing, whether a warranted officer, member of police staff, volunteer or someone contracted to work in a police force.

As a profession we should invest in all our people. Other established professions ensure that members acquire and maintain the skills and knowledge necessary to perform their role. In these professions it is normal to find a clear system of continuous professional development, accreditation for specific roles and a code of ethics or professional conduct.

Policing has not, however, previously adopted all the hallmarks of a profession. The Code of Ethics is one step towards obtaining full professional status for policing, similar to that seen in medicine and law.

In accepting to abide by this Code of Ethics, we are committing to principles and standards of behaviour that are designed to support and guide us. Use of the Code of Ethics will assist each of us in doing the right thing when faced with difficult and complex decisions.

The British model of policing is admired around the world and one the College of Policing is constantly asked to help replicate in other countries. We should be proud of our history and constantly strive to live out the Peelian principles as they apply in the modern context.

Chief Constable Alex Marshall

Preamble

1.1 Introduction

1.1.1
The policing profession has a duty to protect the public and prevent crime. The public expect every person within the profession to fulfil this duty by being fair and impartial and giving a selfless service.

1.1.2
While the great majority of people in policing act with honesty and integrity, any unprofessional behaviour detracts from the service provided to the public and harms the profession's reputation.

1.1.3
The Code of Ethics sets out the principles and standards of behaviour that will promote, reinforce and support the highest standards from everyone who works in policing in England and Wales.

1.1.4
The Code also has a preventive role. It requires everyone in policing to prevent unprofessional conduct by questioning behaviour which falls below expected standards. Additionally, it supports reporting or taking action against such behaviour.

1.2 Statutory basis of the Code

1.2.1
The College of Policing has issued the Code of Ethics as a code of practice under section 39A of the Police Act 1996 (as amended by section 124 of the Anti-Social Behaviour, Crime and Policing Act 2014).

1.2.2
As a code of practice, the legal status of the Code of Ethics:

a. applies to the police forces maintained for the police areas of England and Wales as defined in section 1 of the Police Act 1996 (or as defined in any subsequent legislation)
b. relates specifically to chief officers in the discharge of their functions.

1.3 Scope of the Code

1.3.1
The scope of the Code of Ethics extends beyond its statutory basis as a code of practice.

1.3.2
The expectation of the public and the professional body is that every person working in policing will adopt the Code of Ethics.

1.3.3
This includes all those engaged on a permanent, temporary, full-time, part-time, casual, consultancy, contracted or voluntary basis.

1.3.4

It also includes all forces not funded by the Home Office and any other policing organisations outside the remit of the Code as a code of practice.

1.3.5

The College of Policing may from time to time revise the whole or any part of the Code of Ethics.

1.4 Responsibilities

Everyone

1.4.1

You are responsible for your own professional behaviour and, to ensure that you are able to deliver the highest standards possible, you must have a good understanding of the contents of this Code.

1.4.2

You are expected to use the Code to guide your behaviour at all times – whether at work or away from work, online or offline.

Chief officers

1.4.3

As the head of your force or organisation you will:

- show by personal example how the principles and standards in this Code apply
- promote, support and reinforce ethical behaviour at all times
- show moral courage to do the right thing even in the face of criticism
- be consistent in what you do and say
- promote openness and transparency within policing and to the public
- promote fairness and equality in the workplace
- create and maintain an environment where you encourage challenge and feedback
- be flexible and willing to change a course of action if necessary.

Leaders

1.4.4

All police personnel in leadership roles are critical role models. The right leadership will encourage ethical behaviour. Those who are valued, listened to and well led are likely to feel a greater sense of belonging, and so be more likely to take pride in their work and act with integrity.

1.4.5

As someone in a police leadership role you will:

- take personal responsibility for promoting and reinforcing the principles and standards set out in this Code of Ethics
- actively seek to embed the Code by ensuring regular reference to it in the day-to-day work and training undertaken by your force or organisation
- use the Code of Ethics both to support the individuals for whom you are responsible and to guide them in performing their duties.

Policing principles

2.1 Doing the right thing in the right way

2.1.1
Every person working for the police service must work honestly and ethically. The public expect the police to do the right thing in the right way. Basing decisions and actions on a set of policing principles will help to achieve this.

2.1.2
The principles set out in this Code of Ethics originate from the 'Principles of Public Life' published by the Committee on Standards in Public Life in 1995, as these continue to reflect public expectations. The Code includes the principles of 'fairness' and 'respect' as research has shown these to be crucial to maintaining and enhancing public confidence in policing.

2.1.3
The policing principles reflect the personal beliefs and aspirations that in turn serve to guide behaviour and shape the policing culture. The combination of principles and standards of behaviour encourages consistency between what people believe in and aspire to, and what they do.

Policing principles

Accountability
You are answerable for your decisions, actions and omissions.

Fairness
You treat people fairly.

Honesty
You are truthful and trustworthy.

Integrity
You always do the right thing.

Leadership
You lead by good example.

Objectivity
You make choices on evidence and your best professional judgement.

Openness
You are open and transparent in your actions and decisions.

Respect
You treat everyone with respect.

Selflessness
You act in the public interest.

The Code

Standards of professional behaviour

3.1 Introduction

3.1.1

These standards reflect the expectations that the professional body and the public have of the behaviour of those working in policing. They originate from the Police (Conduct) Regulations 2012 (for police officers) and the Police Staff Council Joint Circular 54 (for police staff).

3.1.2

The Code has adapted the wording in the Regulations and Circular 54 so that it applies to everyone. However, in misconduct proceedings against police officers, the formal wording of the Police (Conduct) Regulations 2012 will be used.

Standards of professional behaviour

1. Honesty and integrity

I will be honest and act with integrity at all times, and will not compromise or abuse my position.

2. Authority, respect and courtesy

I will act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy.

I will use my powers and authority lawfully and proportionately, and will respect the rights of all individuals.

3. Equality and diversity

I will act with fairness and impartiality.

I will not discriminate unlawfully or unfairly.

4. Use of force

I will only use force as part of my role and responsibilities, and only to the extent that it is necessary, proportionate and reasonable in all the circumstances.

5. Orders and instructions

I will, as a police officer, give and carry out lawful orders only, and will abide by Police Regulations.

I will give reasonable instructions only, and will follow all reasonable instructions.

6. Duties and responsibilities

I will be diligent in the exercise of my duties and responsibilities.

7. Confidentiality

I will treat information with respect, and access or disclose it only in the proper course of my duties.

8. Fitness for work

I will ensure, when on duty or at work, that I am fit to carry out my responsibilities.

9. Conduct

I will behave in a manner, whether on or off duty, which does not bring discredit on the police service or undermine public confidence in policing.

10. Challenging and reporting improper behaviour

I will report, challenge or take action against the conduct of colleagues which has fallen below the standards of professional behaviour.

1 Honesty and integrity

I will be honest and act with integrity at all times, and will not compromise or abuse my position.

1.1

According to this standard you must:

- act with honesty and integrity at all times
- use your position, police identification or warrant card for policing purposes only, and not to gain a personal advantage that could give the impression you are abusing your position.

Examples of meeting this standard are when you:

- are sincere and truthful
- show courage in doing what you believe to be right
- ensure your decisions are not influenced by improper considerations of personal gain
- do not knowingly make false, misleading or inaccurate oral or written statements in any professional context
- neither solicit nor accept the offer of any gift, gratuity or hospitality that could compromise your impartiality
- do not use your position to inappropriately coerce any person or to settle personal grievances.

1.2

In abiding by this standard you gain and maintain the trust of the public, your leaders, your colleagues and your team. You are dependable and a role model.

1.3

The more senior in rank, grade or role you are, the greater the potential for harm as a consequence of any misuse of your position or any failure to meet the standards required by the Code of Ethics.

Covert policing

1.4

The police service operates on the basis of openness and transparency. This is essential to maintaining and enhancing a positive relationship between the policing profession and the community.

1.5

To achieve legitimate policing aims, it is sometimes necessary to use covert tactics. This is recognised in law.

1.6

Covert tactics must be appropriately authorised and any deployments must be shown to be proportionate, lawful, accountable, necessary and ethical.

1.7

Officers who authorise or perform covert policing roles must keep in mind at all times the principles and standards set out in the Code of Ethics.

The Code

2 Authority, respect and courtesy

I will act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy.
I will use my powers and authority lawfully and proportionately, and will respect the rights of all individuals.

2.1

According to this standard you must:

- carry out your role and responsibilities in an efficient, diligent and professional manner
- avoid any behaviour that might impair your effectiveness or damage either your own reputation or that of policing
- ensure your behaviour and language could not reasonably be perceived to be abusive, oppressive, harassing, bullying, victimising or offensive by the public or your policing colleagues.

Examples of meeting this standard are when you:

- remain composed and respectful, even in the face of provocation
- retain proportionate self-restraint in volatile situations
- recognise the particular needs of victims and witnesses for policing support
- step forward and take control when required by the circumstances
- keep an open mind and do not prejudge situations or individuals
- use your authority only in ways that are proportionate, lawful, accountable, necessary and ethical.

2.2

The reasons for your actions may not always be understood by others, including the public. You must, therefore, be prepared to explain them as fully as possible.

Relationships

2.3

According to this standard you must:

- ensure that any relationship at work does not create an actual or apparent conflict of interest
- not engage in sexual conduct or other inappropriate behaviour when on duty
- not establish or pursue an improper sexual or emotional relationship with a person with whom you come into contact in the course of your work who may be vulnerable to an abuse of trust or power.

3 Equality and diversity

I will act with fairness and impartiality.
I will not discriminate unlawfully or unfairly.

3.1

According to this standard you must:

- uphold the law regarding human rights and equality
- treat all people fairly and with respect
- treat people impartially.

Examples of meeting this standard are when you:

- show compassion and empathy, as appropriate, to people you come into contact with
- treat people according to their needs
- recognise that some individuals who come into contact with the police are vulnerable and may require additional support and assistance
- take a proactive approach to opposing discrimination so as to adequately support victims, encourage reporting and prevent future incidents
- act and make decisions on merit, without prejudice and using the best available information
- consider the needs of the protected characteristic groupings – age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation
- actively seek or use opportunities to promote equality and diversity.

The Code

4 Use of force

I will only use force as part of my role and responsibilities, and only to the extent that it is necessary, proportionate and reasonable in all the circumstances.

4.1

This standard is primarily intended for police officers who, on occasion, may need to use force in carrying out their duties.

4.2

Police staff, volunteers and contractors in particular operational roles (for example, custody-related) may also be required to use force in the course of their duties.

4.3

According to this standard you must use only the minimum amount of force necessary to achieve the required result.

4.4

You will have to account for any use of force, in other words justify it based upon your honestly held belief at the time that you used the force.

5 Orders and instructions

I will, as a police officer, give and carry out lawful orders only, and will abide by Police Regulations.
I will give reasonable instructions only, and will follow all reasonable instructions.

5.1
According to this standard police officers must obey any lawful order that is given and must abide by Police Regulations.

For **police officers**, examples of meeting this standard are when you:

- give orders which you reasonably believe to be lawful
- follow lawful orders, recognising that any decision not to follow an order needs to be objectively and fully justified
- support your colleagues, to the best of your ability, in the execution of their lawful duty
- accept the restrictions on your private life as described in Regulation 6 and Schedule 1 of the Police Regulations 2003 and determinations made under those Regulations.

5.2
According to this standard everyone in policing must give or carry out reasonable instructions only.

5.3
There may be instances when failure to follow an order or instruction does not amount to misconduct. For example, where a police officer reasonably believes that an order is unlawful or has good and sufficient reason not to comply.

5.4
Any decision to not obey orders or follow instructions, or that transgresses policing policies and other guidance, must be able to withstand scrutiny.

Use of discretion

5.5
Police discretion is necessary, but must be used wisely. When making decisions about using your discretion you must:

- use your training, skills and knowledge about policing
- consider what you are trying to achieve and the potential effects of your decisions
- take any relevant policing codes, guidance, policies and procedures into consideration
- ensure you are acting consistently with the principles and standards in this Code.

The Code

6 Duties and responsibilities

I will be diligent in the exercise of my duties and responsibilities.

6.1

According to this standard you must:

- carry out your duties and obligations to the best of your ability
- take full responsibility for, and be prepared to explain and justify, your actions and decisions
- use all information, training, equipment and management support you are provided with to keep yourself up to date on your role and responsibilities.

Examples of meeting this standard are when you:

- are aware of the influence that unconscious biases (such as stereotypes or 'group think') can have on your actions and decisions
- support your colleagues, to the best of your ability, in their work
- demonstrate an efficient and effective use of policing resources
- ensure that accurate records of your actions are kept – both as good practice and as required by legislation, policies and procedures
- consider the expectations, changing needs and concerns of different communities, and do what is necessary and proportionate to address them.

Business interests

6.2

People working in policing in England and Wales can have business interests as long as those interests are authorised and there is no conflict with an individual's police work and responsibilities.

Associations

6.3

Membership of groups or societies, or associations with groups or individuals, must not create an actual or apparent conflict of interest with police work and responsibilities.

6.4

The test is whether a reasonably informed member of the public might reasonably believe that your membership or association could adversely affect your ability to discharge your policing duties effectively and impartially.

Political activity – police officers only

6.5

Police officers must not take any active part in politics. This is intended to prevent you from placing yourself in a position where your impartiality may be questioned.

7 Confidentiality

I will treat information with respect, and access or disclose it only in the proper course of my duties.

7.1

According to this standard you must:

- be familiar with and abide by the data protection principles described in the Data Protection Act 1998
- access police-held information for a legitimate or authorised policing purpose only
- not disclose information, on or off duty, to unauthorised recipients
- understand that by accessing personal data without authorisation you could be committing a criminal offence, regardless of whether you then disclose that personal data.

Examples of meeting this standard are when you:

- ensure that information you enter onto police systems and into police records is accurate
- share information with other agencies and the public when required for legitimate purposes
- maintain the confidentiality of commercial and other sensitive information.

7.2

You must be mindful of risks such as:

- increasing your vulnerability to harassment, corruption and blackmail by revealing personal information about yourself or information held for a policing purpose
- prejudicing investigations by revealing operational material or tactics.

Social media

7.3

This standard also relates to the use of any platform of web-based or mobile communications, social networking sites, and all other types of social media.

7.4

While there are benefits of social media to policing, there are also potential risks.

7.5

According to this standard you must:

- use social media responsibly and safely
- ensure that nothing you publish online can reasonably be perceived by the public or your policing colleagues to be discriminatory, abusive, oppressive, harassing, bullying, victimising, offensive or otherwise incompatible with policing principles
- not publish online or elsewhere, or offer for publication, any material that might undermine your own reputation or that of the policing profession or might run the risk of damaging public confidence in the police service.

The Code

8 Fitness for work

I will ensure, when on duty or at work, that I am fit to carry out my responsibilities.

8.1

According to this standard you must:

- be fit to carry out your role in policing and fulfil your responsibilities
- not consume alcohol when on duty
- not use illegal drugs
- not misuse legal drugs or other legal substances.

8.2

If you believe you are unfit to undertake your role or you are somehow impaired for duty, you must immediately declare this to your line manager, Human Resources department or other relevant person.

8.3

If you are absent from work through sickness or injury:

- you may be required to consult appropriate health professionals and must follow any advice given unless there are reasonable grounds not to do so
- you must not engage in activities that are likely to impair your return to work.

8.4

If you let your police force or organisation know that you have a drink or drugs misuse problem, you will be given appropriate support as long as you demonstrate an intention to address the problem and take steps to overcome it. You may, however, still be subject to criminal or misconduct proceedings.

8.5

Chief officers should ensure that there are appropriate systems to support a police officer or staff member who discloses a drink or drugs problem, in compliance with 8.4.

8.6

Making a self-declaration of substance misuse after you have been notified of the requirement to take a test for possible illegal substances may not prevent criminal or misconduct proceedings following a positive test result.

9 Conduct

I will behave in a manner, whether on or off duty, which does not bring discredit on the police service or undermine public confidence in policing.

9.1
As a police officer, member of police staff or other person working for the police service, you must keep in mind at all times that the public expect you to maintain the highest standards of behaviour. You must, therefore, always think about how a member of the public may regard your behaviour, whether on or off duty.

9.2
You should ask yourself whether a particular decision, action or omission might result in members of the public losing trust and confidence in the policing profession.

9.3
It is recognised that the test of whether behaviour has brought discredit on policing is not solely about media coverage and public perception but has regard to all the circumstances.

Examples of meeting this standard are when you:

- avoid any activities (work-related or otherwise) that may bring the police service into disrepute and damage the relationship of trust and confidence between the police and the public
- comply with the National Crime Recording Standard
- avoid any activities that may compromise your or any colleague's position in policing or compromise a police operation
- start work on time and are punctual while at work
- maintain a high standard of appearance when at work, whether in uniform or plain clothes – unless your role requires otherwise.

For police officers and special constables

I will report any action taken against me for a criminal offence, any conditions imposed on me by a court and the receipt of any penalty notice.

9.4

According to this standard you must report as soon as reasonably practical any occasion in the UK or elsewhere where you have been subject to one or more of the following:

- arrest
- a summons for an offence
- a penalty notice for disorder
- an endorsable fixed penalty notice for a road traffic offence
- a charge or caution for an offence by any law enforcement agency.

9.5

You must report to your supervisor or your professional standards department as soon as reasonably practical all convictions, sentences and conditions imposed by any court, whether criminal or civil (excluding matrimonial proceedings, but including non-molestation orders or occupation orders). 'Conditions imposed by any court' would include, for example, orders to deal with antisocial behaviour, a restraining order or a bind-over. When you are in doubt as to whether to make such a report, it is best to report.

9.6

You must report as soon as reasonably practical any legal proceedings taken against you for debt recovery, or any other adverse financial judgments.

9.7

You must report any serious criminal conviction against a member of your immediate family or a close friend so that appropriate safeguards can be put in place. When you are in doubt as to whether to make such a report, it is best to report.

9.8

A police officer being subject to any of these measures could bring discredit on the police service, and this may result in action being taken for misconduct, depending on the circumstances of the particular matter.

For police staff and others working in policing who are not police officers

I will report any caution or conviction against me for a criminal offence.

9.9

According to this standard you must report as soon as reasonably practical all convictions, sentences and conditions imposed by any court, whether criminal or civil.

9.10

For legitimate policing purposes, such as vetting or the nature of your particular role, you may be required to disclose other legal matters affecting you.

10 Challenging and reporting improper conduct

I will report, challenge or take action against the conduct of colleagues which has fallen below the standards of professional behaviour.

10.1
According to this standard you must never ignore unethical or unprofessional behaviour by a policing colleague, irrespective of the person's rank, grade or role.

10.2
You have a positive obligation to question the conduct of colleagues that you believe falls below the expected standards and, if necessary, challenge, report or take action against such conduct.

10.3
If you feel you cannot question or challenge a colleague directly, you should report your concerns through a line manager, a force reporting mechanism or other appropriate channel.

10.4
The policing profession will protect whistleblowers according to the law.

10.5
Nothing in this standard prevents the proper disclosure of information to a relevant authority in accordance with the Public Interest Disclosure Act 1998.

10.6
You will be supported if you report any valid concern about the behaviour of someone working in policing which you believe has fallen below the standards expected. You will not be supported, and may be subject to disciplinary procedures, if your report is found to be malicious or otherwise made in bad faith.

10.7
The police service will not tolerate discrimination or victimisation or any disadvantageous treatment against anyone who makes a valid report of unprofessional behaviour or wrongdoing.

10.8
Given the overriding duty to report wrongdoing, genuine concerns in this respect can never be deemed to bring the policing profession into disrepute.

Supervisors

10.9
According to this standard you must:

- ensure that your staff carry out their professional duties correctly
- challenge and address any behaviour that falls below the standards in this Code, and report it where appropriate
- assess, take positive action, or otherwise escalate appropriately any report of unprofessional behaviour or wrongdoing made by someone for whom you are responsible.

Supplementary Notes

Supplementary Notes

National Decision Model

The National Decision Model is the primary decision-making model for police in England and Wales. Individuals, supervisors and others use it to assess potential decisions or decisions that have already been made.

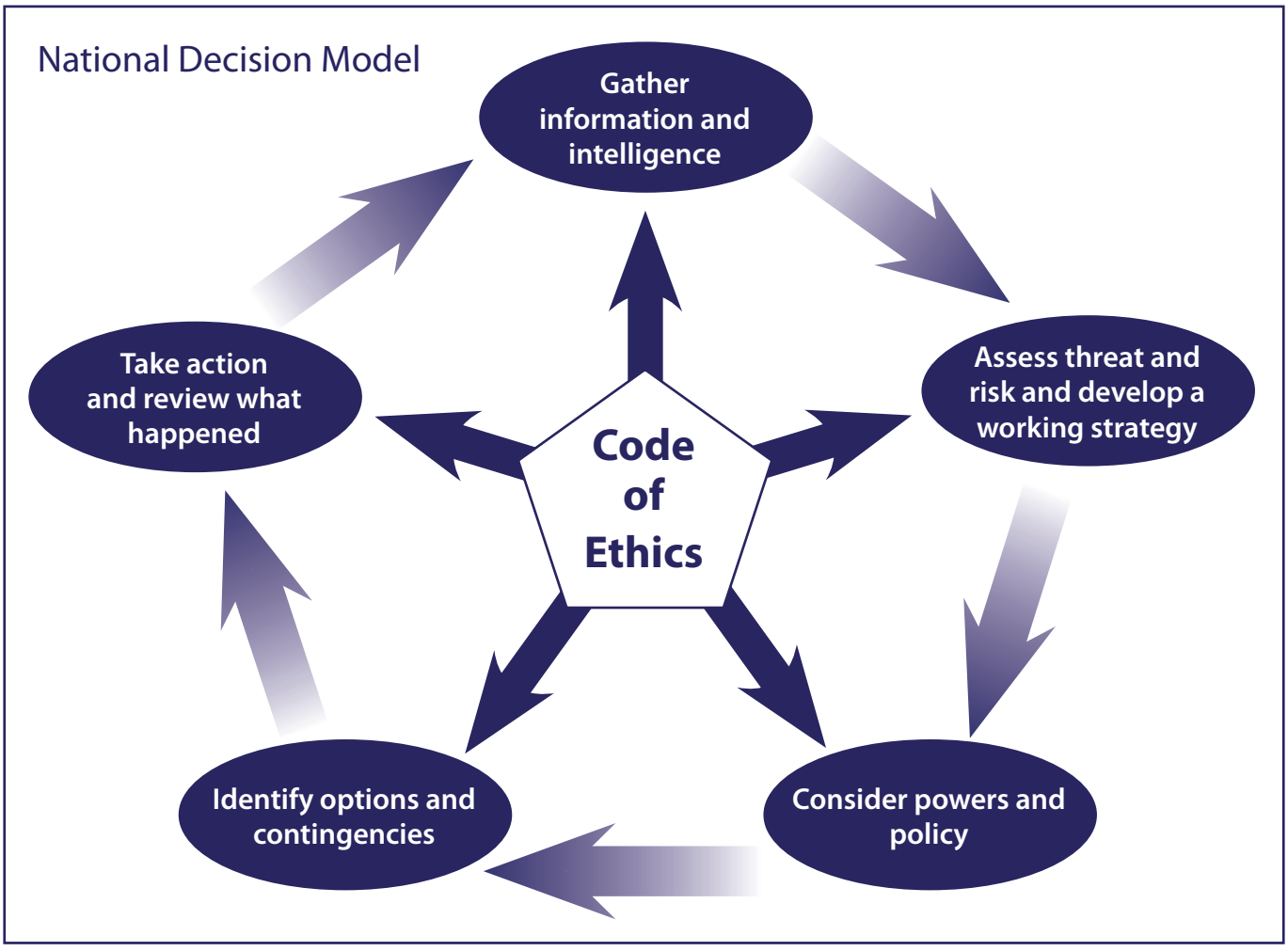
4.1 Making ethical decisions

4.1.1

The Code of Ethics promotes the use of the National Decision Model (NDM) to help embed ethical reasoning in accordance with policing principles and expected standards of behaviour. The model allows people to be more questioning of the situations confronting them, more challenging of themselves and better able to make ethical and effective decisions.

4.1.2

The model places the Code of Ethics at the centre of all decision making. This reminds those in the policing profession that they should consider the principles and expected standards of behaviour set out in the Code at every stage of making decisions.



4.1.3

The NDM is inherently flexible. It can be applied to spontaneous incidents or planned operations, by an individual or teams of people, and to operational and non-operational situations. It can also be expanded as appropriate for specialist and other areas of policing. The NDM also works well for reviewing and debriefing decisions and actions.

4.1.4

In every case the elements of the NDM stay the same, but users decide for themselves which questions and considerations they apply at each stage.

4.1.5

Understanding, practising and using the NDM helps people develop the knowledge and skills necessary to make ethical, proportionate and defensible decisions in all policing situations.

4.1.6

In a fast-moving incident, the main priority of decision makers is to keep in mind the principles and standards set out in the Code of Ethics.

4.1.7

You are not expected to know the Code of Ethics word for word. What is expected is that you apply the intent of the Code to your decisions and ask yourself questions such as:

- Is my decision in line with the principles and expected behaviours outlined in the Code of Ethics?
- Will this action or decision reflect well on my professionalism and policing generally?
- Would I be comfortable explaining this action or decision to my supervisor?
- Would I be prepared to defend this action or decision in public?

Supplementary Notes

When behaviour does not meet expectations

This section provides general guidance on how behaviour that does not uphold policing principles or meet expected standards will be handled.

5.1 Breaches of the Code

5.1.1
Breaches of the Code of Ethics will not always involve misconduct or require disciplinary proceedings. Breaches will range from relatively minor shortcomings in conduct, performance or attendance through to gross misconduct and corruption. Different procedures exist according to the type of unprofessional behaviour or misconduct alleged.

5.1.2
Relatively minor breaches of the Code may be simply and effectively dealt with through peer or team challenge. Others may require local management action – for example, by a line manager. More significant failures may require formal action by the individual's force or organisation – such as, in the case of police officers, the application of the Police (Conduct) Regulations or the Police (Performance) Regulations.

5.1.3
See **Box 1** for types of possible actions on managing unprofessional behaviour or misconduct.

5.1.4
All officers, staff and, particularly, supervisors and managers have a duty to act where a concern is raised about any behaviour, level of performance or conduct which may amount to a breach of the Code.

5.1.5
Behaviour that does not uphold the policing principles or which falls short of the expected standards of professional behaviour set out in this Code of Ethics will be dealt with:

- according to the severity and impact of any actual, suspected or alleged breach
- at the most appropriate level
- in a timely and proportionate manner in order to maintain confidence in the process.

5.1.6
Managers and supervisors are expected to exercise professional judgement and take into account the principle of proportionality in determining how to deal effectively with alleged unprofessional behaviour.

5.1.7
Procedures must be applied in a non-discriminatory manner, and due regard must be paid to the need to handle allegations sensitively and confidentially. Fairness and consistency are watchwords.

Box 1: Managing behaviour

The most important management tool is self-regulation. This relates to your own behaviour and that of your immediate peers and teams through:

- self-awareness and self-challenge
- peer awareness and peer challenge
- team awareness and team challenge.

On an ascending scale of seriousness, other actions include local management action and formal assessment and investigation.

Local management action

This includes:

- gathering relevant evidence on concerns reported to or noticed by managers, discussing any shortcomings or concerns with the individual at the earliest possible opportunity, keeping a contemporaneous note of interactions with the person, and putting the matter on record (the 'record' may be the person's PDR or equivalent)
- a verbal warning and advice over future conduct
- management action prior to referral to unsatisfactory performance procedures
- referral to unsatisfactory performance procedures
- management action as part of a local resolution of a public complaint
- issue of an improvement notice and action plan
- redeployment or a temporary change of duty.

Formal assessment and investigation

Actions include:

- management advice
- written warning
- final written warning
- dismissal with or without notice.

The most serious allegations amounting to gross misconduct can result in suspension from duty or restriction of duty, and may involve a criminal investigation and criminal proceedings.

Supplementary Notes

5.1.8

There is no single formula for determining the action to be taken in relation to a concern about the behaviour or performance of a member of the police service or someone working closely with the police. Each case must be considered individually. See **Box 2** for relevant considerations.

Box 2: Determining whether behaviour does or does not reflect the Code of Ethics

Considerations include the:

- nature and circumstances of the behaviour
- position, duties and responsibility of the person
- difference in restrictions on private life between police officers and police staff/other employees/volunteers
- rationale given by the person for their behaviour
- effects of the behaviour or its consequences on:
  - internal or external relationships
  - the reputation of the police service
  - the ability of the person to fulfil their duties
- effects of the behaviour on:
  - the organisation's trust and confidence in the individual
  - the public's trust and confidence in the police service.

5.1.9

Consideration should always be given to any relevant regulations, policies or guidance on managing unprofessional behaviour, misconduct, unsatisfactory performance or unsatisfactory attendance.

5.1.10

Where evidenced or alleged breaches of the standards are so serious that the threshold for formal assessment is crossed and investigation is merited, such cases will be referred under existing mechanisms.

5.1.11

A failure by a police officer to have regard to the standards of professional behaviour in the Code of Ethics may be admissible in evidence in any disciplinary proceedings or on any appeal arising from a decision made in such proceedings.

5.1.12

Similarly, a failure by a member of police staff to have regard to the standards of professional behaviour in the Code of Ethics may be admissible in evidence in any disciplinary proceedings or on any appeal arising from a decision made in such proceedings under relevant disciplinary proceedings identified in any police staff contract of employment.

5.2 Guidance for members of the public

5.2.1

You have the right to make a complaint if you feel that someone within policing has behaved unprofessionally.

5.2.2

To make a complaint you should contact the relevant police force or policing organisation. This can be online using appropriate websites and forms, in writing or in person. You can also make your complaint to the Independent Police Complaints Commission (IPCC).

5.2.3

Further information on making a complaint about unprofessional behaviour by a member of the policing profession can be found on police websites and the IPCC website (which also provides links to the complaints section on each police force website).
See **http://www.ipcc.gov.uk/**

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