



Making Suffolk a safer place to live, work, travel and invest

ORIGINATOR: CHIEF EXECUTIVE

DECISION NUMBER: 12- 2014

REASON FOR SUBMISSION: FOR DECISION

SUBMITTED TO: POLICE AND CRIME COMMISSIONER

SUBJECT: ETHICAL CONDUCT – STATEMENT OF POLICY

SUMMARY:

1. The Local Policing Bodies (Specified Information) Order 2011 (as amended) requires a Police and Crime Commissioner to publish "a statement of the elected local policing body in relation to the conduct of relevant office holders, including procedures for the handling of qualifying complaints and conduct matters."
2. The Policy attached at Appendix A has been drawn up to meet this obligation.

RECOMMENDATION:

It is recommended that the Police and Crime Commissioner adopts the Ethical Conduct – Statement of Policy at Appendix A with immediate effect and publishes its existence on the Police and Crime Commissioner's website.

APPROVAL BY: PCC

The recommendation set out is agreed.

Signature *Tim Parnmore*

Date *10/04/2014*

DETAIL OF THE SUBMISSION

1. INTRODUCTION

- 1.1 The Local Policing Bodies (Specified Information) Order 2011 (as amended) requires a Police and Crime Commissioner to publish "a statement of the elected local policing body in relation to the conduct of relevant officer holders, including procedures for the handling of qualifying complaints and conduct matters."
- 1.2 The Policy attached at Appendix A has been drawn up to meet this obligation.

2. FINANCIAL IMPLICATIONS

- 2.1 There are no direct financial implications.

3. OTHER IMPLICATIONS AND RISKS

- 3.1 There are no other relevant implications.
- 3.2 There are no relevant risks on the Police and Crime Commissioner's Risk Register touching and concerning this matter and no issues relative thereto requiring its inclusion.

ORIGINATOR CHECKLIST (MUST BE COMPLETED)	PLEASE STATE 'YES' OR 'NO'
Has legal advice been sought on this submission?	Yes – the Originator is a Solicitor and the Monitoring Officer.
Has the PCC's Chief Finance Officer been consulted?	No – not available.
Have equality, diversity and human rights implications been considered including equality analysis, as appropriate?	Equality issues have been considered and covered in the production of the Policy.
Have human resource implications been considered?	Yes.
Is the recommendation consistent with the objectives in the Police and Crime Plan?	Yes.
Has consultation been undertaken with people or agencies likely to be affected by the recommendation?	This is not directly relevant.
Has communications advice been sought on areas of likely media interest and how they might be managed?	Yes.
In relation to the above, have all relevant issues been highlighted in the 'other implications and risks' section of the submission?	Yes.

APPROVAL TO SUBMIT TO THE DECISION-MAKER

Chief Executive I am satisfied that relevant advice has been taken into account in the preparation of the report and that this is an appropriate request to be submitted to the Suffolk Police and Crime Commissioner.	
Signature: 	Date <i>10 April 2014</i>



POLICE AND CRIME COMMISSIONER

ETHICAL CONDUCT

STATEMENT OF POLICY

Chief Executive

1 April 2014

ETHICAL CONDUCT – STATEMENT OF POLICY

Introduction

The Local Policing Bodies (Specified Information) Order 2011 (as amended) requires a Police and Crime Commissioner to publish *“a statement of the elected local policing body in relation to the conduct of relevant office holders, including procedures for the handling of qualifying complaints and conduct matters.”*

This policy is drawn to meet this obligation.

The Police and Crime Commissioner is accountable to the electorate for his conduct. Upon taking up office the Police and Crime Commissioner made a statutory declaration of acceptance of office by which he committed to serving all the people of Suffolk. In making the declaration he promised to act with integrity, give the public a voice, be transparent and be accountable to the public. In discharging his responsibilities he is not subject to any formal code of conduct but he is expected to adhere to the Nolan principles relating to standards of behaviour in public life. Briefly stated these relate to selflessness, integrity, objectivity, accountability, openness, honesty and leadership. The principles have been developed in producing this Statement of Policy upon the Ethical Conduct of the Police and Crime Commissioner.

The Police and Crime Commissioner is also subject to the Official Secrets Act 1989 in the same way as police officers.

It is clear therefore that high personal standards of conduct are expected. This Policy sets out the Standards of Conduct that the Police and Crime Commissioner has set himself and gives examples of how he demonstrates that he meets those standards.

Many of the issues that arise relating to standards of conduct are addressed by the Code of Corporate Governance and the Annual Governance Statement, found within the Police and Crime Commissioner’s website. The Annual Governance Statement explains the governance framework that the Police and Crime Commissioner operates in its widest sense and wherein the systems, processes, culture and values by which the Police and Crime Commissioner directs himself and maintains control are set out. The Statement is reviewed and refreshed on an annual basis.

Standards of Conduct

- **Selflessness**

The Police and Crime Commissioner should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

- A register of the Police and Crime Commissioner's interests is published on the Police and Crime Commissioners website.
- Gifts and hospitality that are offered to the Police and Crime Commissioner are published on the Police and Crime Commissioner's website together with an indication of whether the offer was accepted or refused.
- All of the Police and Crime Commissioner's claims for expenses are made in accordance with the Determination made by the Home Secretary and require verification and approval by the Chief Executive (who is also the Monitoring Officer).
- Expenditure within the Office of the Police and Crime Commissioner requires the approval or certification of the Chief Executive or officers acting on his behalf.

- **Honesty and Integrity**

The Police and Crime Commissioner should not place himself in a situation where his honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

- Should it become apparent in the exercise of his functions that there may be a conflict of interest, the Police and Crime Commissioner shall declare such conflict and take the necessary action to deal with the matter. All of the Police and Crime Commissioner's interests have been disclosed.

- **Objectivity**

The Police and Crime Commissioner should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits. He may take account of the views of others but should reach his own conclusions on the issues before him and act in accordance with his conclusions.

- The Police and Crime Commissioner has adopted a Scheme of Governance and Consent (available through his website) in which he has set out his Decision Making and Accountability Framework. This Framework details the arrangements to enable the Police and Crime Commissioner to make robust, well-informed and transparent decisions. All decisions of significant public interest are recorded and published formally in Decision Papers that are, unless confidentiality prevents it, available through the website.
- The process for awarding contracts is set out by the Police and Crime Commissioner in the Contract Standing Orders which form part of the Scheme of Governance and Consent. The purpose of the Orders is to help ensure that all procurement activity is taken in a transparent, fair and consistent manner, ensuring the highest standards of property and accountability.
- The Financial Regulations adopted by the Police and Crime Commissioner and found within the Scheme of Governance and Consent have been drawn up to ensure that the

financial affairs of the Police and Crime Commissioner and Chief Constable are conducted properly and in compliance with all necessary requirements.

- All expenditure from the budget of the Office of the Police and Crime Commissioner requires the approval or certification of the Chief Executive or officers acting on his behalf.
- All staff appointments are made in accordance with the law and are made on merit. The appointment of staff within the Office of the Police and Crime Commissioner is delegated to the Chief Executive.

- **Accountability**

The Police and Crime Commissioner should be accountable to the public for his actions and the manner in which he carries out his responsibilities. He should cooperate fully and honestly with any scrutiny appropriate to their office.

- All decisions of significant public interest are, unless confidentiality prevents it, published upon the Police and Crime Commissioner's website. The arrangements for decision-making are set out in the Scheme of Governance and Consent.
- The Police and Crime Panel has a statutory role to review or scrutinise decisions made, or other action taken by the Police and Crime Commissioner. The Police and Crime Commissioner attends the meetings of the Panel to answer questions in the discharge of the Panel's functions.
- The Police and Crime Commissioner holds engagement events as advertised through his website that the public may attend and ask questions of the Police and Crime Commissioner.

- **Openness**

The Police and Crime Commissioner should be as open as possible about their actions and should be prepared to give reasons for those actions.

- The Decision-Making and Accountability Framework within the Scheme of Governance and Consent sets out the approach to the publication of decisions. All decisions that are of significant public interest, aside from those that are confidential, are published on the Police and Crime Commissioner's website.
- The Police and Crime Commissioner publishes information as required by the Local Policing Bodies (Specified Information) Order 2011 (as amended).
- The Police and Crime Commissioner publishes a range of information about his activities on his website to enable the communities of Suffolk to keep abreast of his activities and the action he is pursuing, as well as the opportunities for the public to engage with him.
- All responses to requests for information under the Freedom of Information Act 2000 are published on the Police and Crime Commissioner's website.

- **Respect for Others**

The Police and Crime Commissioner should promote equality by not discriminating unlawfully against any person, by treating people with respect, regardless of their race, age, religion, gender, sexual orientation, or disability.

- The Police and Crime Commissioner's Equality and Diversity Statement is published on his website. That Statement makes clear that:

"In carrying out my functions I will have regard to the general equality duty on public bodies under the Equality Act 2010 to:

- *Eliminate discrimination, harassment, victimisation and other conduct prohibited under The Equality Act;*
- *Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and to*
- *Foster good relations between such groups.*

I am committed to ensuring a fair and equitable police service for all Suffolk's communities.

Consideration of equality and good relations will be integrated into day to day business of the Office of the Police and Crime Commissioner."

- **Stewardship**

The Police and Crime Commissioner should do whatever they are able to do to ensure that they use their resources prudently and in accordance with the law.

- The Police and Crime Commissioner's Annual Governance Statement sets out the arrangements that have been put in place to ensure delivery of services and the best use of public resources.
- The Scheme of Governance and Consent sets out a control framework which helps contribute towards ensuring that resources are used prudently.

- **Duty to Uphold the Law**

The Police and Crime Commissioner should uphold the law and on all occasions act in accordance with the trust that the public is entitled to place in him.

- The Police and Crime Commissioner's Annual Governance Statement sets out the arrangements that are in place to ensure that relevant law is complied with by the Police and Crime Commissioner and to ensure that internal policy and procedure is observed.

- The Chief Executive is a statutory officer who also fulfils the role of Monitoring Officer. In this regard he has responsibility to draw to the PCC's attention any actual or possible contravention of law, maladministration or injustice.

- **Leadership**

The Police and Crime Commissioner should promote and support the above standards by leadership, and by example, and should act in a way that secures or preserves public confidence.

- The Police and Crime Commissioner operates a regime of transparency and openness by which the public can see how the Office of the Police and Crime Commissioner operates. Matters are only kept confidential where the circumstances warrant it and there is adequate justification. As a consequence the decisions, actions and activities are made widely available through information published on his website.

Complaints about the Police and Crime Commissioner

The appropriate authority for complaints made against the Police and Crime Commissioner is the Police and Crime Panel. The Police and Crime Panel is responsible for initial recording of complaints and conduct matters and for referring any complaints which allege criminality to the Independent Complaints Commissioner (IPCC). Where complaints do not allege criminality, the Panel is responsible for handling and informally resolving these complaints.

At its meeting on 25 January 2013 the Panel agreed to delegate:

- To the Chief Executive of the Office of the Police and Crime Commissioner responsibility for receipt and initial handling and recording of complaints in accordance with Part 2 of the Elected Policing Bodies (Complaints and Misconduct) Regulations 2011.
- To the Monitoring Officer of Suffolk County Council, responsibility for securing the informal resolution of complaints as referred to in Part 4 of the Regulations, and ensuring that suitable material will be made available as public information in relation to complaints about the Police and Crime Commissioner.

For more detailed information please see the Elected Policing Bodies (Complaints and Misconduct) Regulations 2012 and Home Office Guidance. Both documents are accessible via the complaints section of the Police and Crime Commissioner's website. If you have a complaint about the Suffolk Police and Crime Commissioner please make your complaint in writing to the Chief Executive at the following address:

The Office of the Police and Crime Commissioner
Police Headquarters
Martlesham Heath
IPSWICH IP5 3QS

Or email to: spcc@suffolk.pnn.police.uk
Or telephone to: 01473 782883