

Dated: 29/05/2024

POLICY TITLE: Notifiable & Inappropriate Associations

OWNING DIRECTORATE: Professional Standards

AUTHOR: D/Superintendent Professional Standards

CONTACT DETAILS: 101

EQUALITY IMPACT ASSESSMENT: Complete

AIM OF POLICY: This policy aims to maintain confidence in the accountability and integrity of the police which is vital not only to successful policing but also to increasing public confidence in the police service. The policy provides a framework to help protect the integrity of the organisation, individuals and operations.

BENEFIT OF POLICY: The policy sets out the principles and standards for dealing with the reporting, assessment and recording of inappropriate associations. The benefit of the policy is to introduce that part of the prevention toolkit which relates to potential allegations of corruption that could arise through inappropriate associations.

REASON FOR POLICY: Northumbria Police recognises there is a risk of some staff associating with inappropriate persons, groups or organisations. It is important that staff understand the rules to be observed to ensure that no doubt is cast on the integrity of Northumbria Police.

Northumbria Police relies on the honesty and integrity of its staff. As public servants, they are expected to observe the highest standards of conduct, in both their private lives and their employment.

In practice, the vast majority of staff behave with complete integrity. However, Northumbria Police recognises there is a risk of some staff associating with inappropriate persons, groups or organisations.

An association will be considered inappropriate and will not be tolerated where it has the potential to, or is likely to:

- Compromise the individual staff member, or
- Compromise the operations or activity of Northumbria Police, or
- Compromise public confidence in Northumbria Police.

Where an association is judged by the individual concerned or a senior manager to be inappropriate because it carries any of the risks outlined, the individual and management will agree the steps to be taken for the association to cease or be subject to limitations.

Where advice has been given that such an association must cease yet it persists or the limitations are not observed, then in respect of police officers and special constables, the inappropriate association will be considered under the Police (Conduct) Regulations 2012 and in respect of police staff under the police staff discipline procedure.

Matters relating to inappropriate associations may also be dealt with in accordance with Section 98(1)(b) of the Employment Rights Act 1996 which provides that an employer may advance a 'substantial reason of a kind such as to justify the dismissal of an employee holding the position which the employee held'.

Inappropriate associations may also be subject of a police complaint which can apply to all officers, special constables, police staff or police support volunteers as in accordance with Schedule 3 of the Police Reform Act 2002.

ACKNOWLEDGEMENT

Northumbria Police acknowledges:

- The rights of its staff to respect for private and family life afforded by the Human Rights Act 1998, Article 8.
- The rights of its staff to Freedom of Expression afforded by the Human Rights Act 1998, Article 10.
- The rights of its staff to freedom of peaceful assembly and to freedom of association afforded by Article 11 of that Act.
- The rights of its staff to marry afforded by Article 12 of that Act.

The existence of these articles does not prevent the imposition of lawful formalities, conditions, restrictions or penalties on the exercise of these rights by citizens, including officers and staff of Northumbria Police which may be necessary for a number of reasons to prevent the work of the Force being undermined, and in particular:

- For the prevention of crime or disorder.
- For the prevention of the disclosure of information received in confidence.
- For the protection of the reputation or rights of others.

Northumbria Police has a duty to ensure so far as is possible, that staff members comply with the provisions of the Data Protection Act 2018. Police staff must not breach confidentiality in

respect of the work of the police service, either during the course of employment or subsequently.

The Police Service is committed to full compliance with the duty to promote race equality established in the Equality Act 2010. Northumbria Police also has a duty under this act as a specified public authority, to promote racial equality. It is unacceptable to the service for any police officer or police staff to be an active member of an organisation that encourages discrimination.

Such activity will lead to an investigation as to whether any discipline offence has been committed under the Police (Conduct) Regulations 2012 and/or the Police Staff Discipline Procedure.

For the purposes of this policy, unacceptable organisations include: the British National Party, Combat 18 and the National Front. Active membership could involve activities such as: the participation in leaflet drops, meetings, fund raising, and speaking on behalf of or writing articles for the said organisation. These activities remain unacceptable, regardless of whether or not an individual is a formal member of the stated organisations. These activities are not exhaustive.

Schedule 2 of the Police (Conduct) Regulations 2012 sets out the 'Standards of Professional Behaviour' for police officers and similar 'standards' are set out in the Police Staff Council Joint Circular No 54, for police staff. Under the heading 'Honesty and Integrity', it states that police officers/police staff will be honest and act with integrity and will not compromise or abuse their position. Further, that police officers/police staff should always consider carefully the risk of becoming improperly beholden to a person or organisation. Under the heading 'Orders and Instructions' it also states that police officers/police staff will abide by police regulations, force policies and lawful orders/instructions.

Section 2 of the Police (Amendment) Regulations 2004, amends the Police Regulations 2003 and states that 'a member of a police force shall at all times abstain from any activity which is likely to interfere with the impartial discharge of his duties or which is likely to give rise to the impression amongst members of the public that it may so interfere'.

A member of a police force shall, in particular:

- not take any active part in politics
- not belong to any organisation specified or described in a determination of the Secretary of State.

Such determination has been made in respect of the British National Party, Combat 18 and the National Front.

Northumbria Police considers it has a duty to see that public confidence in the Force is maintained, and that the community it serves can be satisfied that the Force, its police officers, special constables and staff are managed in a proper manner to ensure that duty is discharged.

This policy does not seek to govern or unnecessarily restrict every aspect of an individual's private life, nor does it attempt to prescribe what the determination or outcome should be in every case which comes under consideration. Each set of circumstances will need to be considered in its own right so that the action taken is appropriate and proportionate to the need to protect the integrity of individuals and Northumbria Police.

Northumbria Police accepts that staff sometimes have little or limited control over some relationships or associations, for example through the marriage of a close relative, or where a relative becomes involved in criminal activity.

Where it is not practicable for an association to cease altogether, for example, the determination may set limits, parameters or conditions to which the staff member will be required to adhere.

This policy provides the framework in which staff, their supervisors and the organisation itself can make sensible determinations based on the individual circumstances of each case.

Relationships or associations with some groups or individuals must always be declared. This includes former police and law enforcement officers now working in an investigative role, journalists and those undertaking work on part of the media.

EXPLANATORY NOTE

Within this policy, except where categories are specifically excluded, the term 'staff member' will include all staff of Northumbria Police, namely police officers, special constables and all categories of non-warranted employees. Northumbria Police will endeavour to create a common culture across the organisation for all its members. This is reflected in the Statement of Common Purpose and Values, and the drive for corporate ethical standards. The Northumbria Police Staff Handbook, as part of the contract of employment, sets out the relevant terms and conditions.

SOURCE DOCUMENT: Police Regulations and legislation set out in the policy. APP Professional Standards.

GROUPS AFFECTED: All staff.

ACCESS AND DISCLOSURE RESTRICTIONS: None
