

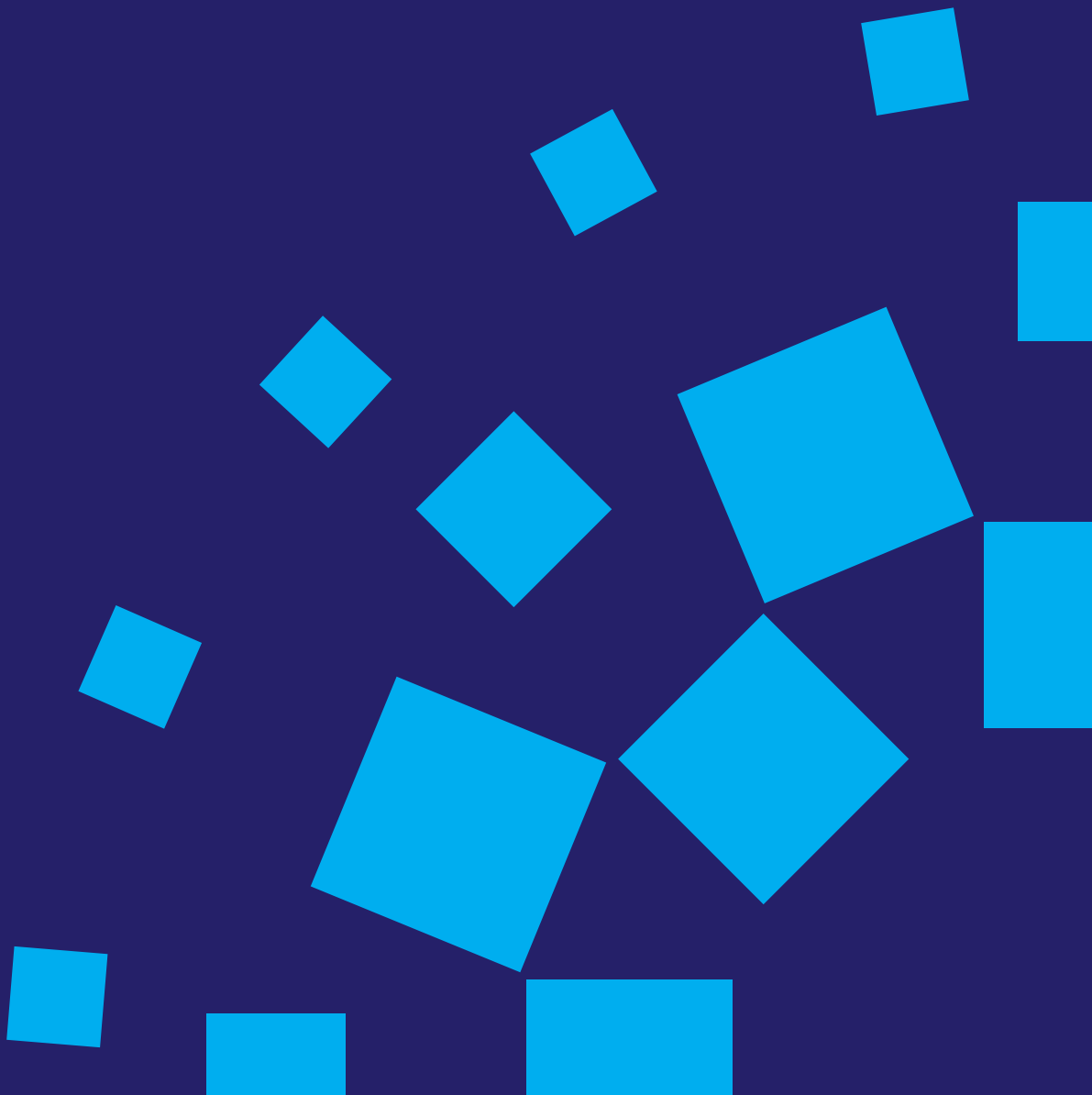


College of
Policing

Working together
to prevent crime

Code of Practice for Ethical Policing

December 2023



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Code of Practice for Ethical Policing

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

December 2023

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1 Introduction

- 1.1 Effective policing is built on public trust and confidence. This depends on a policing profession that is ethical and professional in the way that it respects, listens, responds, improves and serves the public.
- 1.2 The College of Policing has developed a statutory Code of Practice to complement a non-statutory Code of Ethics. Together, they will support everyone in policing to provide ethical and professional policing services. The Code of Ethics includes ethical policing principles to support decision making, as well as guidance on ethical and professional behaviour.
- 1.3 By 'everyone in policing', we mean:
- police officers
 - police staff
 - police community support officers (PCSOs)
 - those with designated powers
 - members of the Special Constabulary
 - police support volunteers and cadets
 - police officers and staff on secondment or overseas deployment
 - designated contract managers, contractors and staff employed by suppliers providing services on behalf of forces
- 1.4 For ease, the term 'staff' will be used throughout this document to refer to the roles outlined above.

2 Purpose of the Code of Practice

- 2.1 The purpose of this Code of Practice is to set out the actions that chief officers should carry out to ensure that they lead an ethical culture, where staff are supported and directed to use the ethical policing principles in decision making and to demonstrate professional behaviour. It also describes what needs to be done to proactively and positively identify – and respond to – misconduct and corruption when it occurs.
- 2.2 The Code of Practice provides information and guidance that will support its effective implementation.

3 Statutory basis of the Code

- 3.1 The College of Policing has issued the Code of Practice on Ethical Policing under **section 39A of the Police Act 1996**.
- 3.2 The Code of Practice 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). The Code of Practice relates specifically to chief officers in the discharge of their functions. In discharging any function to which this Code of Practice relates, chief officers must have regard to this Code of Practice pursuant to section 39A(7). This Code of Practice does not alter the existing legal powers or responsibilities of any police and crime commissioner (PCC) or equivalent, chief officer of police, or other person.
- 3.3 It does not alter the statutory basis or provisions of the **Police Reform Act 2002** and associated regulations, including – but not limited to:
- **Police (Conduct) Regulations 2020**
 - **Police (Complaints and Misconduct) Regulations 2020**
 - **The Policing Protocol Order 2011 (section 23)**
- 3.4 This Code of Practice comes into effect on 6 December 2023.

4 Organisational and chief officer requirements

4.1 The following section sets out specific expectations for how chief officers should lead and organise their forces to support the positive reinforcement and development of ethical and professional behaviour and policing practice.

Ensuring ethical and professional behaviour

4.2 Chief officers should lead and take action to ensure ethical and professional behaviour within their force, which will include the following.

- Role modelling and championing ethical and professional behaviour.
- Demonstrating and implementing the ethical policing principles, and ensuring – through training and continuing professional development (CPD) – that staff are able to apply these principles.
- Ensuring that staff are aware of the main threats to professional behaviour and that they understand the relevant policies and expected behaviours.
- Promoting ethical, professional and respectful behaviour through force processes, policies, and reward and recognition systems that promote positive behaviours and actions.
- Ensuring that performance monitoring processes support public service provision and do not unintentionally incentivise inappropriate behaviour.
- Promoting respectful behaviour by ensuring that staff are listened to and are treated fairly and openly with courtesy, politeness, consideration and empathy, in line with the principles of:
 - procedural justice – listening to the public’s view, making impartial decisions based on the facts, being trustworthy and showing respect – which increases the likelihood that the public will see the police as legitimate

- organisational justice – such as staff trusting supervisors and senior leaders to make fair decisions and treat people with respect, and distributing resources and rewards fairly across the organisation – which can encourage greater commitment to an organisation and its values
- Ensuring that staff understand the requirement to be courteous, polite and considerate, to demonstrate empathy and respect, and to behave in line with the principles of procedural justice.
- Ensuring that staff understand the requirements of, and are supported to implement, the **Victims' Code**. This includes considerations of their welfare needs and referral to support services.
- Ensuring that staff have the capability and capacity to recognise and respond to vulnerability. The College uses the following definition of vulnerability: 'a person is vulnerable if, as a result of their situation or circumstances, they are unable to take care of or protect themselves or others from harm or exploitation'.
- Ensuring that staff understand the need to build public trust and confidence, and are supported to do so – for example, by engaging with local people to explore their viewpoints and priorities, and by developing working relationships.
- Ensuring that staff understand the importance of engaging the public in developing policing priorities, policies and decisions, and in putting them into effect.
- Ensuring that their force is able to understand the expectations, changing needs and concerns of different communities, and to do what is necessary to treat them in an impartial and proportionate manner, including through listening to the voices of victims.
- Ensuring that their organisation meets its public sector equality duties.
- Taking a proactive approach to eliminate discrimination, advance equality of opportunity and foster good relations, providing a culture that ensures acceptance and understanding.
- Ensuring that staff recognise that different individuals or groups may have different needs.

Challenging unprofessional behaviour

4.3 Chief officers should take action to ensure that unprofessional behaviour is challenged within their force, which will include the following.

- Developing a culture where staff feel empowered and encouraged to challenge or report behaviour, performance or service provision that falls below expectations.
- Personally challenging or addressing behaviour, performance or service provision that is discriminatory or that undermines equality of opportunity and the fostering of good relations.
- Through messaging, guidance and training, providing absolute clarity that all forms of bullying, harassment and discrimination are completely unacceptable.
- Ensuring support for staff to proactively and robustly challenge or report such behaviour, to create a culture of zero tolerance.
- Ensuring that whistleblowers feel able to report concerns and are listened to, given appropriate protections (see the **Employment Rights Act 1996**). Ensuring that staff are aware of the various internal and external routes for whistleblowers, including the Independent Office for Police Conduct (IOPC) reporting hotline.
- Ensuring that staff are aware of, and understand, the most relevant policy and guidance on professional behaviour related to their role. This may be subject to change and includes, but is not limited to:
 - **Home Office guidance, Conduct, efficiency and effectiveness: Statutory guidance on professional standards, performance and integrity in policing**
 - **Police (Conduct) Regulations 2020**
 - **Police Staff Council England and Wales handbook**
- Ensuring that staff are aware of, and understand, the processes and procedures for handling matters linked to complaints, internal allegations and other matters relating to conduct.

Staff welfare

4.4 Chief officers should take action to ensure that staff welfare is understood and managed within their force, which will include the following.

- Ensuring that the force has mechanisms in place to monitor welfare and to ensure that threats to welfare are recognised and addressed.
- Ensuring that staff who report misconduct, as well as those who are under investigation for misconduct, have access to appropriate welfare support.
- Ensuring that there is a policy on how staff who disclose substance misuse will be supported.
- Ensuring that force health and wellbeing programmes implement national strategies and best practice to improve staff welfare.

Ensuring openness and candour

4.5 Chief officers have a duty to ensure openness and candour within their force, which will include the following.

- Implementing the Charter for Families Bereaved through Public Tragedy (see [Hillsborough stadium disaster: lessons that must be learnt](#)).
- Ensuring that the organisation and all colleagues within the organisation approach public scrutiny (including public inquiries and inquests) with candour, in an open, honest and transparent way, making full disclosure of relevant documents, material and facts in order to assist the search for the truth.
- Ensuring that the organisation seeks learning from the findings of external scrutiny and from past mistakes.
- Always supporting and encouraging colleagues to be open and candid, and to raise concerns appropriately.
- Ensuring that institutional barriers to candour, such as policies, practices and culture, are recognised and addressed.

- Encouraging behaviour that puts public interest ahead of personal and organisational concerns, where conflicts of interest occur.
- Promoting proactive, open communication with the public when a policing service to which they are entitled falls below the level of reasonable expectations:
 - explaining the short- and long-term effects of what has happened
 - without undue delay, offering an apology expressing regret and appropriate remedy to put the matter right
 - explaining to those affected their entitlement to access the police complaints system, recognising that whether or not an apology and remedy has been provided, complaints need to be managed in line with the [**IOPC statutory guidance on the police complaints system**](#)

Continuing professional development

4.6 Chief officers should take action to ensure CPD within their force, which will include the following.

- Providing staff with learning and development to enable them to perform their roles professionally and ethically.
- Access to:
 - the development of ethical decision-making skills
 - the routine use of reflection for individual and organisational learning
 - supportive and inclusive supervisory and leadership practice
- Promoting a culture where recognition of success and areas for improvement are seen as learning opportunities.
- Encouraging a culture where staff feel empowered and encouraged to expect feedback or challenge when their behaviour, performance or service provision could be improved.

Recognising and responding to misconduct

4.7 Chief officers should take action to respond to misconduct within their force, which will include the following.

- Ensuring that the force is monitoring information that gives an indication of the threats to trust, confidence and legitimacy posed by corruption and misconduct, including through analysing data on:
 - professional standards information, such as business interests, gifts and hospitality, and notifiable associations
 - relevant force audit information
 - police complaints made under Schedule 3 of the [Police Reform Act 2002](#) and informal resolution through service recovery
 - a reflective practice review process (as determined by the Police Conduct Regulations) and reflective practice to ensure learning
 - misconduct investigations and outcomes, including demographic data of those affected
 - internal complaints and comparative data from the IOPC, including – but not limited to – demographic data
 - misconduct intelligence
 - people intelligence including, staff surveys and grievances
 - His Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) and IOPC data, learning and recommendations
 - information and learning from other forces, agencies and organisations
 - information in the public domain, such as press media
- Developing and conducting an annual assessment of threats to public confidence and legitimacy, including those posed by corruption and misconduct, whether raised by staff or by members of the public.
- Ensuring that their force has access to sufficient resources with the necessary skills and assets in counter-corruption and professional standards to counter and proactively respond to the threats identified in an assessment.

- Ensuring that their force has access to sufficient resources to comply with the **Home Office guidance, Conduct, efficiency and effectiveness: Statutory guidance on professional standards, performance and integrity in policing**, and to enable compliance with the **IOPC statutory guidance on the police complaints system**.
- Working effectively with their PCC or equivalent to agree local complaints and misconduct arrangements, including appropriate scrutiny mechanisms, in order to maintain public confidence.
- Working effectively with the IOPC in compliance with **Police Reform Act 2002** and the **IOPC statutory guidance on the police complaints system**.
- Complying with their responsibilities under Codes of Practice and authorised professional practice (APP), including the **Vetting Code of Practice**, the **Vetting APP** and the **Counter corruption APP**.
- Ensuring that the provisions of legislation relating to complaints and misconduct are effectively implemented in force, including the focus on addressing matters through reflection and learning where appropriate.
- Ensuring that the force treats all reports of misconduct appropriately and proportionately, whether from internal complainants or from members of the public.
- Ensuring that the force treats complainants appropriately, in the spirit of the **Victims' Code**, considering the welfare of members of the public and victims who report misconduct.
- Ensuring that staff who report misconduct, as well as those who are under investigation for misconduct, have access to appropriate welfare support.
- Ensuring that national strategies are implemented that focus on improving and maintaining public trust and confidence.

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