

## Procedural Guidance

## Promoting Integrity

Security Marking:

Not Protectively Marked

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### 1. Introduction

- 1.1 Avon and Somerset Constabulary staff are expected to give the highest possible standard of service to the public, where it is part of their duties, to provide appropriate advice to other agencies and colleagues with impartiality. Members of staff will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service. The [Professional Standards Reporting](#) policy explains the way in which individuals within Avon and Somerset Constabulary may report breaches in professional standards.
- 1.2 Avon and Somerset Constabulary staff includes police officers, police staff and members of the Special Constabulary.

### 2. Disclosure of Information

- 2.1 Intelligence and information is the foundation of a majority of police duties and must be protected at all times from unauthorised disclosure, either wilfully or inadvertently. Concerns regarding staff disclosing information inappropriately or outside bodies seeking such information must be immediately reported directly to the force's Professional Standards Unit.
- 2.2 Where relevant, staff should be aware of and implement relevant statute and common law which provides for either confidentiality or rights of access to information for members of the Police Authority, auditors, government departments, service users and the public.
- 2.3 Any express or implied responsibility to keep information confidential must be respected by staff and there should be awareness that such a responsibility might arise from the nature of the information itself – for example commercial or operational sensitivity. Information that relates to the role performed and gained legitimately, but in confidence, will generally be appropriate to share with the line manager. Only in specific and exceptional circumstances will this not be appropriate. Personal requests for confidentiality or confidentiality related to established police procedures remain confidential at all stages and should not be broken without the staff members specific approval. However, there may be instances where a member of staff receives information in his or her capacity as a representative of a staff association where the above may not apply.

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- 2.4 Staff should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way. Any particular information received by a member of staff or a fellow member of staff, which is personal to that person and does not belong to the constabulary, should not be divulged by the member of staff without prior approval of that person.

### 3. The Local Community and Service Users

- 3.1 Staff should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policies of the constabulary.

### 4. Contractors

- 4.1 The appropriate manager should know all relationships of a business or private nature with external contractors, potential contractors, businesses or consultants. Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour should be shown to businesses run by, for example friends, partners or relatives in the tendering process. No part of the local community should be discriminated against to the detriment of others where this cannot be objectively justified.
- 4.2 Staff are to declare to the appropriate manager any prior or current relationship with a contractor or consultant whether in a business or private capacity. This will not normally preclude the constabulary trading with the company concerned. Staff who are in this situation will be excluded directly from any negotiation that determines the use and cost of the service provided.
- 4.3 Sometimes, former employees may be potential suppliers – indeed their knowledge of our operations may make them particularly suitable. It is important that they do not receive or expect to receive special consideration. If their 'inside knowledge', for instance of our cost structures, appears to give them an unfair competitive advantage, steps should be taken to ensure fair competition among all suppliers.
- 4.4 Employees should avoid as far as possible dealing with our suppliers in their private affairs, particularly if this is likely to put them under some obligation to the supplier. When such arrangements are unavoidable, it is essential that they ensure that they are not offered any sort of deal which is not commonly available, and which could be construed as a reward for actions taken in the course of their employment if challenged at a later date.
- 4.5 Further details can be found in the constabulary's 'Code of Conduct for Purchasing'.

## 5. Politically Restricted Posts

- 5.1 Certain support staff posts are designed as 'politically restricted' and staff holding such posts are therefore restricted from a range of activities, briefly:
- Candidature for public elected office (other than to a parish or community council)
  - Holding office in a political party
  - Canvassing at elections
  - Speaking or writing publicly (other than in an official capacity) on matters of political controversy.
- 5.2 Further information regarding political restriction can be obtained from the Personnel Unit. Political restriction will be included in both the job description and the contract of employment for those posts affected.

## 6. Appointment and other Employment Matters

- 6.1 Staff involved in the recruitment and selection of staff should ensure that appointments are made on the basis of merit in accordance with the constabulary's Equal Opportunities and Recruitment and Selection Policies and the law. Appointments should accordingly be based on solely the ability of the candidate to undertake the duties of the post. In order to avoid any possible bias, staff should not be involved in an appointment where they are related to, or have a personal relationship outside work with an applicant.
- 6.2 Similarly, staff should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee with whom the member of staff has a relationship, such as a partner, relative or friend.

## 7. Outside Commitments

- 7.1 Staff must not take outside employment which conflicts with the constabulary's interests or in any way weaken public confidence in the conduct of the constabulary's business or of its staff.
- 7.2 Police staff who have the opportunity of outside employment should seek advice from the Personnel Unit regarding any potential conflict and the organisation will strive to ensure consistency in the application of such advice.
- 7.3 Police Regulations 2003 are specific regarding restrictions on the private lives and business interests of police officers. Further information can be found in Regulations 6,7,8 and 9 and the Business Interests policy.

**8. Personal Interest**

- 8.1 Staff must declare to an appropriate manager any financial and/or non-financial interests that they consider could conflict with the constabulary's interests. The constabulary will record in writing its decision on each declaration and place it on the member of staff's personal file.

**9. Equality Issues**

- 9.1 All staff should ensure that the constabulary's Fairness at Work policy is complied with in addition to the requirement of the law. All members of the local community, customers and other staff have a right to be treated with fairness, equality and respect.
- 9.2 To treat everyone the same, can in itself, create inequality. Staff should recognise and respect the differences that exist between people and particular groups of people. Particular consideration and respect should be given to the issues of race, gender, sexual orientation, disability and religion. (Full details can be found in paragraph 2 of the Equal Opportunities Policy Statement).

**10. Separation of roles during tendering**

- 10.1 Staff involved in purchasing goods and services must exercise openness, fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.
- 10.2 Staff who are privy to confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.
- 10.3 Staff should ensure that no special favour is shown to current or former staff or their partners, close relatives or associates in awarding contracts to businesses run by them, or employing them in a senior or relevant managerial capacity. Neither should they be employed except by the proper application of the forces' approved policy and procedures.
- 10.4 Staff involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the constabulary. Senior members of staff who have both a client and contractor responsibility must be aware of the need for accountability and openness.
- 10.5 Further details can be found in the Constabulary's 'Code of Conduct for Purchasing'.

**11. Corruption**

- 11.1 It is a serious criminal offence for staff corruptly to receive or give any gift, loan, fee, reward or advantage for doing, anything or showing favour, or disfavour, to any person in their official capacity.

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**12. Use of Financial Resources**

- 12.1 Staff must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure best value for the local community, avoid legal challenge to the constabulary and be able to account properly for monies spent.

**13. Hospitality**

- 13.1 On occasions, it is necessary both to give and receive hospitality. However any hospitality offered or accepted must be modest and proportional to the occasion.
- 13.2 Employees should exercise their own good judgement when considering the acceptance of hospitality taking into account the role and nature of the hospitality offered and the timing of the event. In doing so they must bear in mind the policy guidelines and the spirit of them and the need in case of scrutiny or challenge to be able to demonstrate that their actions have been above and beyond reproach. For example modest refreshments appropriate to the nature of a meeting will be acceptable where an expensive restaurant meal could be interpreted as attempting to influence a purchasing decision will not.
- 13.3 Offers of free accommodation, holidays, weekend breaks, free invitations to major sporting occasions and civic entertainment etc will not normally be approved. It is not acceptable for members of staff to receive 'perks'.
- 13.4 It is often advisable when being offered hospitality to ask the questions:
- Is it an integral and logical part of the business relationship or process?
  - What inference could an outside observer draw from the activity?
  - Why is hospitality being offered – is it for unfair gain?
  - What does the donor expect in return?
  - Can its acceptance be justified to the public?
- 13.5 The practice of accepting 'perks' on or off duty such as free or heavily discounted take-away food or free entry into night clubs will not be permitted.
- 13.6 Staff can only accept offers of hospitality if there is a genuine need to impart information or represent the Constabulary in the community. Offers to attend purely social or sporting functions may only be accepted when these are part of the life of the community or where the Constabulary recognises that it should be represented. They should be properly authorised and recorded by an appropriate manager.
- 13.7 Invitations extended to a spouse or other guest will be declined except in exceptional circumstances which should be approved by the line manager. Invitations to formal civic occasions where the spouse or other guest is included may be accepted where it forms an integral part of the role being carried out. Care will need to be taken where invitations form part of the democratic process to ensure that no party political bias is displayed or inferred.

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- 13.8 When hospitality is declined, those making the offer should be courteously but firmly informed of the procedures and standards operating within the Constabulary.
- 13.9 When receiving hospitality staff should be particularly sensitive as to its timing in relation to decisions which the constabulary may be taking affecting those providing the hospitality.
- 13.10 Acceptance by staff of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal, where the Constabulary gives consent in advance and where the Constabulary is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment, etc are required, staff should ensure that Constabulary meets the costs of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

#### **14. Gifts**

- 14.1 Staff should not accept personal gifts from contractors and outside suppliers, although insignificant items of token value such as pens, diaries, etc marked with the donor's name may be accepted. Gifts of worth in excess of the items of token value offered as examples above should be reported and returned to the supplier with a courteous and firm explanation of the procedures and standards operating within the Constabulary. Suppliers who persist in making such offers should be made aware that the Constabulary will cease to deal with them.
- 14.2 In the event of a member of staff receiving a gift without warning, the circumstances should be reported to the head of department or district commander who will be responsible for deciding whether the gift should be returned or forwarded to some charitable cause.

#### **15. Register of Gifts/Hospitality**

- 15.1 Each department will keep and maintain a register of gifts and hospitality, both refused and received.
- 15.2 Managers will review the record regularly (at least annually) to ensure the system works and to ensure the integrity of the process. The register will be available for inspection by a member of the Chief Officers Group (COG) at all times. The register for COG will be inspected by the Chief Constable, and the register for the Chief Constable will be inspected by the Police Authority.

#### **16. Organised Discounts**

- 16.1 All group discounts made available to members of the Constabulary will be properly negotiated through a recognised body (such as the Police Federation or any Trade Unions). Discounts must be offered to a wide range of other organisations and not just to police officers. Where discounts are locally negotiated by recognised bodies, proposals will be submitted to the Deputy Chief Constable for approval.

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16.2 Following approval by the Deputy Chief Constable, all such group discounts must be recorded in an auditable central register ensuring there is no confusion as to why the arrangements are acceptable and how they were negotiated.

## 17. Sponsorship - Giving and Receiving

17.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a Constabulary activity, whether by invitation, tender, negotiation or voluntarily, the basis conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

17.2 Where the constabulary wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship. In the event the relative is distant the circumstances should be reported to the Head of Department or District Commander who will decide whether the sponsorship is appropriate.

17.3 For further information see 'Sponsorship', Financial Services Leaflet Number 04-10c.

## 18. Breach of 'Promoting Integrity'

18.1 Where there is an allegation of breach of 'Promoting Integrity', the matter will be investigated in accordance with the disciplinary procedures for Police and Support Staff. Confirmed breaches of this code will be regarded very seriously.

## 19. Action in Support of this policy and procedural guidance

19.1 All staff to be advised of the policy, procedural guidance and its contents.

19.2 Training and induction courses for new recruits/support staff to highlight the policy, procedural guidance and its expected standards.

19.3 Periodic reminders to the Force at large of the policy, procedural guidance and its requirements.

19.4 Report on allegations received and outcomes, with appropriate regard to anonymity, on an annual basis.

19.5 Managers with departments to ensure that the policy and procedural guidance is understood by all staff.

## 20. How to Complain

20.1 Complaints regarding this policy can be made via:-

- Direction and Control complaints
- Fairness at Work procedure

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Unique Reference Number: 52QP-1026-11

**21. Tactics**

21.1 There are no tactical issues relating to this procedural guidance document.

<b>Procedural Guidance Information</b>	
Procedural Guidance Owner:	Professional Standards Department
Reviewed for Human Rights Compliance:	Okechukwu Adieze on 17-05-01
Effective Commencement Date:	17-12-01
Last Review Completed:	July 2010
Next Review Due:	July 2011

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