

## Ethics and Integrity Committee

9<sup>th</sup> June 2015

2:00pm

**Office of the Police and Crime Commissioner**

**Hoffmanns Way, Chelmsford.**

Present:

Nick Alston (NA)	Police and Crime Commissioner (PCC)
Lindsay Whitehouse (LW)	Deputy Police and Crime Commissioner (DPCC)
Susannah Hancock (SH)	Chief Executive - PCC
Jan Kimkłowski	PCC Communications Manager
Jane Bridgman	Secretary to PCC Chief Executive
Stephen Kavanagh (SK)	Chief Constable
Cat Barrie (CB)	Head of PSD, EP
Ian Drysdale (ID)	Director of HR, EP
Gemma Smith (GS)	Manager, Vetting Unit, Essex Police
Mark Gilmartin (MG)	Director Shared Services Essex and Kent
Gary Sweeney (GSw)	Independent Strategic Adviser to PCC
Philip Tolhurst (PT)	Independent Strategic Adviser to PCC
Prof Betsy Stanko (BS)	Independent Strategic Adviser to PCC

Apologies

Derek Benson	DCC, Essex Police
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### **1. Welcome, Introductions and Apologies**

NA welcomed all present to the meeting and discussed the purpose of this meeting

### **2. Note of meeting held on 24th February 2015**

Minutes from the last meeting required some minor amendments. Previous actions are either completed or work underway.

### **3. Focus of Session**

**The two themes for discussion were Vetting and Secondary Employment/Business Interests**

Backgrounds papers from Essex Police were distributed prior to the meeting to assist with discussions

Members were invited to share insights and ask questions in relation to the two themes:

## Vetting

### **Key points raised and discussed:**

- **NA asked how do we make sure that the right people are in the police force?** Essex Police do have stringent and robust processes in place for vetting of potential new EP staff and officers. Current staff/officers are also reviewed after 10 years of service. In both, cases are dealt with on a case by case basis and some individuals are monitored 6 monthly if there are concerns showing on their application or at a later stage with regards to any vulnerability (ie: debt issues/PTSD)- currently there is no requirement to disclose medical information on the vetting application, although this is addressed through the OH medical information form. It is accepted that in most cases, most individuals will have some level of level of debt (i.e. mortgage etc). It is the level of debt and how it's managed that is important.
- **GSw asked if there was a retrospective process in place to check that applications had been correctly processed if an issue came to light.** There is an obligation on Essex Police staff and officers to inform vetting of any changes prior to any expiry of vetting. Whilst the process is not completely fool proof, nevertheless it is as robust as can be and is reliant on honesty and integrity of its potential new and current recruits.
- SK commented that there may not be enough resources to check for early warning signs, for instance if a staff member or officer does something which leads to being disciplined, then it's about learning from that as part of the review and using the learning to inform improvements.
- Vetting applications are processed within legislation and guidance and the vetting department will link in very closely with Occupational Health and PSD re any welfare issues. There is also a force support forum to identify those who are deemed as vulnerable, it is also for the Line Manager to be aware of any welfare issues and to action appropriately
- **How do Essex Police balance risk against criminal record?** Each case is dealt with on its own merits, with a robust risk assessment in place to deal with this. There has to be a balance on decision. Decision should be applied against criteria given, with individual judgement being made.
- PT asked how those with debts were being managed, ie; difference between a bank loan and use of 'Wonga' (or equivalent lending firms)? Vetting only focusses on missed payments, using Experian as the tool to check on credit history. If there are missed payments then this would be flagged as a concern.
- The issue of staff/officer welfare was discussed at it was felt that a section on staff welfare could be added into the current PDR (appraisal) forms as this is not currently on these.
- If a vetting application outcome is 'fail', there is an option to appeal. Currently this is a paper review conducted by an ACPO Officer.

- The recent launch of the Volunteer Police Cadet programme has proved to be very successful, but it is recognised that some of these individuals may have come from more vulnerable backgrounds or had some previous form of criminality, however providing that they are monitored and supported carefully, they should be allowed to be involved in the programme and indeed could end up becoming first rate police officers. This is a good example of taking each decision on “its own merit” basis.
- SH said that the learning from this could also be applied to other volunteer groups.
- GS said that the National Police Youth Council are looking to change policy around young persons vetting and EP are challenging them to influence national change. A code of practice has been re-written to look at bringing the vetting level down for young people, this is due to go live later in the year.

An exercise was carried out in the meeting whereby CB and team provided three anonymous case studies to the members, to discuss and determine whether the members thought, based on the information provided, that they had passed or failed their vetting. This brought on some discussion around honesty, integrity and exceptional circumstances whereby a vetting decision could be passed or failed.

## **Secondary employment and business interests**

### **Key points raised and discussed:**

*Currently there are 420 officers and 185 police staff who have disclosed a business interest, which is broadly in line with the national average. Members of the public might be surprised to learn that some police officers and staff had second business interests.*

- ID advised that each application received is judged on its own merit.
- The process is well monitored and tightly controlled and there is a strong policy in place. It is expected that there will be more applications, as the current starting officer salary of £21k within Home Counties may not be enough to support an officer with home/family commitments.
- Secondary employment/business interests range from officers who may also work as driving instructors outside of work hours, to sports coaches to property landlords. There are certain employment types which are prohibited, ie nightclub security / bouncer. Some EP employees will just have extra interests, such as working for a local charity, which don't necessarily need to be disclosed. Line Managers should be vigilant with regards to the activities of their staff/officers.
- Police Officers must not declare that they are officers when undertaking their other function, nor wear their uniform.
- Those who have declared business interests will sign an agreement and will have to be careful that they do not exceed their hours in a working week (working time directive) and that their business interests do not start to conflict with regards to their duties as a staff member/police officer. Strict processes in place for those who breach (disciplinary/misconduct) and again Line Managers should be vigilant.
- There has only been one breach which has led to a misconduct hearing, another officer was disciplined for wearing their uniform whilst conducting their other role.

- LW brought up the concern that those who may be injured whilst on their other job (ie sports coach) which impacts on their police job. He asked whether this should not then be paid sick leave by police and rather should be covered by personal insurance. ID said he would certainly look into the matter but he informed the membership that currently the Federation fully supports payment for all sickness, and legally this is also the case - although in cases such as the one mentioned by LW and perhaps this should be challenged.
- There will likely be further issues due to the new changing shift patterns which will commence shortly. An officer will always be expected to attend on duty when recalled, even if in middle of undertaking their other business, officers agree this when signing the agreement.
- E & I members were interested to know how it compares with other areas within public sector (Teaching/Social Workers). ID said he would explore this further.
- It is recognised that this is a grey area, but so far, there have been no real significant concerns around the ability to undertake their secondary employment/business interest without significantly impacting on the Essex Police Officer/Staff role.

There was an acceptance from the E & I members that Essex Police Officers/Staff do have a right to a private life and that the reason some will have secondary employment/business interests is to help improve their income to enable them to afford to pay mortgage/support family etc.

#### **Actions for review and consideration**

- CB to review whether a welfare section could be added to existing PDR form to assist with dealing with welfare issues.
- ID to determine whether paper appeals process could allow the appellant to be present to allow for a fairer decision on outcome
- ID to address the issue of sick leave whilst being off sick due to an injury being undertaken whilst in other employment.
- ID to undertake some research to establish how other public sector areas compare re employees undertaking secondary employment/other business interests.

#### **4. Items for discussion for next meeting in November**

To be confirmed.

#### **5. Any other business**

Following on from the previous discussion re Mental Health at the last meeting, the OPCC has since received government money and this has enabled the OPCC to fund the MH Street Triage programme which has proved very successful.

The meeting closed at 4.00pm. Next meeting: 10 November 2015 @ 9am