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Event History

Policy owned by People Services**Ethical Interview****1. Policy Purpose and key drivers**

This Policy aims to introduce clear directives and procedures to address unresolved issues or concerns against individual members of the Force when all other investigative methods have been utilised or rejected as being inappropriate .

The policy applies to all members of the Force : Police Officers (including Special Constables and any other volunteers) and Police Staff, including staff employed under the Police Reform Act.

The purpose of this policy and its related procedure is to provide instruction and guidance in the conduct of ethical interviews , for issues or concerns where all other investigative methods have been utilised and there is no evidence to substantiate formal proceedings.

It is intended as a fair and equitable method of dealing with unresolved integrity issues. It gives the subject an opportunity to offer an explanation ; it can be informative and sometimes educational for the subject to receive feedback about the allegation or their alleged conduct and it can be used as a measure to prevent any future reoccurrence. In the light of the subject's explanation, it can be a means of exonerating them from an allegation or suggestion of misconduct .

The policy is consistent with the 1999 HMIC Integrity Report, which put forward the view that in order to enhance public and staff confidence , a policy of this type would promote intolerance of unprofessional and unethical conduct . The Report highlighted that with the pursuance of an 'open and honest' approach to policing, genuine mistakes by staff may sometimes be expected . The ethical interview may be utilised to address such minor instances when it would be unsuitable to invoke any criminal or misconduct procedures.

The objectives of an ethical interview are to :

- seek a truthful account of an issue or concern through informal and confidential means;
- seek an appropriate resolution according to the needs of the individual and the organisation;
- make a positive approach towards finalising unresolved integrity investigations within the Anti Corruption Unit and as a last resort , the ethical interview will be used where it has been impossible to prove or disprove a minor allegation but where there is some form of corroboration to support its reliability ;
- openly provide the subject of an unresolved investigation the opportunity to offer an explanation or to make comment.

The policy encompasses the following roles :

- Deputy Chief Constable:

In appropriate cases, appoints a Senior Investigating Officer (SIO) and carries out regular reviews of ongoing investigations .

- Anti Corruption Unit Senior Investigating Officer (SIO):
A senior officer appointed by the Deputy Chief Constable to investigate criminal and/or misconduct matters and will be responsible for authorising all ethical interviews.
- LPT Commander / Departmental Head
They will seek to resolve the issue or concern and assist the subject to produce a personal development plan if necessary . They will be present on the ethical interview or may nominate their deputy or an appropriate supervisor to attend on their behalf.
- A nominated supervisor:
They will be made aware of the interview and will be responsible for monitoring the subject to ensure support with health , safety and welfare. The nominated supervisor will be from the Divisional / Departmental Senior Command Team.
- Anti Corruption Unit (ACU):
Will be responsible for the conducting of ethical interviews and the secure retention of records in relation to individuals who are the subject of this policy and its related procedure.

Data Protection Act

Nothing in this policy or its procedure is intended to remove or diminish the rights of an individual, subject to certain exemptions that are contained in the Act , to be provided with a copy of their personal information under the Subject Access Provisions of the Data Protection Act 1998. Neither is it intended to negate the responsibility of a data controller or data processor to act in compliance with the Act and its Data Protection Principles.

Related Documents

Links to related documents:	Ethical Interview (Procedure)
Gatekeeper - the Author suggested the following Procedure document(s) to link to.	Service Confidence

Relevant Dates and Review Period

Effective Date:	06/10/2017
Review Date:	09/10/2018
Review Frequency:	Annually

Policy Basis and Implications

2. Legal Basis:	Police (Conduct) Regulations 2012, Standards of Professional Behaviour for Police Officers. Section 6(1) Police Act 1996.
3. Management of Police Information (MoPI):	<p>MoPI Policing Purpose: Protecting Life and Property, Preventing the commission of offences, Any duty or responsibility arising from common or statute law</p> <p>MoPI Review, Retention and Disposal addressed as follows: RRD</p>

- 4. Associated Benefits:** The associated benefits of the Policy and its procedure are commensurate with its purpose as set out below. Its continued relevance and effectiveness will be the subject of ongoing monitoring in the light of operational experience by the Head of the Force Anti-Corruption Unit.
 'The purpose of the Policy and its related procedure is to provide instruction and guidance in the conduct of ethical interviews for issues or concerns where all other investigative methods have been utilised and there is no evidence to substantiate formal proceedings. It is intended as a fair and equitable method of dealing with unresolved integrity issues. The objectives of an ethical interview are to:
 - seek a truthful account of an issue or concern through informal and confidential means;
 - seek an appropriate resolution according to the needs of the individual and the organisation;
 - make a positive approach towards finalising unresolved integrity investigations within the Anti Corruption Unit and as a last resort the ethical interview will be used where it has been impossible to prove or disprove a minor allegation but where there is some form of corroboration to support its reliability;
 - openly provide the subject of an unresolved investigation the opportunity to offer an explanation or to make comment.'
- 5. Consultation:** When this policy was originally produced consultation took place with the following:
 Force Executive
 Divisional/Departmental Commanders
 Professional Standards
 Corporate Services
 HQ Human Resources
 Force Vetting Officer
 Force Solicitor
 Diversity Department
 Police Federation
 Unison
 Staffordshire Association of Women in Policing
 Lesbian, Gay, Bi-sexual and Transgender Group
 Force Multi-Cultural Association
 Force Christian Police Association
 Disability Support Group.
- 6. Financial Implications:** There are no financial implications associated with this Policy or its procedure.
- 7. Human Resources / Training:** There are no Human Resources or training implications associated with this Policy or its procedure.
- 8. Associated Policy:** This is a 'stand alone' policy and procedure. Although it is not necessary to read it in conjunction with any other policy, it does have a relationship to the Service Confidence Procedure.

FOI, Human Rights and Equality Impact Assessment Indicators

FOIA:	Release to Public		
ECHR:	Compliant with proportionality test	Articles engaged:	Article 5 Right to Liberty and Security; Article 6 Fair Trial; Article 8 Right to respect for Private and Family life; Article 9 Freedom of Thought, Conscience and Religion
EIA:	Compliant	Compliant with Code of Ethics:	Yes

Indexing

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Categories:

Professional
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