



College of Policing

Public consultation

Draft Code of Ethics

**Principles and Standards of Professional
Behaviour for the Police Forces
of England and Wales**

Consultation period:

24 October – 29 November 2013

Send responses to:

integrity.team@college.pnn.police.uk

For information on this consultation see:

www.college.police.uk/en/20972.htm

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Consultation: your feedback

This Code of Ethics is being developed by the College of Policing and feedback is now being sought from the public, police forces, partners and other interested parties.

Feedback process

The closing date for feedback on the Code is **Friday 29 November 2013**.

Feedback can be emailed to:

integrity.team@college.pnn.police.uk

Alternatively, feedback can be sent to:

Integrity Programme, College of Policing

10th Floor Riverside House

2A Southwark Bridge Road

London, SE1 9HA

When submitting feedback, please include paragraph reference numbers where appropriate as this will assist the review process.

Next steps

All feedback will be anonymised, assessed and used to develop a final draft of the Code. This draft will be submitted for endorsement by the College of Policing's Professional Committee and Board of Directors.

Once endorsed, the Code will be made publically available.

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Section 1

Overview

This Code of Ethics is being developed by the College of Policing on behalf of the police forces of England and Wales. It is the highest-level declaration of the principles and standards of behaviour expected.

Introduction

1

The work of the police is crucial to maintaining a just and fair society. It also requires the public's cooperation to succeed. The people of England and Wales expect the police to safeguard the rule of law, act fairly and impartially and provide a professional and selfless service.

2

While most people who work in policing are honourable, dedicated and hard-working, any poor behaviour damages the reputation and legitimacy of the police. The Code of Ethics provides a framework to set and maintain the highest possible standards from everyone in policing in England and Wales.

3

Everyone working in policing in England and Wales must respect and obey the law at all times and carry out their duties in accordance with the principles and standards of behaviour set out in this Code.

4

Behaviour that falls below the principles and standards set out in this Code will be dealt with in a prompt, proportionate and impartial way.

5

In the complex environment that is policing, it is impossible to tell people what to do in every given situation. Ethical decision making is at the heart of police professionalism. The Code will guide decision making and help the police operate ethically.

Standards of Professional Behaviour

- Honesty and integrity
- Authority, respect and courtesy
- Equality and diversity
- Use of force
- Orders and instructions
- Work and responsibilities
- Confidentiality
- Fitness for work
- Conduct
- Challenging and reporting improper conduct

Section 1: Overview

6

The Code draws together and builds on the principles and standards of behaviour police forces in England and Wales already follow. These reflect the wider context of European and international codes on police ethics and human rights, including the:

- [European Convention on Human Rights \(ECHR\)](#)
- [European Code of Police Ethics 2001](#)
- [Human Rights Act 1998 \(HRA\)](#).

Who the Code applies to

7

The Code of Ethics applies directly to the police forces maintained for the police areas of England and Wales defined in section 1 of the [Police Act 1996](#). It applies to everyone working for or with those forces, including anyone engaged on a permanent, temporary, casual, contracted or voluntary basis.

8

The Code has an important role to play in individual and organisational development, recruitment, vetting, promotion and other processes. It guides the strategic direction of policing as well as operational strategy, tactics and policy.

9

Other police forces or agencies in the UK may also wish to adopt the Code of Ethics.

Responsibilities

10

While the Code applies to all members of police forces in England and Wales, those in senior positions have greater expectations placed on them to provide example, direction and guidance.

Chief officers

11

Chief officers will:

- set a personal example of how the principles and standards apply
- promote, support and reinforce ethical behaviour
- create and maintain an environment that supports ethical behaviour and integrity
- maintain open communication and share information where appropriate
- provide a workplace free from harassment and unlawful discrimination
- be consistent in what they do and say
- recognise and acknowledge that many people find it hard to question or challenge chief officers' actions or decisions
- create and maintain an environment where they are open to challenge
- be alert to the undermining effects on individuals and organisations of corruption and injustice.

All leaders

12

All police personnel in leadership roles are critical role models and will:

- take personal responsibility for reflecting and reinforcing the principles and standards set out in this Code
- be transparent, open and show moral courage
- treat people with dignity and respect
- promote equality and diversity and set a positive example
- ensure the Code of Ethics is understood and adhered to.

Section 1: Overview

Supervisors

13

Supervisors should use the Code to support the individuals for whom they are responsible and guide them in performing their duties.

- The Code can and should be used when assessing both good and poor behaviour; for example, to identify instances where behaviour clearly reflects policing principles or has undoubtedly met the standards, and to identify instances where behaviour appears to be inconsistent with the principles or in violation of the standards.
 - Where behaviour appears to have fallen below expectations, supervisors should use their professional judgement to choose the most appropriate action – from informal advice and guidance, to remedial action or referral for formal investigation.
 - Supervisors should always provide feedback and guidance promptly and fairly.
 - If unsure of the best step to take, supervisors can seek advice from their peers, senior colleagues or the Professional Standards Department.
 - Supervisors are expected to challenge unsatisfactory performance or attendance.
- the rationale given by the person for their behaviour
 - effects of the activity or its consequences on:
 - internal or external relationships
 - the reputation of the police force
 - the ability of the person to fulfil their duties
 - the effect of the behaviour on:
 - the organisation's trust and confidence in the individual
 - the public's trust and confidence in the police.

Everyone

14

Everyone working for or with the police forces of England and Wales should use the Code to consider whether their behaviour, at or away from work, is likely to reflect well on themselves and on policing.

15

Considerations for determining whether behaviour does or does not reflect the Code of Ethics include:

- the nature and circumstances of the activity
- the position, duties and responsibility of the person

Section 2

Standards of Professional Behaviour

Introduction

16

These standards can be found in the [Police \(Conduct Regulations 2012](#) (for police officers) and the [Police Staff Council Joint Circular 54](#) (for police staff).

Honesty and integrity	I will be honest and act with integrity at all times, and will not compromise or abuse my position.
Authority, respect and courtesy	I will act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy. I will not abuse my powers or authority, and will respect the rights of all individuals.
Equality and diversity	I will act with fairness and impartiality, and will not discriminate unlawfully or unfairly.
Use of force	I will only use force as part of my role and responsibilities, and only to the extent that is necessary, proportionate and reasonable in all the circumstances.
Orders and instructions	I will only give and carry out lawful orders and instructions. I will follow all reasonable instructions and abide by force policies.
Work and responsibilities	I will be diligent in the exercise of my work and responsibilities.
Confidentiality	I will treat information with respect, and access or disclose it only in the proper course of my work.
Fitness for work	I will ensure when at work or on duty that I am fit to carry out my responsibilities.
Conduct	I will behave in a manner which does credit to my force and strengthens public confidence in policing. I will report any action taken against me for a criminal offence, any conditions imposed on me by a court, and the receipt of any penalty notice.
Challenging and reporting improper behaviour	I have a positive obligation to report, challenge or take action against the conduct of colleagues which I believe to have fallen below the Standards of Professional Behaviour set out in this Code.

1 Honesty and integrity

I will be honest and act with integrity at all times, and will not compromise or abuse my position.

1.1

According to this standard, you recognise that being honest and honourable and having a strong moral code are crucial to securing and maintaining public confidence in policing.

1.2

When you have integrity, you gain the trust of the public, your leaders, your colleagues and your team. You are dependable and a role model for others to follow.

1.3

Examples of meeting this standard are when you:

- behave according to the principles and standards in this Code at all times
- are open and transparent
- are sincere, truthful and compassionate
- show moral courage in doing what you believe to be right
- are resilient to the many uncertainties, pressures and ambiguities inherent in policing
- ensure your decisions are not influenced by self-interest or considerations of personal gain or other improper motives
- only use your position, police ID or warrant card for policing purposes, and not to gain an unauthorised advantage that could give the impression you are abusing your position
- do not knowingly make false, misleading or inaccurate oral or written statements

- do not knowingly make false, misleading or inaccurate entries in any record or document kept or made in connection with any police activity
- neither solicit nor accept the offer of any gift, gratuity or hospitality that could compromise your impartiality
- do not use your position to inappropriately coerce a citizen, settle personal grievances, or enforce your own ideas of morality.

Covert policing

1.4

In policing it is sometimes necessary to use covert tactics. Covert tactics must be appropriately authorised and any deployments must be shown to be proportionate, lawful, necessary and ethical.

2 Authority, respect and courtesy

**I will act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy.
I will not abuse my powers or authority, and will respect the rights of all individuals.**

2.1

Examples of meeting this standard are when you:

- promote a positive and ethical image of the police at all times, taking care not to damage either your own reputation or that of your force
- carry out your role and responsibilities in an efficient, diligent and professional manner and avoid any behaviour that might impair your effectiveness
- remain calm under pressure
- step forward and take control when required
- are assertive without showing disrespect
- recognise that some individuals who come into contact with the police – particularly victims, witnesses or suspects – are vulnerable and require additional support and assistance
- ensure your behaviour and language could not reasonably be perceived to be abusive, oppressive, harassing, bullying or victimising
- use your authority or the powers entrusted to you in ways that are proportionate, lawful, necessary and ethical
- ensure all relationships formed in the course of your duties are appropriate
- do not use your specialist knowledge of policing and the criminal justice system to the disadvantage of an uninformed or less well-informed member of the public.

2.2

While you may be legally empowered to do something (eg, stop and search or use force), you need to be aware that the reasons for your actions may not always be understood by others. You should be prepared to explain the reasons for your decisions as fully as possible.

3 Equality and diversity

I will act with fairness and impartiality, and will not discriminate unlawfully or unfairly.

3.1

Examples of meeting this standard are when you:

- understand and uphold the existing legal framework regarding human rights, as set down in the ECHR and the HRA
- treat all people or groups of people fairly, irrespective of personal beliefs and values
- respect, maintain and uphold the human rights and human dignity of everyone
- act and take decisions on merit, without prejudice and using the best evidence
- make decisions about human rights according to the principles of proportionality, legality, accountability, necessity, non-discrimination and humanity
- do not allow your personal views to affect your professional relationships or the service you provide.

Use of discretion

3.2

Police discretion is necessary, but must be used wisely. **When making decisions you must:**

- rely on your training, skills and knowledge about policing
- ensure you are consistent with organisational principles and standards
- take into account any relevant organisational policies and procedures and other controls
- consider community expectations and needs
- consider the potential effects of your decisions.

4 Use of force

I will only use force as part of my role and responsibilities, and only to the extent that it is necessary, proportionate and reasonable in all the circumstances.

4.1

This standard is primarily intended for police officers. However, some police staff roles may be required to use force in the course of their lawful duties.

4.2

According to this standard:

- there will be occasions when you may need to use force in carrying out your duties, eg, to make an arrest or prevent harm to others
- you may use force only if other means have been or are likely to be ineffective in achieving the intended result
- as far as it is reasonable in the circumstances you must act in accordance with your training in the use of force to decide what force may be necessary, proportionate and reasonable.

4.3

It will be for you to justify your use of force, and show that it was proportionate, lawful, necessary and reasonable. In assessing your use of force, the circumstances facing you at the time will be taken into account.

5 Orders and instructions

I will only give and carry out lawful orders and instructions.

I will follow all reasonable instructions and abide by force policies.

5.1

Examples of meeting this standard are when you:

- only give orders or instructions which you reasonably believe to be lawful
- follow lawful orders and instructions and recognise that any decision not to follow an order or instruction needs to be fully justified
- to the best of your ability, support your colleagues in the execution of their lawful duty
- accept the restrictions on your private life as described in Schedule 1 to the [Police Regulations 2003](#) (as amended) and determinations made under those Regulations.

5.2

There may be instances when failure to follow an order or instruction does not amount to misconduct. For example, where a police officer reasonably believes that an order was unlawful or has good and sufficient reason not to comply.

Policies and procedures

5.3

This standard also includes:

- abiding by the provisions of all legislation, instructions, standards, guidance, policies and procedures relevant to policing.

Business interests

5.4

Those working in or for the police forces of England and Wales can have business interests if they are authorised and there is no conflict with their police work or responsibilities.

5.5

According to this standard, you must:

- seek authority for any business interest or additional occupation, ie, any activity over and above your normal policing duties for which payment in cash or kind is received or expected to be received.

6 Work and responsibilities

I will be diligent in the exercise of my work and responsibilities.

6.1

According to this standard, you recognise you are part of a profession dedicated to protecting people and preventing crime. You understand that you provide skilled and knowledgeable assistance to the public in relation to some of their most vital needs, particularly for security and justice.

6.2

Examples of meeting this standard are when you:

- take responsibility for and are prepared to explain and justify your decisions
 - carry out your duties and obligations with care, attention and diligence, fulfilling them to the best of your ability
 - ensure that accurate records are kept as required by relevant legislation and force policies and procedures
 - exercise reasonable care to prevent loss of life or loss or damage to the property of others (including police property)
 - engage the community in developing and implementing policing priorities, policies and decisions
 - understand the expectations, changing needs and concerns of different communities, and do what is proportionate and necessary to address them
 - build public confidence by talking with people in local communities to explore their viewpoints and break down barriers between them and the police
 - work together with other agencies to deliver the best possible overall service to the public
- address any feedback which indicates you are or may be falling short of standards
 - maintain strictly professional behaviour when on duty, including not engaging in sexual conduct or other inappropriate behaviour while on duty
 - do not use your professional position to establish or pursue a sexual or improper emotional relationship with a person with whom you come into contact in the course of your work and who is vulnerable to an abuse of trust or power
 - ensure any relationship at work does not create an actual or apparent conflict of interest.

7 Confidentiality

I will treat information with respect, and access or disclose it only in the proper course of my work.

7.1

According to this standard, you must:

- treat information lawfully and only access it as authorised
- not disclose information to unauthorised recipients – this includes requests from family or friends and approaches by private investigators
- not use policing information to support business interests unless specifically authorised
- familiarise yourself with force disclosure policies.
- increasing your vulnerability to harassment, corruption and blackmail by revealing personal information
- prejudicing investigations by revealing operational material or tactics.

Social media

7.2

This standard also relates to the internet, social networking sites, and other types of social media.

7.3

You meet this standard when you:

- recognise the benefits of social media to policing as well as the potential risks
- use social media responsibly and safely
- accept that the same standards of behaviour apply whether you are online, offline, on duty or off duty.

7.4

In relation to **all information** you must be mindful of risks such as:

- breaching trust or confidence by disclosing information obtained by police forces
- breaching the [Data Protection Act 1998](#) by unauthorised disclosure of personal data

8 Fitness for work

I will ensure when at work or on duty that I am fit to carry out my responsibilities.

8.1

According to this standard you must be fit to carry out your policing role. This includes:

- not making yourself unfit or impaired for duty as a result of drinking alcohol, using an illegal drug or using a substance for non-medical purposes or intentionally misusing a prescription drug
- not engaging, when absent from work through sickness or injury, in activities that are likely to impair your return to work.

8.2

If you let your force know you have a drink or drugs misuse problem you will be supported as long as you demonstrate an intention to address the problem and take steps to overcome it. The use of illegal drugs, however, will not be condoned. A self declaration made after you have been notified of the requirement to take a test for possible substance misuse cannot be used to frustrate action being taken for misconduct that may follow a positive test result.

8.3

If you are aware of any health concerns that may impair your ability to perform your duties, you must seek guidance from the organisation's occupational health adviser and reasonable adjustments will be made. If you are unexpectedly called to attend for duty and you consider yourself not fit to perform such duty, you must declare this.

8.4

When absent from duty through sickness or injury, you must engage with the force medical officer or other member of the occupational health team if required. You must follow any advice given unless there are reasonable grounds not to do so.

9 Conduct

I will behave in a manner which does credit to my force and strengthens public confidence in policing.

I will report any action taken against me for a criminal offence, any conditions imposed on me by a court, and the receipt of any penalty notice.

9.1

Think about how others will judge your actions. You should ask yourself, for example, whether a particular decision, action or omission might result in members of the public losing trust and confidence in the police – and possibly being reluctant to provide information to the police or give evidence in court.

9.2

Examples of meeting this standard are when you:

- avoid any activities (work-related or otherwise) that may bring the force into disrepute, or damage the relationship of trust and confidence between the police and the public
- report as soon as reasonably practicable any occasion in the UK or elsewhere where you have been subject to one or more of the following:
 - arrest
 - a summons for an offence
 - a penalty notice for disorder
 - an endorsable fixed penalty notice for a road traffic offence
 - a charge or caution for an offence by any law enforcement agency
- report as soon as reasonably practical all convictions and sentences and conditions imposed by any court, whether criminal or civil
- are punctual at all times
- maintain a high standard of appearance when at work, whether in uniform or plain clothes, unless your duties require otherwise.

10 Challenging and reporting improper conduct

I have a positive obligation to report, challenge or take action against the conduct of colleagues which I believe has fallen below the Standards of Professional Behaviour set out in this Code.

10.1

According to this standard you must:

- never ignore unethical or unprofessional behaviour by a colleague
- take action to prevent and challenge any suspected violation of this Code
- report all violations or potential violations of the Code, as well as any violations which you reasonably believe are about to occur.

10.2

If you feel you cannot challenge a colleague directly, you should report your concerns, preferably to a line manager. If you do not feel able to approach a line manager you should report the matter through the force's confidential reporting mechanism or other existing arrangements, or to the Independent Police Complaints Commission (IPCC).

10.3

You will be supported by your force if you report conduct by someone working for or with the police which you believe has fallen below the standards expected. You will not be supported if your report is found to be malicious or otherwise made in bad faith.

Supervisors

10.4

According to this standard you must:

- ensure that your staff carry out their professional duties correctly
- challenge and address any behaviour that is in violation of this Code, reporting violations where appropriate.

Section 3

Policing principles

Doing the right thing in the right way

17

The public rightly expects the police to operate to high levels of ethics and integrity. They expect the police to do the right thing in the right way. Basing decisions and actions on the principles and standards in this Code will help achieve this.

Policing principles

18

The Code sets out the core principles for policing. They originate from the 'Seven Principles of Public Life' (or 'Nolan Principles') developed by the Committee on Standards in Public Life, but contain the additional principles of **fairness** and **respect**. These principles are crucial to maintaining and enhancing public confidence.

Accountability

19

You are answerable for your decisions and what you do.

Fairness

20

You are even-handed and free from favouritism, bias or deception.

Honesty

21

You are truthful and trustworthy.

Integrity

22

You always do the right thing, even when no one is looking, and even when the choice isn't easy. You are not swayed by financial or personal considerations.

Leadership

23

You lead by example and both promote and conform to established standards and rules.

Objectivity

24

You make choices on evidence and merit and are not influenced by other factors.

Openness

25

You are open and transparent in your actions and decisions.

Respect

26

You treat everyone with respect and tolerance, regardless of their background and beliefs.

Selflessness

27

You put the public interest before yourself, your family and friends.

Section 4

National Decision Model

The National Decision Model (NDM) is the primary decision-making model for police forces in England and Wales. It should be used by individuals, supervisors and others to assess potential decisions or decisions that have already been taken.

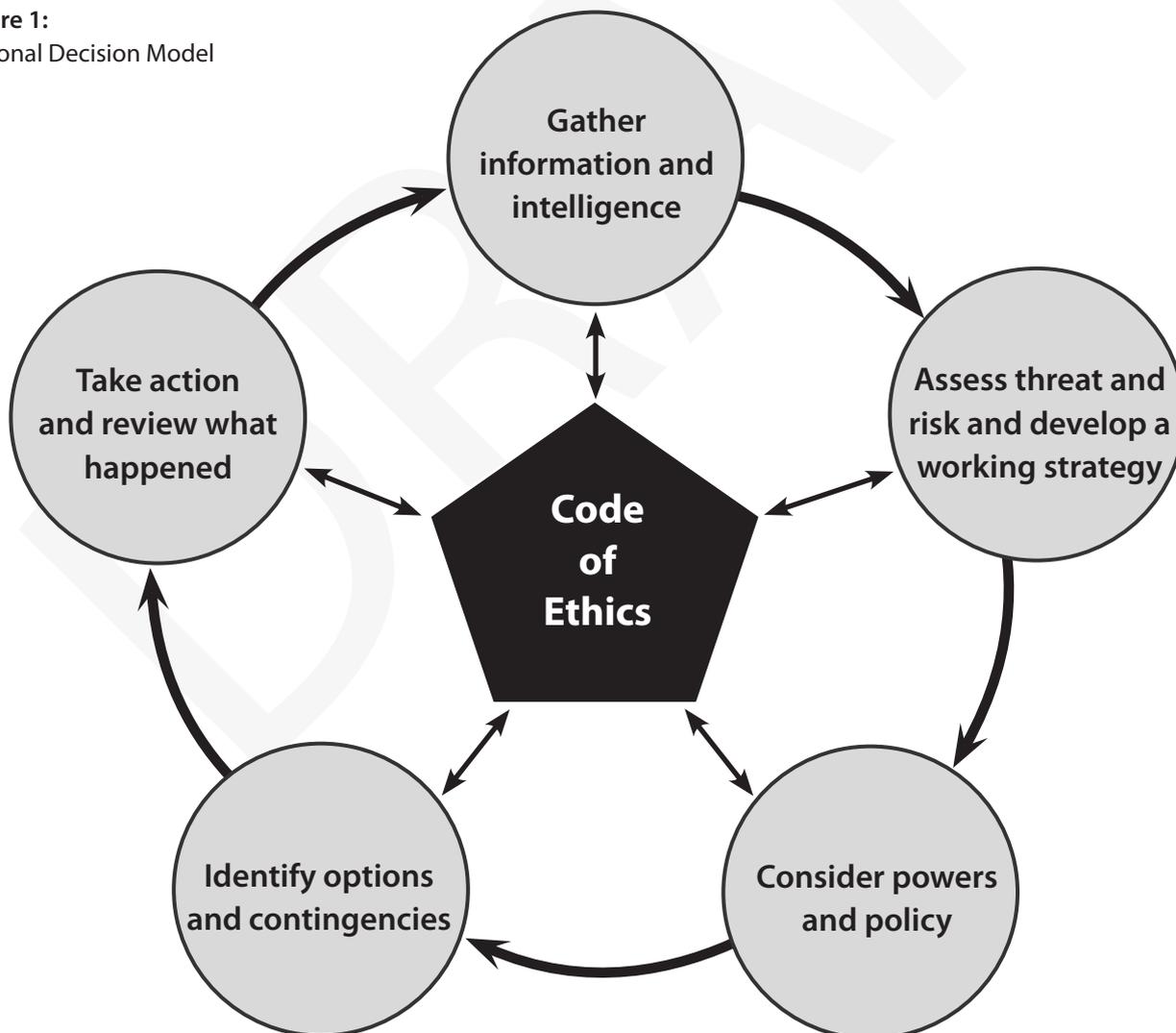
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Understanding, practising and using the NDM helps people develop the knowledge and skills necessary to manage their response to complex and often rapidly evolving situations in ethical, proportionate and defensible ways.

29

The five-sided box at the centre of the NDM is what distinguishes it from other decision-making models. It reminds those who work in and for policing that their decisions must be consistent with the principles and standards of behaviour as set out in the Code of Ethics. This enables them to make decisions that are ethically and legally sound and in accordance with an evidence-based decision-making process.

Figure 1:
National Decision Model



Section 4: National Decision Model

30

The NDM is suitable for all decisions. It can be applied to spontaneous incidents or planned operations, by an individual or teams of people, and to operational and non-operational situations.

31

Decision makers should use it to review decisions and actions taken. The inherent flexibility of the NDM means that it can easily be expanded for specialist areas of policing. In every case the model stays the same, but users decide for themselves what questions and considerations they apply at each stage.

32

In a fast-moving incident, it may not always be possible to segregate thinking or response according to each phase of the model. In such cases the main priority of decision makers is to keep in mind the principles and standards set out in the Code of Ethics.

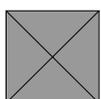
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Adopting the NDM is part of a concerted drive to ensure a greater focus on delivering the mission of policing by:

- acting in accordance with principles and standards of behaviour
- enhancing the use of discretion
- reducing risk aversion
- supporting appropriate allocation of limited policing resources as demand increases.

Protecting the public Supporting the fight against crime

As the professional body for policing, the College of Policing sets high professional standards to help forces cut crime and protect the public. We are here to give everyone in policing the tools, skills and knowledge they need to succeed. We will provide practical and common-sense approaches based on evidence of what works.



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