



**Lancashire  
Constabulary**  
police and communities together

## Chief Officer Group's Transparency Procedures

Owning Department	Secretariat
Framework Owner	Head of Secretariat
Chief Officer Sponsor	<b>DCC</b>
Risk Rating	
Equality Impact	
Date of Commencement	
Date of Next Review	

### 1. Introduction

- These procedures support the Chief Officer Group's Transparency Policy.
- They apply to all members of the Lancashire Constabulary Chief Officer Group and their Secretariat Team.
- The procedures set out an ethical, fair and transparent process for dealing with work place situations, invites and associations, which could raise confidence concerns around their behaviours as leaders. These procedures will enable our senior leaders to demonstrate, if challenged that their decisions, behaviour and integrity were of the highest standard.

### 2. Guidance on what areas of vulnerability may require transparency of senior decision making

A Chief Officer Group's (COG) Transparency Gateway will be established to provide an independent objective test as to whether there may be 'concerns' about a future situation, event, association, meeting or decision that could call into question a senior leader's integrity or may make that leader vulnerable to a negative perception, possible complaint or conduct issue.

The Gateway test will be based on an assessment of all the intelligence and information available, including where appropriate any source sensitive material. When taken together with the request or commitment from an area of vulnerability if it is identified that it is more probable than not that an individual's integrity may be called into question, options as to how to manage or mitigate that risk will then be considered.

Providing a precise definition of what constitutes an area of vulnerability is not possible

and each set of circumstances must be judged on merit by the individual senior officer. As a guide, however, in the following identified vulnerable areas of business the Chief Officers must utilise the gateway to provide additional transparency, where:-

- Meetings involving members of an organisation where a decision on a financial transaction or relationship may be made.
- Invitations to attend external events, conferences, seminars or official attendance is requested to support a 'non –business' event.
- Attendance at any event which will attract further submissions into:- Gift and Hospitality Register or an expense claim or require an overtime submission from any staff members or a declaration of a reportable association.
- Meetings involving private companies which seek to or could create a procurement opportunity or decision for the organisation.
- Meetings involving coaching/mentoring of individual members of the organisation during a relevant promotion process or lateral development opportunity.
- Meetings involving individual members of the community who may have a potential or existing complaint or legal action against the chief officer or organisation.
- Meetings which are unsolicited or without a policing purpose or unrelated to the Chief Officers work area.
- Any activities which would not provide value for public money in terms of either its cost or time spent working outside of the Constabulary or a combination of both.
- Membership or participation in external groups and organisations that does not qualify as a business interest but may be perceived as having influence or impact on the office held.

### 3. Process

The COG Transparency Gateway has 4 stages:

#### Stage One – Notification

Where a request for (or an intention is formed by) a senior officer to participate in any activity which they perceive as potentially causing a vulnerability to their leadership integrity, they should or the Secretariat Team on their behalf, request a Gateway Assessment.

To enable that to take place the Chief Officer will initiate further enquiries/actions as they deemed necessary, so that an assessment, based upon all the material can be made. This information can include where appropriate any confidential material.

## **Stage Two – Gateway Assessment**

When all the material has been collected, the Chief Officer will ensure that their Staff Officer will independently consider the request.

In making any assessment the Staff Officer will have due regard to the principles of fairness, transparency and respect. This test will be applied at all stages of the procedures.

The Staff Officer will consider: (see appendix 1 for more detailed advice)

- Whether the request for attendance of the Senior Officer would possibly impact on the confidence of the community or create a negative perception within our organisation.

If they considered that there is a potential risk to the individual Chief Officer and/or organisation then they will consider whether to recommend either :-

Decline the appointment/invite or not participate in the group/activity.

or

Attend/participate, but with mitigation, so as to reduce the perceived risk.

Mitigating option(s) can consist of:-

- Support the proposed meeting by providing full minutes.
- Widening senior attendance to the meeting.
- Restricting attendance to a portion or more relevant aspect of the event/meeting etc.
- Reducing the numbers of ACPO members attending.
- Delegating the meeting to a more appropriate level or specialism in the organisation.
- Reducing the impact upon submission into the Gift and Hospitality Register or an expense claim or require declaring a reportable association.

Where a staff association or trade union representative is due to be present at the proposed meeting/event, then the Staff Officer will ensure that they capture their representative's views prior to any assessment recommendation being made. The staff association or trade union representative will not take any part in the Gateway assessment.

This recognises that such meetings may be hearing confidential or sensitive material and their role at this stage will be to ensure our values of fairness, Integrity, and respect are adhered to as well as to provide additional transparency to the process.

## **Stage Three – Communicating Recommendation**

The Staff Officer will provide their recommendations and where appropriate any mitigation to the Chief Officer as soon as practicable after the notification is made.

It is the responsibility of the relevant Chief Officer to decide whether or not to accept that recommendation and/or mitigation and where appropriate to commission the

necessary arrangements with the organiser or wider COG team to communicate any changes.

#### **Stage Four – Reassessment**

At times there may be divergence of opinion as to a perceived risk and/or the most appropriate means of managing a vulnerability in order to meet our principles of Fairness, Integrity and Respect.

In such cases, these procedures allow for a reassessment of the perceived vulnerability and any recommendations made by the Head of PSD.

The Head of PSD will test the integrity of the process, test the strength and quality of the information and/or intelligence on which the recommendation was based upon and ensure that the recommendation and any mitigation is proportionate, necessary and non-discriminatory.

Any request for a reassessment against a recommendation must be referred to the Head of PSD in writing within a timely manner after the completion of Gateway Assessment and notification of the decision.

The organiser or other parties involved in the meeting/invitation/event etc may also request a reassessment by making a separate written representations within an reasonable timescales after being informed of the decision.

The Head of PSD can decide to either uphold the initial recommendation or to recommend another course of action.

It is the responsibility of the Head of PSD to ensure that all relevant parties are made aware of this recommendation either in person or in writing. It will be for the Head of PSD to determine the most appropriate means of communicating their decision.

There will be no further reassessment, other than by way of an external judicial processes.

#### **Responsibilities**

- Chief Officer Group

Chief Officers will be responsible for identifying areas of vulnerability and referring them to the Gateway process. They will be responsible for considering the recommendation of an assessment, prior to confirming or rejecting any appointment/event/invitation etc. Chief Officers are responsible for recording their decision and any requests for action to reduce a perceived risk together with their rationale.

To allow for transparency and a full Gateway Assessment, Chief Officers are responsible for making a declaration to their Staff Officer of any known issue. It is impossible to capture all appropriate areas for declaration but declarations such as:-

- supporting individual staff members,
- external interests,

- external portfolio work,
- engagement with or membership of 'social' networks or organisations

Due to their seniority such activities/support may create or contribute to a negative perception that their leadership is not ethical or fair or indeed that the proportion of their working time is not providing the best value for money.

- Staff Officers

Staff Officers are responsible for ensuring the timeliness, integrity, independency and confidentiality of the Gateway process.

They will also be responsible for recording and maintain records of any declarations of a potential bias, recommendations and rationales, together with all the information available at that time. Where their Chief Officer requires them to take additional action they will also be responsible for recording such steps.

- Head of the Secretariat Team

The Head of the Secretariat Team will be responsible for overseeing the process and ensuring that it is conducted in a timely manner and confidentiality is maintained.

In addition they will be expected **on a quarterly basis**, to proactively conduct an audit/review of all COG's commitments, submissions to Gifts and Hospitality Register, together with any mileage, overtime and expense claims. This retrospective audit/review will be conducted together with the Head of PSD.

The meeting will be recorded to ensure that transparency is maintained. Such reviews will aim to test the integrity of the process and develop further learning. At the meeting it will determine who is best placed for cascading any training or development issues.

In addition, as the policy owner, the Head of the Secretariat team will ensure that any revisions, amendments or alterations to the policy and procedures are referred through the corporate decision making process for agreement (including appropriate consultation with staff associations).

The policy and procedures will be subject to annual review by the policy owner and will be monitored for their equality impact.

#### **4. References (if applicable)**

Lancashire Constabulary – Counter Corruption Strategy  
HMIC Review of Police Integrity – “Without Fear or Favour”  
Gifts and Hospitality Policy  
Reportable Association Policy

## Appendix 1 The Gateway Test

Whilst many of us believe we deal with ethical and moral questions with sound judgement often at the time the decision is based on emotion and instinct and rational analysis comes later.

This framework is designed to provide a framework for bringing the rational analysis forward and use other people to assist us in understanding issues and questions from multiple points of view.

The following questions can assist:

1. Am I comfortable with the likely consequences of my actions?  
Consider this in the broadest sense, so this does not just apply to you but what is the effect and impact on others who are involved with, participate in or are subject of the actions and consider both the immediate, longer term, direct and indirect effects.
2. Am I meeting my duty and respecting other people's rights?  
This involves balancing what you can do and must do with the protections in place for others.
3. Am I respecting the community and what they expect of me?  
Consideration needs to be given across a multitude of communities – i.e. the internal and external but then also different groups within and outside of the organisation. Consider what is the history with this community and how this affects the decision.
4. Am I meeting my commitments and those of the organisation?  
Who are you responsible to primarily in the exercise of your duty – is it your staff, the people of Lancashire or the wider still and how do you balance this within the decision. Do I understand what these are and which are given priority, and how do I balance and trade of these in order to prioritise.

### Quick Test Questions

- Visibility – Would I be comfortable if this action was described/pictured on the front page of a national newspaper.
- Generality – Would I be happy if everyone else behaved the same way.
- Suitability – How would the action be viewed by a member of the community.
- Legacy – Is this how I would like my leadership/organisation to be remembered.