

Joint Audit & Ethics Committee

14th December 2020

Item 19



TACTICAL ETHICS COMMITTEE

Report for the Joint Audit and Ethics Committee

Virtual meeting held on Tuesday 1st December 2020
Chair: Superintendent Stasia Osiowy

Introduction

The Tactical Ethics Committee (TEC) met this week in keeping with the quarterly meeting cycle. Fourteen members attended, with a mix of police officers and staff from different disciplines. The TEC welcomed David Jones as an observer from the Joint Audit and Ethics Committee. The Chair also introduced the new Vice Chair, Inspector Andy Doran.

Three areas of business were brought to the TEC for discussion and subsequent action. Item 1 focused on the role of the supervisor in internal application processes. Item 2 focused on police officer and staff use of social media at work and at home. Item 3 discussed a review of the TEC. An overview of each of these are outlined below:

Item 1: The role of the supervisor in the internal application process

The TEC was asked to consider the role of the supervisor in internal application processes, for both new posts and promotion. This followed feedback from supervisors who felt excluded from the current process.

Background

Whilst the process for police officers and police staff recruitment has its differences, the core issues represented in this item are fundamentally the same. Presently, it is possible for police officers and police staff to apply for a new internal role without informing their immediate line supervisor. The supervisors raising this ethical dilemma highlighted three key concerns:

- The impact this has on future planning, including the continuity and provision of skillset.
- The ability for the supervisor to check the suitability of the applicant.
- The professional relationship and trust between manager and the applicant.

TEC Discussion

First, the TEC sought to identify the thinking behind the current process. The Equality Act 2010 was discussed and the importance of ensuring the legal framework on opportunity and fairness was considered. The discussion then moved on to consider the advantages and disadvantages of the current process.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Removes supervisor bias from the process. • Seeks to address issues surrounding nepotism. • Provides the freedom to explore new opportunities without damaging the 'trust' with supervisors. • Feedback from the Disability Support Network recognises the benefits to increased confidence in applicants from officers and staff living with disabilities. • Feedback from the Police Federation stating that the current process can support BAME candidates who may not feel supported. • A feeling that this leads to increased fairness. 	<ul style="list-style-type: none"> • Diminishes professional courtesy and respect. • Prevents contingency planning. • Puts supervisors on the backfoot. • Limits the support and help that supervisors could provide to the applicant. • Does not consider the pressures that managers are under and makes it harder to manage and lead a team. • Does not allow honest conversations in respect of performance and suitability to be raised at an early stage.

The debate also highlighted the differences between Professional Development Reviews (PDR) for police officers and police staff and how this impact on the perception of fairness. It was established that new pathways for police staff progression were under development within Contact Management and that this learning could be shared within the wider Constabulary. The TEC discussed how this issue linked with public confidence and the need to ensure the force is treating its staff fairly by being consistent.

On reflection, The TEC acknowledged that there is a role for supervisors to play in reviewing internal applications for new roles, but also recognises the need for contingencies when there has been a breakdown in relationship between the applicant and their supervisor. The ability to provide uniformity with police officers and police staff PDR may support an equitable solution to this ethical dilemma.

Item 2: The use of social media in work and at home

The TEC was asked to consider the use of social media by staff across the organisation. This follows a strategic review of the use of social media by the Vision and Values Working Group chaired by ACC Pete Lawson.

Background

The use of social media in work and at home forms the third strand of the Vision and Values Working Group. The aim of the group is to provide clarity on the use of social media and support our staff to make good decisions. It was recognised that the use of social media, particularly by officers and staff off duty, had led to several internal investigations.

This was linked to the wider impact on organisational reputation, the Code of Ethics, and the standards expected of police officers and staff working for the Constabulary. This issue benefited significantly from two guests who provided an external lens to this problem statement.

TEC Discussion

The TEC considered the strengths and weaknesses of the use of social media with the two opposing perspectives (a) the benefits of showing the human side of policing, verses (b) the unprofessional nature and negative impact on trust within our communities.

Using the Code of Ethics as a foundation, the TEC considered the following statement:

As a police officer, member of police staff or other person working for the police service, you must keep in mind at all times that the public expect you to maintain the highest standards of behaviour. You must, therefore, always think about how a member of the public may regard your behaviour, whether on or off duty (p. 13).

Our new members raised the issue of common sense and how society, from their lens, expect to be able to access services online and communicate with policing in a social sphere. The TEC considered how common sense can differ depending on individual mental models and boundary judgements.

There was a consensus of opinion from the TEC that clarity and guidance on the use of social media is required. The organisation would benefit from providing clear boundaries that are predicated on:

- Not undermining the confidence of the public.
- Reducing the risk to the safety and wellbeing of police officers and staff.
- Reduce the opportunity for criminals to exploit officers and staff, thus limiting the conditions that promote corruption.

Item 3: The TEC Review

The meeting concluded with the opportunity to review the TEC. The purpose of this review is to understand where the TEC is now, where the TEC seeks to be, and how the Committee can move towards achieving the 'to-be' position. In doing so, the review seeks to achieve four objectives:

- (1) Identify current key ethical issues within the Constabulary and wider policing environment.
- (2) Identify the likely emerging ethical dilemmas and considerations over the next five years.
- (3) Identify the training needs for the Tactical Ethics Committee.
- (4) Reflect this learning in the Committee's Charter and Guiding Principles.

The Terms of Reference for this review are embedded below. This covers the context, principles, scope, methodology and timescales. The results of this will be shared with the Joint Audit and Ethics Committee.



Ethics Committee
Review ToR

Actions

- 1) TEC Chair to feed learning from the Disability Support Network to the Valuing Diversity and Inclusion Board. **Rationale:** to continue to shape strategy on how we support police officers and staff living with a disability.
- 2) TEC Chair/Vice Chair and three TEC members to meet with Head of People and HR to discuss PDR for police staff and how PDR can support a supervisor footprint and contingency for internal applications. **Rationale:** to support the development of the use of PDR for police staff and the wider supervisory role in the application processes.
- 3) TEC Chair and 2 TEC members to feedback to the Head of PSD and Media and Engagement on the TEC views on the use of social media. **Rationale:** to support the work of the Vision and Values working Group and how our staff use social media now and in the future.
- 4) Send the survey and Terms of Reference to the TEC members. **Rationale:** To support the development of the TEC and meet the objectives of the review.

End