



Code of Conduct (Police Staff)

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Code of Conduct (Police Staff)

1. Policy Statement

The public is entitled to expect the highest standards of conduct from all employees who work for Cleveland Police. This Code outlines existing laws, regulations, conditions of service, and provides further guidance to assist Cleveland Police employees in their day to day work.

The Code is produced in the light of the challenges that all public sector employees face. This includes the challenges faced as a result of the comprehensive spending review (CSR) exercises and partnership working throughout the public sector.

This policy must be applied fairly, equally and consistently to all employees irrespective of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation or any other unjustifiable grounds.

2. Purpose

This policy applies to all Police Staff and has been developed in full consultation with Unison. The aim of the Code is to lay down guidelines for Cleveland Police employees which will help maintain and improve standards and protect Staff from misunderstanding or criticism.

Inevitably, some of the issues covered by the Code will affect senior, managerial, and professional employees, more than it will others. The Code is intended to cover employees under a contract of employment with both the Chief Constable and the Police and Crime Commissioner, including office holders who may be self employed. Activities carried out by employees acting as members of companies or voluntary organisations will be subject to the minimum standards within this Code.

3. Procedures

3.1 Individual Responsibilities

Individuals have a responsibility to:

- Familiarise and understand the Code;
- Abide and adhere to the principles of the Code;
- Promote the Code within the context of working for Cleveland Police.

3.2 Line Manager Responsibilities

Line managers have a responsibility to:

- Familiarise and understand the Code;
- Abide and adhere to the principles of the Code;
- Promote the Code within the context of working for Cleveland Police;
- Manage the Code on behalf of Cleveland Police;
- Enforce the Code as and when required.

3.3 Senior Manager Responsibilities

Senior Managers have a responsibility to:

- Familiarise and understand the Code;
- Abide and adhere to the principles of the Code;
- Promote the Code within the context of working for Cleveland Police;
- Manage the Code on behalf of Cleveland Police;
- Enforce the Code as and when required.

3.4 Standards

All Cleveland Police Staff will abide by the standards laid down within the Code. The force has incorporated within its Code the principles laid down by the Police Staff Council (PSC) pertaining to the standards of professional behaviour required by Police Staff.

These principles are broken into the following categories:

- Honesty and Integrity;
- Authority, Respect and Courtesy;
- Equality and Diversity;
- Use of Restraint;
- Instructions;
- Work and Responsibilities;
- Confidentiality;
- Fitness for Work;
- Discreditable Conduct;
- Challenging and Reporting Improper Conduct.

An overview plus detailed definitions on all the above categories can be found within Appendix 1 of this policy document entitled Police Staff Standards of professional behaviour.

All Police Staff should adhere to the values and behaviours of Cleveland Police, which confirm local expectations of behaviours for all staff. These values form part of the performance excellence process. Further information and details about the behaviours can be located on the Force intranet on the link [here](#)

3.5 Relationships

3.5.1 The Police and Crime Commissioner (PCC) and the Police and Crime Panel (PCP)

For some employees, their role may be to give advice to the PCC or the Police and Crime panel. Mutual respect between all employees and the PCC/members of the PCP is essential to good governance. Close personal familiarity between employees and the PCC/members of the PCP can damage the working relationship. Any Personal relationships should be disclosed.

3.5.2 Partnership Working (1): The Local Community and Service Users

All employees should always remember their responsibilities to the community they serve. They must ensure that the service delivery to all groups and individuals within that community is:

- Courteous;
- Efficient;
- Impartial.

As defined by the policies and guidelines of Cleveland Police.

3.5.3 Partnership working (2): Contractors

All relationships of a business or private nature with external contractors, or potential contractors should be disclosed.

Orders and contracts must be awarded on merit and by fair competition against other tenders.

No special favours, during the tendering process should be shown to businesses run by, for example:

- Friends;
- Partners;
- Relatives.

No part of the local community should be discriminated against.

Please Note:

Any employees who engage or supervise contractors or have any other official relationship in a private or domestic capacity with contractors, should declare that relationship to the appropriate manager.

3.6 Appointment and Other Employment Matters

All employees involved in appointments should ensure that these are made on the basis of merit.

Please note:

It is unlawful for an employee of Cleveland Police to make an appointment which was based on anything other than the ability of the candidate to undertake the duties of the post.

In order to avoid any possible accusation of bias, any employee should not be involved in an appointment where they are the following:

- Related to an applicant;

Or have a

- Close personal relationship outside work with them.

Similarly, any employee should not be involved in decisions relating to discipline, promotion, or pay adjustments for any other employee who is a relative, partner, etc.

3.7 Outside Commitments

It is the responsibility of all employees to disclose any business interests or additional occupations, whether paid or unpaid, which may bring them into conflict with the work of Cleveland Police.

Further information on the disclosure of business interests and additional occupations can be found on the force policy intranet site on the link [here](#)

3.8 Personal Interests**3.8.1 Interests**

All employees must declare to the force any financial and non-financial interest(s) that they consider could bring about conflict with the interests of Cleveland Police.

3.8.2 Memberships

All employees must declare to the Force, membership of any of the following types or organisations, if it is proved to have influence pertaining to that person's employment or employer:

- Not open to the public;
- Without formal membership;
- Commitment of allegiance;
- Have secrecy rules about membership or conduct.

Any individuals should speak to their Line Manager in these instances.

3.9 Politically Restricted posts

In line with the Local Government and Housing Act 1989 (LGHA 1989) and the Police Reform and Social Responsibility Act 2011 certain Police Staff posts under the employment of the Chief Constable and the Police and Crime Commissioner are restricted from undertaking any political activities.

These politically restricted posts fall into two main categories:

- Specified posts;
- Sensitive posts.

Appendix 3 gives further information about the criteria of these types of roles.

3.9.1 Cleveland Police Politically Restricted Roles

All employees will be notified in their contract of employment whether their post is politically restricted.

3.10 Pre-Election Period of Sensitivity (previously known as 'Purdah')

In the period immediately before an election or referendum there are restrictions on the use of public resources and activities of civil servants and ministers. This pre-election period is also known as the 'period of sensitivity' and has often been referred to in the past as 'purdah'.

The National Police Chiefs Council (NPCC) will provide National guidance and information during this period. Cleveland Police follow these guidelines, and information will be published and communicated across the Force, at the appropriate time.

This information provides guidance to all Police Staff and Police Officers, in relation to behaviours and activities during the pre-election period.

Please note:

Police Staff should ensure that they behave in a manner which does not discredit or undermine public confidence in the Police service.

3.11 Separation of roles during tendering

Any employees involved in the tendering process and dealing with contractors (including Partnership working) should be clear on the separation of client and contractor roles within Cleveland Police.

Senior employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.

- All employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub contractors;
- All employees who are privy to confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation;
- Any employees contemplating a management buyout should, as soon as they have formed a definite intent, inform the appropriate manager and withdraw from the contract awarding processes;
- All employees should ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

3.12 Corruption

All employees must be aware that it is a serious criminal offence for them corruptly to receive or give any:

- Gift;
- Loan;
- Fee;
- Reward or advantage for doing, or not doing, anything;
- Showing favour, or disfavour, to any person in their official capacity.

If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.

3.13 Use of Financial Resources

All employees must ensure that they use public funds entrusted to them in a responsible and lawful manner.

They should strive to ensure value for money to the local community and to avoid legal challenge to Cleveland Police.

3.14 Hospitality

All employees must adhere to the Association of Chief of Police Officers of England (ACPO) policy on gifts, gratuities, and hospitality. Detailed guidance can be located on the Force policy and procedure intranet site under Ethics and Standards. A link to the policy document can be found on the force policies intranet page.

3.15 Sponsorship – Giving and Receiving

3.15.1 Receiving Sponsorship

If an outside organisation wishes to sponsor or is seeking to sponsor a Cleveland Police activity, then the ACPO document referred to in section 3.13 concerning acceptance of gifts or hospitality will apply.

This is regardless of the request being by:

- Invitation;
- Tender;
- Negotiation;
- Voluntarily.

Particular care must be taken when dealing with contractors or potential contractors.

3.15.2 Giving Sponsorship

Where Cleveland Police wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to an appropriate manager of any such interest.

Similarly, where Cleveland Police through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

3.16 Police Vetting

- In line with the Cleveland Police Force Vetting policy all employees and PCC/members of the PCP will be security vetted upon entry into the Force and also at regular intervals throughout their service;
- Where an individual changes role which requires a higher level of vetting or where an individual's role is re-vetted, in accordance with the Force "Aftercare Regime", the individual will support the process where required;
- Failure to notify the Force of any **relevant changes** (see Appendix 2 Aftercare) throughout an individual's employment with the Authority could result in the withdrawal of an individual's vetting clearance;
- If the Aftercare process reveals information which relates to a breach of the Cleveland Police Staff Conduct, of which Cleveland Police was previously unaware, the matter will be immediately referred to the Head of Professional Standards for appropriate action. Disciplinary action may be invoked.

3.17 Breaching the Code

All Police Staff employed along with the PCC/PCP members must abide by the code on conduct and adhere to the standards and guidelines outlined within section 3 of this document.

If there is a breach to the Code of Conduct standards and guidelines, then this may result in disciplinary action being taken against the individual.

4. Appendices

Appendix	Description
1.	Joint Circular 54 – National Police Staff Council - Standards of professional behaviour
2.	Process Aftercare
3.	Politically Restricted Roles

5. Compliance and Monitoring

The organisation expects every individual to act within approved policies and take appropriate professional advice as necessary.

The Head of HR is responsible for the accuracy and integrity of this document. This policy will be continuously monitored, and updated when appropriate, to ensure full compliance with legislation.

The Head of HR will review this process to ensure that all aspects are being adhered to in accordance with the framework of this policy.

6. Version control

This policy will be reviewed and updated at least every three years by the owner, and more frequently if necessary.

The Corporate Services Department will ensure this document is available on the Force intranet, including any interim updates.

The following identifies all version changes.

Version	Date	Reason for update	Author
0.1	1/04/11	Updated Policy & New Policy Format	██████████

0.2	May 2011	Changes following consultation	████████
1.0	June 2011	Published policy	████████
1.1	Nov 2012	Policy amended to reflect introduction of PCC, statement only	████████
1.2	1/3/13	Revised policy as a result of election of PCC	████████
1.3	5/02/16	Inclusion of Appendix 3 relating to Politically Restricted Posts	████████
1.4	12/2/16	Amended Appendix 2	████████
1.5	01.02.17	Amended section 4	████████
1.6	22.08.17	Amended section 3.4 to include Cleveland Police Leadership Behaviours Amended section 4	████████
1.7	2/10/19	Review date extended to Feb 20 so a revised policy can be produced based on the Regs due to be published then.	████████
1.8	05.05.20	New post added to appendix 3	████████
1.10	19.10.2021	Review of document in line with review date Amendments made to appendix 3 Removal of appendix 4 behaviours and added link to Behaviours information on Force intranet instead in section 3.4. Added section 3.10 in relation to Pre-Election sensitive period.	████████

POLICE STAFF COUNCIL

Police Staff Standards of Professional Behaviour

Introduction

Public confidence in the police depends on police staff demonstrating the highest level of personal professional standards of behaviour. The standards set out below reflect the expectations that the police service and the public have of how police staff should behave. They are not intended to describe every situation but rather to set a framework which everyone can easily understand. They enable everybody to know what type of conduct by a member of police staff is acceptable and what is unacceptable. The standards should be read and applied having regard to this guidance.

The standards of professional behaviour also reflect relevant principles enshrined in the European Convention on Human Rights and the Council of Europe Code of Police Ethics. They apply to all police staff and to those subject to suspension.

The standards set out below do not restrict police staffs' discretion; rather they define the parameters of conduct within which that discretion should be exercised. A breach of these standards may damage confidence in the police service and could lead to disciplinary action, which in serious cases may result in dismissal.

The public have the right to expect the police service to protect them by upholding the law and providing a professional police service. Police staff have the right to a working environment free of harassment, inequality or discrimination from others within the service and members of the public. The police service will proactively support such a working environment.

OVERVIEW

Honesty and Integrity

Police staff are honest, act with integrity and do not compromise or abuse their position.

Authority, Respect and Courtesy

Police staff act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy.

Police staff do not abuse their powers or authority and respect the rights of all individuals.

Equality and Diversity

Police staff act with fairness and impartiality. They do not discriminate unlawfully or unfairly.

Use of Restraint

Police staff only use restraint as part of their roles and responsibilities to the extent that it is necessary, proportionate and reasonable in all the circumstances.

Instructions

Police staff only give and carry out reasonable instructions.

Police staff follow all reasonable instructions and abide by force policies.

Work and Responsibilities

Police staff are diligent in the exercise of their work and responsibilities

Confidentiality

Police staff treat information with respect and access or disclose it only in the proper course of their work.

Fitness for Work

Police staff when at work are fit to carry out their duties.

Discreditable Conduct

Police staff behave in a manner which does not discredit the police service or undermine public confidence in the police service.

Police staff report any conviction or caution against them for a criminal offence.

Challenging and Reporting Improper Conduct

Police staff whilst at work report, challenge or take action against the conduct of colleagues which have fallen below the standards of professional behaviour expected.

Guidance on the Standards of Professional Behaviour

Those entrusted to supervise and manage others are role models for delivering a professional, impartial and effective policing service. They have a particular responsibility to maintain standards of professional behaviour by demonstrating strong leadership and by dealing with conduct which has fallen below these standards in an appropriate way, such as by management action or the formal disciplinary process. Above all else managers should lead by example.

In carrying out their work in accordance with these standards, police staff have the right to receive the full support of the police service. It is recognised that the ability of police staff to carry out their work to the highest professional standards depends on the provision of appropriate training, status, pay and reward, equipment and management support.

The police service has a responsibility to keep police staff informed of changes to terms and conditions of employment, laws/legislation, local policies, and procedures also to provide training and familiarisation when such changes necessitate. Police staff have a duty to keep themselves up to date on the basis of the information provided by the employer, as far as it relates to them personally.

Where these Standards of Professional Behaviour are being applied in any decision or disciplinary process, they shall be applied in a reasonable, transparent, objective and proportionate manner. Due regard shall be paid to the nature and circumstances of the individual's conduct, including whether his or her actions or omissions were reasonable at the time of the conduct under scrutiny.

This guidance gives examples to help police staff interpret the standards expected in a consistent way. They are not intended to be an exclusive, prescriptive or exhaustive list.

Where the disciplinary procedure is being used, it is important to identify the actual behaviour that is alleged to have fallen below the standard expected of an individual, with clear particulars and evidence describing that behaviour.

It should be remembered that other procedures exist to deal with poor performance and issues of capability.

Honesty and Integrity

Police staff are honest, act with integrity and do not compromise or abuse their position.

Police staff act with integrity and are open and truthful in their dealings with the public and their colleagues, so that confidence in the police service is secured and maintained.

Police staff do not knowingly make any false, misleading or inaccurate oral or written statements or entries in any record or document kept or made in connection with any police activity.

Police staff never accept any gift or gratuity that could compromise their impartiality. During the course of their work police staff may be offered hospitality (e.g. refreshments) and this may be acceptable as part of their role. However, police staff always consider carefully the motivation of the person offering a gift or gratuity of any type and the risk of becoming improperly beholden to a person or organisation.

It is not anticipated that inexpensive gifts would compromise the integrity of a member of police staff, such as those from conferences (e.g. promotional products) or discounts aimed at the entire police force (e.g. advertised discounts through police publications). However, all other gifts and gratuities must be declared in accordance with local force policy where authorisation may be required from a manager, Chief Officer or Police Authority to accept a gift or hospitality. If an individual is in any doubt then they should consult with their manager.

Police staff never use their position or force identification card to gain an unauthorised advantage (financial or otherwise) that could give rise to the impression that the individual is abusing his or her position. An identification card is only for identification or to express authority.

Authority, Respect and Courtesy

Police staff act with self-control and tolerance, treating members of the public and colleagues with dignity, respect and courtesy.

Police staff do not abuse their powers or authority and respect the rights of all individuals.

In carrying out their roles, police staff should never abuse their authority or the powers entrusted to them. They have been given specific powers and responsibilities due to the complex and difficult situations they deal with. The public have the right to expect that such powers are used professionally, impartially and with integrity, irrespective of an individual's status.

Police staff do not harass or bully colleagues or members of the public.

Police staff do not, under any circumstances inflict, instigate or tolerate any act of inhuman or degrading treatment.

Police staff, recognise that some individuals who come into contact with the police, such as victims, witnesses or suspects, may be vulnerable and therefore may require additional support and assistance.

Police staff use appropriate language and behaviour in their dealings with their colleagues and the public. They do not deliberately use any language or behave in a way that is offensive or is likely to cause offence.

Equality and Diversity

Police staff act with fairness and impartiality. They do not discriminate unlawfully or unfairly.

Police staff respect all individuals and their traditions, beliefs and lifestyles provided that such are compatible with the rule of law. In particular police staff do not discriminate unlawfully or unfairly when exercising any of their roles, discretion or authority.

Police staff pay due regard to the need to eliminate unlawful discrimination and promote equality of opportunity and good relations between persons of different groups.

Supervisors and managers have a particular responsibility to support the promotion of equality and by their actions to set a positive example.

Use of Restraint

Police staff only use restraint as part of their roles and responsibilities to the extent that it is necessary, proportionate and reasonable in all the circumstances.

Police staff in specific designated roles may need to use restraint in carrying out their work.

It is for the individual to justify his or her use of force but when assessing whether this was necessary, proportionate and reasonable, all of the circumstances should be taken into account and especially the situation which the individual faced at the time. Police staff use restraint only if other means remain ineffective or without any realistic prospect of achieving the intended result.

As far as it is reasonable in the circumstances police staff act in accordance with their training in the use of restraint, i.e. by applying the management/conflict resolution model to decide what restraint may be necessary, proportionate and reasonable. Section 3 of the Criminal Law Act 1967 makes it clear that force may only be used when it is reasonable in the circumstances.

Police staff respect everyone's right to life and do not, under any circumstances, inflict, instigate or tolerate any act of torture, inhuman or degrading treatment or punishment.

Instructions

Police staff only give and carry out reasonable instructions.

Police staff follow all reasonable instructions and abide by force policies.

Police staff do not give or carry out instructions which an individual would conclude were unreasonable.

Two factors should be considered when assessing if it was reasonable not to follow an instruction. First of all, was the instruction reasonable having regard to all the circumstances and secondly, did the individual have a good and sufficient reason not to comply having regard to all the circumstances and possible consequences.

Police staff, to the best of their ability, support their colleagues in their work.

Police staff abide by terms and conditions of employment.

Work and Responsibilities

Police staff are diligent in the exercise of their work and responsibilities.

Police staff do not knowingly neglect their work or responsibilities.

When deciding if an individual has neglected his or her work or responsibilities, all of the circumstances should be taken into account. Police staff have discretion and may have to prioritise the demands on their time and resources. This may involve leaving a task to do a different one, which in their judgement is more important. This is accepted and in many cases essential for good working.

Police staff ensure that accurate records are kept of the exercise of their work and powers as required by relevant legislation, force policies and procedures.

In carrying out their work police staff have a responsibility to exercise reasonable care to prevent injury, loss of life or loss or damage to the property of others (including police property).

Confidentiality

Police staff treat information with respect and access or disclose it only in the proper course of their work.

The police service shares information with other agencies and the public as part of its legitimate policing business. Police staff never access or disclose any information that is not in the proper course of police work. Police staff who are unsure if they should access or disclose information always consult with their manager or department that deals with data protection or freedom of information before accessing or disclosing it.

Police staff do not provide information to third parties who are not entitled to it. This includes for example, requests from family or friends, approaches by private investigators and unauthorised disclosure to the media. Certain disclosures may be covered by the Public Interest Disclosure Act.

Fitness for Work

Police staff when at work are fit to carry out their duties

Police staff do not make themselves unfit or impaired for work as a result of drinking alcohol, using a substance for non-medical purposes or intentionally misusing a prescription drug.

Police staff with a drink or drugs misuse problem will be supported if they demonstrate an intention to address the problem and take steps to overcome it. However, the use of illegal drugs will not be condoned.

Police staff who are aware of any health concerns that may impair their ability to perform their work should seek guidance from the occupational health department or line manager and if appropriate reasonable adjustments can be made.

Police staff who are unexpectedly called to attend for work should be able to say that they are not fit to perform the required work as a result of having consumed alcohol without risk of bringing discredit on themselves or the police service or being subject to any disciplinary procedure.

Police staff when absent from work, on account of sickness, do not knowingly engage in activities which could impair their return to work. Police staff will engage with the force medical officer or other member of the occupational health team if required.

Discreditable Conduct

Police staff behave in a manner which does not discredit the police service or undermine public confidence in the police service.

Police staff report any caution or conviction against them for a criminal offence.

Discredit can be brought on the police service by an act itself or because public confidence in the police is undermined. In general, it should be the actual underlying conduct of the individual that is considered under the disciplinary procedure. However where a member of police staff has been convicted of a criminal offence that alone may lead to disciplinary action irrespective of the nature of the conduct itself. In all cases it must be clearly articulated and evidenced how the conduct or conviction has discredited the police service.

In the interests of fairness, consistency and reasonableness the test is not solely about media coverage and perception but has regard to all the circumstances and evidence.

Police staff do not purchase or consume alcohol when performing their duties, unless specifically authorised to do so or it becomes necessary for the proper discharge of a particular police function.

Police staff when at work whether in uniform or not, display a positive image of the police service in the standard of their appearance which is appropriate to their individual role.

Police staff attend punctually when rostered for work or other commitments (e.g. attendance at court).

Challenging and Reporting Improper Conduct

Police staff report, challenge or take action against the conduct of colleagues which have fallen below the standards of professional behaviour expected.

Police staff are expected to uphold the standards of professional behaviour in the police service by taking appropriate action if they come across the conduct of a colleague which has fallen below these standards. They never ignore such conduct.

Police staff who in the circumstances feel they cannot challenge a colleague directly, for example if they are in a more junior role and are not confident, report their concerns, preferably to a line manager. If they do not feel able to approach a line manager with their concerns, they may report the matter through the force's confidential reporting mechanism, or to the Police Authority, Independent Police Complaints Commission (IPCC) or under the Public Interest Disclosure Act.

Police staff will be supported by the police service if they report conduct by an individual which has fallen below the standards expected unless such a report is found to be malicious or otherwise made in bad faith.

It is accepted that the circumstances may make immediate action difficult but managers are expected to challenge or take action as soon as possible.

It is accepted however that it will not always be necessary to report an individual's conduct if the matter has been dealt with appropriately by a manager in the police service.

**Police Staff Council
September 2008**

Process - Aftercare

All individuals subject to the vetting process must report any significant changes in their personal circumstances which may have relevance to their clearance. Changes may include but are not limited to:

- changes in home address
- change in partner
- co-habitant details
- involvement in a criminal investigation as a suspect
- arrest for a criminal offence
- conviction for a criminal offence
- receipt of a fixed penalty notice
- bankruptcy
- adverse County Court Judgement
- entry into a Individual Voluntary Arrangement (IVA)
- change in financial situation leading to hardship
- known/suspected criminal association
- relevant changes in medical condition (subject to an individual's consent)

Individuals are encouraged to make disclosures relating to a significant change in their personal circumstances at any time following vetting clearance. However, "Aftercare" will be incorporated in the annual Performance Development Review process when notification of any relevant changes will be referred to the Force Vetting Unit.

Politically Restricted Posts

Introduction

The aim of this guidance document is to outline the legislation in relation to the political restriction of posts and to determine which posts the political restriction applies to.

This document only applies to Police Staff.

History of Politically Restricted posts

In 1989, the Local Government and Housing Act 1989 (LGHA 1989) introduced the principle of 'politically restricted posts' and of restricting the political activities of local authority employees.

These reforms were made in response to the Widdecombe report which had identified issues of concern involving local authority officers and the apparent lack of political impartiality, which led to separate loyalties and prejudicial service.

Politically restricted posts fall into two main categories:

- Specified posts;
- Sensitive posts.

The 1989 Act was further amended by the Police Reform and Social Responsibility Act 2011, to require that every member of the staff of the Office of the Police and Crime Commissioner, except the Deputy Police and Crime Commissioner, holds a politically restricted 'specified' post.

Political restriction does not apply to the Police and Crime Commissioner.

The effect of occupying a politically restricted post is to:

- Prevent that individual from having any active political role either in or outside of the workplace.

Politically restricted employees will automatically be disqualified from standing for or holding elected office.

They are also restricted from canvassing on behalf of a political party or a person who is or seeks to be a candidate and speaking to the public at large or publishing any written or artistic work that could give the impression that they are advocating support for a political party.

The cumulative effect of these restrictions is to limit the holders of Politically Restricted Posts to bar membership of political parties, with no active participation within the party permitted.

Definition of “Politically Restricted”

For the purpose of this policy all posts defined by the Force as politically restricted must refrain from politically sensitive activity. This is defined as:

- Becoming engaged, occupied or involved with the Force of local and/or central government affairs, which may cause controversy with the way in which a member of the Police Staff would discharge their duties.

As such they may not become involved or take part in any of the following:

Stand as a candidate for election to public office in:

- The House of Commons;
- The European Parliament;
- A Local Authority and/or;
- A County or District Council.

Or:

- A Police and Crime Commissioner;
- Holding office in a political party;
- Become an agent or sub agent for any candidate standing for election;
- Any committee or sub-committee of a political party;
- Canvassing during an election period;
- Speaking or writing publicly on matters of political controversy.

Procedure

In accordance with the Local Government Housing Act 1989, as amended, politically restricted posts fall into two main categories: Specified posts and Sensitive posts.

Specified Posts

- The statutory chief officers;
- Non-statutory chief officers (excluding secretarial/clerical support staff);
- Deputy chief officers and department heads (officers reporting to a Chief Officer excluding secretarial/clerical support staff);
- The monitoring officer;
- Officers exercising delegated powers;
- Every member of staff of the elected local policing body, except for the Deputy Police and Crime Commissioner.

Sensitive Posts

A sensitive post is one which meets one or both of the following duties-related criteria:

- giving advice on a regular basis to the Force itself or, to any committee or board of the Force;
- speaking on the behalf of the Force on a regular basis to journalists or Broadcasters.

Cleveland Police

Political restriction of a post will be identified in recruitment literature and job descriptions, as well as confirmed in the employee's Statement of Terms.

People identified as occupying posts identified as being Politically Restricted in accordance with this policy and procedure will be notified in writing.

If an individual has any queries in relation to a politically restricted role then the HR team are able to offer support and advice.

Appeals

Employees identified as occupying 'Sensitive' posts, have the right of appeal against that decision. They can appeal on the grounds that they cannot influence policy, or that the duties-related criteria have been applied incorrectly.

To appeal they should do so in writing to the Head of Human Resources including a copy of their current Job Description.

Written appeals by an individual or their Union on their behalf will be considered by the Ethics Committee. For the Office of the Police and Crime Commissioner any appeal this will be considered by the Chief of Staff.

Disciplinary action

Where a member of Police Staff defined as being in a politically restricted post, breaches the terms and conditions of their employment, the Force may decide to take disciplinary action through the Disciplinary Policy for Police Staff.