

Transforming Professional Standards within Cleveland Police

Policy on the management and handling of prospective conduct matters coming to the attention of the review team

1. The overarching principles guiding the transformational review of professional standards in Cleveland Police are to:
 - Create organisational effectiveness
 - Instil a culture of integrity, fairness and impartiality
 - Build constructive and positive stakeholder engagement
2. The review will only succeed if it is able to maintain and enhance internal and external relationships and to engage with stakeholders, especially those who, for whatever reason, have least confidence in the police complaints and misconduct system. Furthermore, the review will need to respond to constructive feedback and commentary in order to influence improvements in policing standards.
3. It is foreseeable that as a result of the existence of this review, and in light of the extensive internal and external communication associated with it, individuals either within or external to Cleveland Police may seek to bring to the attention of the review specific issues relating to the manner in which they believe former cases have been handled within PSD, which may or may not include expressions of dissatisfaction or concern over the fairness of any individual investigation.
4. It is also foreseeable that individuals with a legitimate interest in this review will wish to provide the review with the benefit of their general experience of professional standards in Cleveland Police, either at the present time or at any time in the past.
5. It is important that the conduct of the review is such that it provides reassurance to both the communities of Cleveland and to the officers and staff who work for Cleveland Police. It is therefore important that a consistent, open and fair approach is taken in respect of any reports that are received raising issues, whether from members of the public, police officers or staff employed by Cleveland Police or its strategic partners.
6. Outlined below are the principles which will be applied to any such issue brought directly to the attention of the reviewers to ensure consistency, accountability and transparency.

Guiding Principles for the handling of case specific information

1. Any individual seeking to raise a concern relating to a former historic case, investigation, outcome or other action or inaction, perceived or otherwise by any former or current member of the Professional Standards Department will be afforded the opportunity to do so.
2. A key feature of this process is to recognise the importance of responding to the concerns raised by the reporting person, regardless of whether those concerns are actual or perceived.
3. All such reports will be recorded by the reviewers in a specific register. Records will include including the details of the person making the report, relevant contact details, details of the incident / case / investigation / etc. together with the core nature of the concern or issue. A clear understanding of what the reporting person would like to happen as a result of the disclosure of any such information should also be recorded. Efforts should be made to secure relevant details that would enable further investigation of the issue should it be necessary.
4. An explanation of the strategic purpose of the PSD review should be provided to assist in managing expectations and it should be made clear that where further investigation or action is contemplated or required this will result in a referral to another party for further action or decisions as the reviewers have no capacity or mandate to pursue or champion any individual case.
5. Any person making such a report should be reassured that their issue will be carefully considered and they will be contact in due course with either an update or outcome in line with any expectations they have. The boundaries of confidentiality should be clearly outlined and the expectations of the reporting person understood.
6. The provisions set out in the College of Policing's *Reporting Concerns* (2016) will be followed. This guidance explains how those working in policing can report concerns of improper conduct or practices, and what they can expect from the process. Due consideration will be given to whether any such report qualifies as a disclosure as described under the Public Interest Disclosure Act 1998,¹ the aims of which is to ensure officers or members of staff can raise such concerns without fear of victimisation, subsequent discrimination or disadvantage.

¹ as set out in Cleveland Police *Professional Standards Reporting Procedure* and Cleveland Police OPCC *Public Interest Disclosure Policy* – as available on the force intranet and the OPCC website.

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7. Each case should be considered by the Superintendent with responsibility for the review (Superintendent John Lyons) and lead PSD review officer (John Armstrong) on a case by case basis, who will be responsible also for determining what other scoping or assessment, if any, may be necessary to fully understand the matters brought to their attention.
8. It may not however be necessary, justifiable or indeed realistic to commence a lengthy process of scoping for additional information in order to justify reaching a decision.
9. Where a decision is taken that no further action is required this should be recorded, along with relevant rationale to justify the decision taken, and the reporting person informed.
10. In particular, an assessment will be made as to whether any such information or disclosure is capable of being assessed as amounting to any conduct matter.² If so, the review team will bring this matter to the attention of the Head of Professional Standards.
11. A key consideration will be the extent to which any such matter has been formally raised with the appropriate authority on any previous occasion.
12. Where a decision is taken to refer the matter under consideration for further action a record will be made of the decision, what action is considered to be necessary based on the available information, and who has been tasked or requested to progress the referral, along with the reasons for the decision.
13. Throughout such a period the reporting person should be updated with any relevant decisions taken or progress made, taking account of their expectations.
14. A final conclusion to the matters raised should be sought. Wherever possible, the expectations of the reporting person should be met, and regardless of whether this proves possible, the reporting person will be informed of the outcome, a record of which will be maintained.

John Lyons
John Armstrong
17 January 2017

² defined as any matter about which there is not or has not been a complaint, where there is an indication (whether from the circumstances or otherwise) that a person serving with the police may have committed a criminal offence or behaved in a manner which would justify disciplinary proceedings