



## Office of the Police and Crime Commissioner STAFF CODE OF CONDUCT

### Introduction and interpretation

The purpose and aim of the Code of Conduct is to raise awareness and provide guidance regarding the standards of conduct and behaviour that is expected from staff in the Office of the Police and Crime Commissioner (OPCC), working under the direction and control of the Chief Executive of the Local Policing Body. This Code of Conduct does not apply to staff employed by or under the direction and control of the Chief Constable.

The public is entitled to demand that an employee of the Police and Crime Commissioner (PCC) conducts himself/herself to the highest standards. Public confidence would be damaged if appropriate standards are not maintained.

As part of the role of the OPCC is to hold the Chief Constable and Office of the Chief Constable to account, the staff need to have due consideration of the appropriateness of their relationships with members of the OCC who are in positions of influence and authority. If you believe that this applies to you please discuss this with a member of the SLT about how this can be managed.

The Code of Conduct will be an integral part of the staff handbook that forms part of the terms and conditions of the contract of employment for all staff.

The following sections provide details and some examples of the type of conduct expected. If an employee requires further guidance on any issue relating to conduct then they should consult with a senior manager. Please note that this code of conduct is not exhaustive.

The OPCC also adopt the College of Policing Code of Ethics. The Code has practical examples for officers and staff to use in their everyday jobs and sets out nine policing principles and 10 standards of professional behaviour. It encourages officers and staff to challenge those who fall short of the code, while at the same time protecting those who report wrongdoing.

A copy of the Code of Ethics can be found here <http://www.college.police.uk/en/20972.htm> and a hard copy is available in the OPCC main office.

### Duties and Responsibilities

It is of the utmost importance that the Police and Crime Commissioner maintains public confidence in the integrity of themselves and their staff. Staff should at all times, act in the public interest. Staff have a responsibility to act fairly, objectively and in good faith. Staff should be familiar with the Police and Crime plan, its aims and objectives; laws and regulations; and the internal management, policies and procedures that relate to staff work.

Staff are required to abide by the cultural and behavioural values which underpin the OPCC work to deliver its Vision:

- Lead and enable innovation
- Develop and deliver best practice in all key areas of work; “be the best”
- Flexibility and openness to change
- Shared success internally and externally (team working and partnership working)
- Efficiency, “working smart” and focus on priorities

<https://www.avonandsomerset-pcc.gov.uk/Openness/Lists-registers-key-documents.aspx>

In addition, staff should comply with any other requirements of the Elected Local Policing Body, including standing orders and financial regulations.

The following principles provide guidance on the standards of conduct reasonably expected of staff in the Office of the Police and Crime Commissioner:

- Act always in such a manner as to promote and safeguard the interests and well-being of colleagues and the general public.
- Ensure that no action or omission on the part of staff or within the sphere of staff work is detrimental to the interests, conditions or safety of the Police and Crime Commissioner and Office.
- To be responsible for upholding the law and to act on all occasions in accordance with the trust placed in staff of the Police and Crime Commissioner.
- Adopt a proactive, responsible and cooperative attitude towards Health & Safety.
- Take action if staff witness or are made aware of any improper conduct, including any act of harassment or victimisation.
- Not to discriminate unlawfully, for example, in decisions made.
- Ensure that staff behaviour does not cause embarrassment or reflect negatively on the Local Policing Body in a way that would bring the reputation of the Local Policing Body into disrepute or cause a loss of public confidence in its work.
- Staff must not do anything which may cause the Local Policing Body to breach any of the equality duties as defined in the Equality Act 2010.
- Staff must not act in any way that would bring the PCC or the OPCC into disrepute.

### **Use of Alcohol or illegal drugs**

Unsatisfactory performance, attendance or behaviour caused by excess alcohol consumption or by drugs may be dealt with under the Local Policing Body’s disciplinary procedures, depending on circumstances. If a member of staff is prescribed drugs which may affect their ability to do their job, then they should seek advice from Senior Management on the health and safety implications of this as soon as possible.

### **Accountability**

Staff should conduct themselves with integrity, impartiality and honesty. Staff should not deceive or knowingly mislead the Local Policing Body, the Police or the public. Staff should offer the public the highest standards of conduct and service.

### **Conflicts of interest**

Staff should abide by the rules with regard to private interest and possible and potential conflict with public duty; the acceptance of gifts and hospitality; disclosure of commercial, personal and confidential information and political activities. Staff should not misuse their official position or information acquired in their official duties to further their private interests

or those of others. Staff should ensure that any possible conflicts of interest are identified to the Chief Executive at an early stage and that appropriate action is taken to resolve them.

### **Integrity**

Staff should not use their official position to receive, agree to accept or attempt to obtain any payment or other consideration for doing, or not doing, anything or showing favour or disfavour to any person. Staff should not receive benefits of any kind from any third party that might reasonably be seen to compromise their personal judgement and integrity.

Under the Prevention of Corruption Act 1916 employees of public bodies may be required to prove that the receipt of payment or other consideration from someone seeking to obtain a contract is not corrupt.

Staff must not do anything which may cause the Local Policing Body to breach any of the enactments within the Bribery Act 2010, which covers a wide range of direct and indirect bribery offences. Penalties for non-compliance are serious (imprisonment/fines up to £5,000) and offences include:

- Giving a bribe – offering, promising or giving of an advantage
- Receiving a bribe – requesting, agreeing to receive or accepting an advantage

Please refer to the OPCC Gifts and Hospitality policy:

<https://www.avonandsomerset-pcc.gov.uk/Openness/Lists-registers-key-documents.aspx>

### **Relations with the public**

Staff in the Office of the Police and Crime Commissioner who deal with the affairs of the public should do so sympathetically, efficiently, promptly and without bias or maladministration.

### **Confidentiality/Use of Information**

Staff owe a general duty of confidentiality to their employer under common law. During the course of staff employment staff will come across confidential information. The privacy and confidentiality of such information must be maintained at all times unless staff are expressly authorised to divulge it, or are required to do so by law.

Employees should not disclose the proceedings of any Local Policing Body meeting from which the press or public have been excluded unless staff are required to do so by law, or have been authorised to do so. Care should be taken to ensure that any information that is disclosed is accurate.

Business information should not be divulged to any third party or used other than for the purpose of discharging the functions of the Local Policing Body.

Contracts, commissioning or purchasing arrangements must not be used for personal benefit or to benefit any person or organisation other than the Local Policing Body unless approval is obtained.

If staff have any reservations about any request to supply information, they should immediately refer the matter to the Chief Executive.

### **Use of Resources**

Staff should try, at all times, to ensure proper, economic, effective and efficient use of resources as befits public money.

Local Policing Body resources, whether tangible assets such as materials, equipment and cash, or business information such as trade secrets, or business time, may not be used other than for the proper advancement of the business of the Local Policing Body.

### **Computer security and data protection**

The information stored and processed on the Local Policing Body's (the PCC's) and Avon and Somerset Constabulary's Information Technology systems is of paramount importance to day to day activities. It is therefore essential that the data and systems are adequately secured against risks such as operator errors, theft of equipment, unauthorised access to or copying of programmes, use of unauthorised software on Local Policing Body computers (which increases the risk of importing computer viruses) and natural hazards such as fire, flood and power failures.

The Data Protection Act 2018 (which requires all users of personal data to be registered with the Information Commission and to comply with the Data protection Principles), the General Data Protection Regulation and the Computer Misuse Act 1990 (which seeks to secure computer material against access or modification), must be complied with.

Staff must ensure that no unauthorised person gains access to equipment or data that they are responsible for. Login passwords must be used for other logins and must not be disclosed to anyone.

Any data breach must be reported to the Data Protection Officer as soon as possible and within 72 hours.

### **Copyright**

All records, documents and other papers relating to the finance and administration of the Local Policing Body and which are compiled or acquired by staff in the course of staff employment are and will remain the property of the Local Policing Body, and the copyright in all such cases belongs exclusively to the Local Policing Body.

In the case of scholar work - such as projects undertaken as part of a course to further a professional career, and including books, contributions to books, articles and conference papers - the copyright will belong to the employee.

### **Conduct away from work**

The life of staff away from work is their own personal concern. However, staff should not conduct themselves in a manner which, because of the nature of their employment, would undermine the Local Policing Body's confidence or trust in the Local Policing Body.

In particular, staff should not conduct themselves in a manner which could result in criminal charges being brought against them. The Local Policing Body takes the view that, because of its responsibilities in relation to policing, there is an even greater onus on its employees not to commit offences than might apply in other forms of employment. The Local Policing Body therefore requires staff to notify the Chief Executive without delay of any charges which have been brought or may be brought against them whether or not they are directly relevant to their employment.

### **Equality and Diversity**

A public authority, which includes the Local Policing Body, must, in the exercise of its functions, have due regard to the need to eliminate unlawful discrimination, victimisation and harassment on the grounds of: race, disability, religion or belief, age, gender, sexual

orientation, gender reassignment, and pregnancy and maternity. The Local Policing Body is committed to advancing equality of opportunity and fostering good relations for all in its employment. Discrimination by staff will not be tolerated.

### **Staff concerns about improper conduct**

If an employee of the Local Policing Body believes that they are being required to act in a way which:

- is illegal, improper or unethical
- is in breach of a professional code
- may involve possible maladministration, fraud or misuse of public funds or;
- is otherwise inconsistent with this code of conduct

then they should either raise the matter through the Chief Executive or senior management.

Staff should also draw attention to cases where:

- There is evidence of criminal or unlawful activity by others and may also report cases where they believe there is evidence of irregular or improper behaviour elsewhere in the organisation, but where they have not been personally involved, or if they are required to act in a way which, for them, raises a fundamental issue of conscience. Any complaint against the Chief Executive should be made to the Police and Crime Commissioner.

### **Additional employment**

The Local Policing Body will not attempt to prevent staff from undertaking additional employment or voluntary work as long as it does not conflict with the interests of, or in any way weaken public confidence in the Local Policing Body, and does not in any way affect performance of staff duties and responsibilities.

Staff must inform and obtain the permission of the Chief Executive before accepting additional employment. A record of approval will be maintained. This relates to any employment or voluntary work.

Where payment is received by staff for work which arises principally as a result of work-related skills, the employee must ensure that assets or information belonging to the Local Policing Body are not used when undertaking such work, unless prior permission has been sought and granted by the Chief Executive. Staff must also ensure that any persons that they deal with understand that they are acting in a private capacity, and not on behalf of the Local Policing Body.

Staff undertaking secondary employment must ensure that any income received is properly declared to the relevant authorities.

### **Political restrictions**

All paid staff except the Deputy PCC in the Office of the Police and Crime Commissioner will be politically restricted. Staff are not eligible to stand for office as a Member of Parliament but may participate in County, Borough or Parish council activities, provided any resultant conflict of interest is declared. Staff should not be involved in advertising any political group.

### **After leaving employment**

Staff should continue to observe their duty of confidentiality after leaving the employment of the Local Policing Body.

<b>Policy Statement Information</b>	
Policy Owner (Job Title)	Chief Executive
Date to be Reviewed	November 2022
Date Last Review Completed	November 2018
Effective Commencement Date	July 2014