

**THE OFFICE OF POLICE AND CRIME COMMISSIONER
FOR DERBYSHIRE
DECISION RECORD**

Request for PCC Decision	Received in OPCC Date:10 April 2014	OPCC Ref: 14/14
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Title: DERBYSHIRE POLICE AND CRIME COMMISSIONER ETHICAL FRAMEWORK

Executive Summary: To be completed by PCC Specialist lead

PCCs had decided at their General Meeting on 9 July 2013 to form a working group to examine various aspects of integrity in policing, including producing some principles or framework about PCCs own ethical approach.

The suggested framework builds upon the Code of Conduct signed by the PCC and DPCC and aims to increase public understanding of the ethical landscape within which the PCC is operating and increases transparency and access to information.

Decision

Resolved that

To adopt and publish on the PCC's website the Ethical Framework attached at Appendix A to the report.

Hyperlinks be added to the bullet points within the published document for ease of access to information within the PCC's website.

Declaration

I confirm that I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct for the Police and Crime Commissioner for Derbyshire. Any such interests are recorded below.

None The above request has my approval.	
Signature ALAN CHARLES	Date 14 APRIL 2014
PUBLICATION SCHEME CONSIDERATIONS	
Is the related Section B report to be published Yes If no, please indicate relevant exemption	

Is the publication of this approval to be deferred No If Yes, provide reasons below Date to be deferred to – NB Statutory Instrument 2011/3050 (as amended by SI 2012/2479) states that: <i>all decisions made by a PCC are in the types of information that must “be published as soon as practicable after it becomes available to the elected local policing body”.</i>
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OFFICER APPROVAL	
Chief Executive or Nominee: I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner	
Name DAVID PEET	Date 14 April 2014

STRATEGIC GOVERNANCE BOARD

14 APRIL 2014

REPORT OF THE CHIEF EXECUTIVE

7B: DERBYSHIRE POLICE & CRIME COMMISSIONER ETHICAL FRAMEWORK

1. PURPOSE OF THE REPORT

- 1.1 To agree a revised Ethical Framework for the Office of the Police and Crime Commissioner for Derbyshire.
- 1.2 To formally adopt the proposed Ethical Framework shown at Appendix A of this report.

2. BACKGROUND

- 2.1 Police and Crime Commissioners (PCCs) decided at their General Meeting on 9 July 2013 to form a working group to examine various aspects of integrity in policing, including producing some principles or framework about PCCs own ethical approach.
- 2.2 This followed some initial discussions with the Committee on Standards in Public Life (CSPL), which is an advisory body which reports to the Prime Minister and oversees standards of conduct in public office to ensure the highest standards of propriety. The intention is that the PCC ethical framework should be led and developed by Police and Crime Commissioners themselves. Whilst the CSPL is willing to provide guidance and information about good practice in other sectors it reserves the right to hold an enquiry at a later stage if circumstances warrant. The Committee stresses the need for proportionality, and comments that developing a Code is relatively easy, whereas the real challenge is to embed high standards throughout an organisation and its processes, and to monitor whether they are being met in daily business.
- 2.3 The PCC Integrity Working Group at a further meeting with CSPL on 5th November, decided that an ethical framework should be:
 - Based on Nolan Principles
 - Drawn on good practice in the Public Sector
 - Capable of being adapted by PCCs to meet local needs

3. CURRENT LEGISLATION

3.1 The existing legislation which covers the ethical standards of PCCs is summarised as follows:-

- Section 31 and schedule 7 of the police reform and social responsibility act 2011 deal with conduct and complaints, but this is phrased largely around the complaints process for PCCs, and does not set out any standards beyond confirming that the Nolan Principles apply.
- The schedule to the local policing bodies (specified information order) 2011 (as amended in 2012) at paragraph 6(a) requires PCC to publish “a statement of the policy of the elected local policing body in relation to the conduct of relevant office holders, including procedures for the handling of qualifying complaints and conduct matters.”
- The Police and Crime Commissioner elections (declaration of acceptance of office) order 2012 sets out the oath of office which PCCs take, which includes promises to act with integrity, give the public a voice, be transparent and be accountable to the public.
- There is a range of other legislation which applies to PCCs and deals with specific aspects or matters which would be covered in any ethics framework, including issues such as whistleblowing procedures, data protection and information disclosure.

4. THE NOLAN PRICIPLES

4.1 The ‘Nolan Principles’ (properly the Seven Principles of Public Life) apply to all holders of public office and set some key ethical principles. They are:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

5. THE FRAMEWORK

- 5.1 The legislation is concerned largely with high level statements or complaints procedures and provides little guidance to PCCs on ethical principles. Whilst this approach is consistent with greater local autonomy, the lack of detail about key principles of behaviour could expose PCCs to significant reputational risk which might have a detrimental impact on public confidence.
- 5.2 As leaders of their local policing bodies PCCs are critical to setting the culture of transparency and ethical behaviour in which the public can have trust across the criminal justice system in their area, and it is hoped this framework will prompt thinking about how PCCs might fulfil this leadership role and enable them to lead by example in this respect.
- 5.3 The suggested framework builds upon the Code of Conduct signed by the PCC and Deputy PCC (available on the website) and aims to increase public understanding of the ethical landscape within which the PCC is operating and increases transparency and access to information.

6. RECCOMENDATION(S)

- 6.1 That the Derbyshire Police & Crime Commissioner Ethical Framework at Appendix A be adopted and published on the PCC's website.
- 6.2 That hyperlinks are added to the bullet points within the published document to ease access to the information within the PCC's website.

7. IMPLICATIONS

All implications are assessed and scored to the table below.

HIGH – supporting explanation and narrative required and to be contained within the report

MEDIUM – narrative to be contained within the report at the discretion of the author

LOW – no narrative required

	LOW	MEDIUM	HIGH
Crime & Disorder	√		
Environmental	√		
Equality & Diversity	√		
Financial	√		
Health & Safety	√		
Human Rights	√		
Legal		√	
Personnel	√		

Contact details in the event of enquiries	Name: David Peet External telephone number: 0300 122 6021 Email address: david.peet.16406@derbyshire.pnn.police.uk
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ATTACHMENTS

APPENDIX A Derbyshire Police & Crime Commissioner Ethical Framework



Derbyshire Police and Crime Commissioner Ethical Framework

As Derbyshire Police and Crime Commissioner I have agreed to abide by seven standards of conduct recognised as the Nolan Principles. This Ethical Framework allows transparency in all areas of my work as a Police and Crime Commissioner. These principles encompass my work locally and whilst representing my communities in national forums. The codes are listed below with relevant case studies attached. I wish to demonstrate how I am working to provide a public voice to Policing in Derbyshire.

Selflessness

Police and Crime Commissioners should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Gifts and hospitality that are accepted as well as declined are fully noted on my website in a clear spreadsheet so that the public are fully aware of any gifts and engagements I attend. This makes the process open and transparent and avoids any misrepresentation.

This is continually updated by my office, and scrutinised by the monitoring officer.

- *Register of Gifts and Hospitality*

Integrity

Police and Crime Commissioners should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

On my appointment 20 November 2012 I pledged my oath to represent 'all sections of the public without fear or favour.'

In the eventuality where the interests of exercising the functions of my office might conflict with any disclosable or other interest, which has become known to me, I shall as soon as possible declare such conflict and take necessary action.

- *Commissioner's Oath*

Objectivity

Police and Crime Commissioners carrying out public business, including making public appointments, awarding contracts or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

All appointments to office have been made following an open and transparent process.

The people of Derbyshire play a key role as to how my Police and Crime Plan is put into practice. My plan lays out how I and the Chief Constable aim to make the communities of Derbyshire safer.

- *Derbyshire Police and Crime Plan*

Accountability

Police and Crime Commissioners are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

I established the Strategic Governance Board (SGB) to allow both the Chief Constable and I to exercise our respective roles in a transparent manner. All meeting minutes are published. This promotes transparency and allows the public to be aware of the developments within the force.

The strategic decisions I make are taken, whenever possible, at my SGB meeting and published in the form of decision logs on my website. (If decisions are taken outside of the SGB, these are highlighted at the following meeting and are also recorded on the Decision Log.) Decision logs are a concurrent record of the development of policing services and the reasons for those decisions made. In every decision I make, I confirm that I have considered whether I have any personal or prejudicial interest in the matter and take the decision in compliance with the NOLAN principles for conduct in Public Life.

- *Commissioner's Decisions*
- *SGB Minutes*

Openness

Police and Crime Commissioners should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

My website is compliant with the Local Policing Bodies (Specified Information Order) 2011. There is a range of information accessible on the website, including confidential reporting policy and information disclosure.

I keep my communities informed through social media as well as through public engagements. My office issues regular proactive press releases about the work I conduct and responds rapidly to other media enquiries.

- *Latest News*

Honesty

Police and Crime Commissioners have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

I act solely in the public interest whilst exercising the functions of my office. My website is accessible to members of the public and I openly publish a register of disclosable interests. I have no outside interests as shown in that document.

- *Notification of Disclosable Interests*

Leadership

Police and Crime Commissioners should promote leadership and support the Nolan Principles by leadership and example.

By establishing clearer and more transparent terms for senior officers I have reduced costs to the taxpayer and set an example to the organisation. I ensure full public accountability, so people can check on my progress and that of my office.

- *Staffing Structure*