



Police Ethics Network (South West, Wales & London Region)

Police Code of Ethics & Ethics Committee Peer Review on *4 October 2019* at:



City of London Police

1.Introduction

The Police Ethics Network (SW, Wales and London) agreed it would be most beneficial if a peer review process could take place between member organisations who wished to take part in the exercise. The purpose of the review is to identify and support knowledge and understanding of the benefits and challenges in relation to the Code of Ethics and Ethics Committees or Panels.

The peer review is a tool to support forces in reflecting upon the current status of their activity and to inform further advancement and enhancement. This is particularly important as the Code of Ethics is a new statutory framework for all police officers and staff, and so development in this area is relatively new.

What the peer review is not, is an inspection or any intention to use a benchmark against other forces. It is a review to support the innovative work being undertaken by those involved in developing this area of work.

2. Methodology

The review team comprised of a Professor of Policing and Criminology and a Chief Superintendent from Devon and Cornwall Police. The review team members are not employees or had any commercial interest with City of London Police.

The peer review involved five separate focus groups, including

1. Ethics Associates of London Police Challenge Forum (LPCF) (3 members)
2. Senior Chief Leader and LPCF Administrator
3. Police Officers from the City of London Police (8 officers)
4. Police Staff from the City of London Police (6 staff)
5. SLT Team (3 representatives)

The focus group lasted for approximately one hour.

In addition, a London Police Challenge Forum *Administrators Questionnaire* had been completed prior to the visit.

3. Development and Structure of the LPCF in relation to City of London Police

The LPCF was officially launched in December 2016. The first Panel Meetings took place in March 2017. The Panel Meetings comprise of a minimum of 2 panels that are held concurrently. Panel Meetings are held every 8 to 12 weeks.

Each LPCF Panel is chaired by an officer or staff leader in the rank of Chief Superintendent of higher and the equivalent for staff.

There are currently 6 active LPCF Panel Chairs:

LPCF Chair	Organisation	Rank/Position
1	City of London	Head of Strategic Development
2	City of London	Det. Chief Superintendent
3	MPS	Chief Superintendent
4	MPS	Det. Chief Superintendent
5	British Transport Police	Chief Superintendent
6	National Counter-Terrorism	Det. Chief Superintendent

There are approximately 130 Ethics Associates (panellists) that comprise of 20 City of London Police Officers and Staff (the remaining being made of 40 British Transport Police, 55 Metropolitan Police service and 15 National Counter-Terrorism Police).

The LPCF meets independently of the Professional Standards Committee of the City of London Corporation (the equivalent of the PCC for the City of London) although they are regularly updated on LPCF matters by the City of London Police Senior Leader.

Any police officer or police staff member of the City of London Police is free to submit an application to become an Ethics Associate. Once an officer or member of staff expresses an interest to the Administrator, they complete the application form which explicitly asks why they wish to become a member of the LPCF and what would they bring to the role.

The completed application form is then sent to the LPCF lead for the City of London Police. The LPCF lead for the City of London is a member of the Senior Leader's Team. Applicants agree on submission of the application form for a check with the Professional Standards Department. Once the application is approved, the co-ordinator is then able to invite the new Ethics Associate to all future LPCF meetings and events.

The LPCG have Terms of Reference, which were agreed in late 2016 by the three original organisations (The National Counter-Terrorism Police did not join the LPCF until June 2018). A revised and updated version was written in 2018 but these have not been ratified yet (although it was indicated the revised version would be confirmed and ratified very shortly).

4. Ethics Panels and Ethical Dilemmas

There have been a total of 23 meetings held to date.

Dates	Meetings	Number of Panels
2017	8	2
22018	8	2
2019 to date	12 (with another 4 planned)	

The numbers of ethical dilemmas that have been presented to the Ethics Committee for consideration are:

Dilemmas submitted from October 2017	Number
Total number of ethical dilemmas submitted	52

Any police officer or staff of the City of London Police may submit an ethical dilemma to the LPCF. The City of London Police has a dedicated page on their Intranet site to the Code of Ethics and the LPCF; located in this page is an ethical dilemma submission form. Ethical dilemmas are submitted via on-line to the LPCF Administrator.

The LPCF Administrator contacts the referrer of the dilemma to discuss the submission and ensure it is suitable and in an appropriate format for discussion by the LPCF Panels.

As tabled above, 52 ethical dilemmas have been submitted to the LPCF thus far. Out of those 52 dilemmas, two have been deemed as unsuitable by the LPCF Leaders. These were considered unsuitable as they were related to potential or on-going professional standards investigations into individual officers at the time of submission.

Currently, there is no facility to refer anonymously.

The suggestions and recommendations of the Ethics Panels to ethical dilemmas are fed back via a Guidance Statement which is made available to the referrer.

It is also noted that several ethical dilemmas have been submitted to both the Regional and UKPEGG Ethics Committees.

The Guidance Statements for the first 12 dilemmas have been published on the LPCF organisations intranet pages. Plans are in hand to place the outstanding Guidance Statements on these pages very shortly.

5. Interview with Senior Chief Lead and LPCF Administrator

As noted above the LPCF is made up of four organisations; the City of London Police, the Metropolitan Police Service, British Transport Police and the National Counter-Terrorism Unit. These organisations, collectively, represent 20% of UK policing. The City of London Police currently has 18 Ethics Associates represented on the LPCG.

Consistent with the development of Ethics Committees elsewhere in England and Wales, the LPCG required re-energising and revitalising a year or so after the initial launch. The LPCG is supported by a sergeant in a full time capacity to provide the Administration and co-ordination. The Administrator must be commended on his dedication and commitment to this agenda since its inception.

Again, in keeping with organic learning and development, all the Ethics Associates are invited to the Panel meetings thus increasing representation across the four organisations. The Panels provide feedback and learning directly to each member force which also links to local, regional and national learning. As the dilemmas submitted are cross-organisational, it provides for rich discussion and learning. These dilemmas have also included operational issues,

Part of the learning of the LPCF has been the potential (real or perceived) ‘conflict’ between forces, but the nature of police ethics is that it transcends geographic boundaries and specific force/organisational objectives.

The Senior Chief Leader for the City of London stated:

“the peer review is an opportunity to look at what next for the ongoing delivery of the Code of Ethics. Activity will include the potential of the increased involvement in the panels and completing the circle of learning by distributing findings.”

One of the challenges to date has been the undulating interest in the panels; there is an ebb and flow of interest in articles and information on Internet. Senior management

is exploring how to maintain consistent momentum and sustainability of activity in the long term.

It was reflected that the embedding of ethics in policing has been very different to other agendas:

“Diversity is nationally led and driven whereas ethics has been different...

The Code of Ethics has not been driven nationally or centrally but driven by passionate individuals. The College of Policing has not provided support for the agenda as expected.”

The link between the City of London ethics lead to the Regional PEN is seen as useful and provides depth of conversation, especially in relation to different forces reporting back on what they are doing and what works, which provides rich cross fertilisation of ideas; ‘the PEN is a very dynamic group’.

It was considered that the UKPEGG was seen as more strategic, which was necessary but not as useful as the PEN for local issues, but good to bring the wider issues across the country to discuss and share ideas, and provide a framework for UK organisational learning.

6. Ethics Associates Focus Group

The Associates were motivated to join the Panels because they had a deep interest in the ethical dilemmas that the City of London encounters and have to deal with:

“The dilemmas are cross cutting across policing and it’s important we understand them and throw them out there to discuss”.

“It’s a worthwhile process and I enjoy listening to the dilemmas and throwing a different perspective into the discussion”.

The Associates considered that developing and embedding an Ethics Panel was an interesting concept, which worked outside the norm and was forging a new direction in policing. Reference was made to the different and diverse types of dilemmas that had been presented, from issues as such as copy write to the criminalising children. The participants who had attended Panels found the meetings interesting and relevant

to policing and communities. It highlighted those different challenges that police encounter on a daily basis.

One participant had attended the panel on one occasion, one on three occasions and one had not yet been invited to attend, but was keen to do so.

“I felt I was treated fairly and my voice was heard on the panel.

The group was a reasonable size and was chaired well, which was positive and it made a difference to the conversation. Last time I attended was last month and then another 2 months ago”.

It was reported that normal policing demands and work commitments can have an impact on being able to attend the Panels: It can be difficult for the Associates to fit them in their diary as the commitment with travel is half a day.

The format of the meeting, in that the Chair poses question and there is an opportunity to discuss amongst the Associates and take down views and thoughts, was considered to be positive.

“It tends to be a healthy discussion, where you are able to say your piece and give your view from your organisation”.

When asked if the Panels were making a difference the response was

“Leadership around ethics depends on who is in the top seat at this moment in time makes a difference. Sometimes you need a policy around it to get it delivered”.

That said, it was considered that any form of reflection and listening to others was good and encouraged being open to talking on the thoughts and feelings of others.

“It is great to give time and your voice to hear other people’s experience as it encourages you to think differently”.

One of the outcomes for the Ethics Associates was that although there was not a light bulb moment, it did provide some self-awareness and the ability to look at different perspectives.

The participants of this focus group has not submitted dilemmas or advised others to do it, although they were quite clear that there were no obstructions to submitting a dilemma.

“Talking things through is a great a way of problem solving and to get others views. Locally I do discuss the panel dilemmas with my contacts and teams”..

It was considered that the City of London could make better use of the Panels. Suggestions about improving communication and reminding staff that the LPCF exists as well as publicising the outcomes and impacts would help to get people involved. They interviewees felt that if the Panels had impacted or contributed to how the City of London does it business, this should be publicized.

It was noted that the feedback and outcome of the discussion could take some time to be reported back and the interviewees were unsure how the outcomes were published.

One of the interviewees had informed his team about the Panels, but reported that the reaction had not always been positive. He felt that ethics was a slower-burn initiative that would take time but would be an instrumental part of policing today and in the future.

The Ethics Associates were aware of the ethical videos and tools available, but felt that there was limited awareness of these across the City of London. This was coupled with the general feeling of police officers and staff being under increasing pressure, which is representative of policing at the moment.

That said, there was positive enthusiasm for the ethics agenda to be part of and potentially enhance the Transformation Programme.

7. Senior Leader Team (SLT) Focus Group

The SLT was represented by participants from Intelligence, Response and Strategic departments.

It was decided that a separate lead for Code of Ethics would be allocated in the City of London in order for ethics not to be associated with the Professional Standards Department (PSD). The rationale for this was that the City of London police wanted it to be about being proactive and about making the right decisions. This approach has synergy with the work of Professional Standards whose approach is to support their people and prevent wrongdoing leading to discipline.

However, the Transformation Programme provides a framework for enhancing and embedding ethics further. An overview of the ethical framework for work delivered by the Transformation Programme, included and could include:

- Integrity standards board – governance and meeting structure in place
- Integrity Sub-Committee – external
- London Police Challenge Forum commitment
- Dashboard – oversight of grievances, PSD, complaints (not seen by the SMT)
- Paperwork and policy – to include an area for Ethics considerations – applying it to professional practice
- Not a standalone Ethics Committee
- Decision making – in the every day
- Professionalism – PSD ‘Here to help’
- PSD engagement role – to increase a role to support this helping and support role (capacity issues with this)
- PSD – ethical decision making and using the Coe of Ethics to close down investigations
- 3 misconduct boards – found for the people on the Board (Line management delivery)

When asked how useful the Code of Ethics is for the SLT, it was considered helpful to use as guidance and for consideration in operational decision making. The City of London use videos and tools to support this guidance.

“The Code of Ethics is a tool and a shield to consider decision making and to ensure transparency, fairness and integrity. As an AO and leader I have used the Coded of Ethics to support authorisation to justifying decisions and leadership”.

The initial response to the Code when it was first introduced and the examples used by the College of Policing were considered “bland and not relevant. I did wonder how this was going to change things and make things happen”.

All the senior leaders received a training NCALT package (including 20 questions) to raise awareness of ethics and the Code of Ethics and the LPCFs and London conferences have provided some specific training.

When asked how they use the Code of Ethics in everyday business, the responses included:

“I don’t specifically have conversations about it but it is part of the responsibilities at different levels. I’ve seen in a subtle change in language ‘I don’t think that’s ethical’. The word ‘ethics’ can sometimes be seen as scary, but we are now using that word”.

One leader felt that Ethics was a mind-set he had seen demonstrated in understanding vulnerability (describing it as multi-faceted):

“There has been good feedback on vulnerability, non-judgemental policing approaches. The Vulnerability Training had taught officers and staff – ‘don’t go with a predetermined outcome’.

It is about the Ethical way you treat people and looking for the reason why people offend”.

The area of ethics and vulnerability also reached into other areas of business such as Custody involving vulnerable people and children. One of overall objectives of the City of London Police was to understand the impact of vulnerability and to test it. This included reviewing the Custody CCTV footage and it was found that not one single incident was criticised.

The interviewees also provided another good example, which was the reviewing of practice and checking stop and search rates that showed good proportionality rates.

That said, it would appear that there have been very few ethical dilemma submissions from City of London to the LPCF. There was a view in some areas of the City of London that there was little point of it and the discussions have been very general. The group were also not sure about feedback mechanisms and it was an area that would benefit from improvement.

The SLT focus group felt that the ethic panels could explore some of the more significant issues facing the force. For example, drugs, in relation to market hardening in that 2,000 text messages were sent to mobile phones where offending activity had been identified on at least 3 occasions as an attempt to act as a deterrent to further criminality. Or the issue of the repeal of the Vagrancy Act, in which there was a moral

issue of is it right for the police to impose fines on people who have no means of payment and when it is felt that this is a wider societal issue than just policing.

There was a discussion around the need to introduce and embed ethics into training from the beginning in order to make it 'business as usual'. This would support greater opportunity to develop challenge as well as impact on leadership, decision making and policies.

8. Police Officer Focus Group

Three out of the seven attendees had heard of the ethics panel's with knowledge of what they were there for and their function. No one had submitted an ethical dilemma, although two participants stated that their boss – who was an Ethics Associate - would discuss the contents and views of the panels with the team and what had been the outcome and suggestions of the dilemma.

There was a general agreement that some officers and staff were cynical of the Ethics Panel, with little understanding of how they would use it at work. There were further observations that the work and outcomes from the Panel does not filter down to officers and staff.

Some members of the group questioned the value of the panels and what they could contribute beyond the knowledge of Code of Ethics standards and principles. An alternative view was that the Code of Ethics was important and formulised what officers and staff should be doing within policing. That it is a good prompt for new staff and officers to understand standards and expectations.

It was agreed that the panel could improve communications to support understanding of what discussed and the outcomes to the ethical dilemmas. At this point of the discussion, the police officer group could not see that it had made a difference to the organisation. They stated they felt the organisation jumped to discipline rather than ethics when there may have been the better solution, such as line managers dealing with behaviour and minor ethical issues rather than going to PSD.

The discussion turned to the understanding and merit of the Code of Ethics;

“It is common sense and provides a structure around doing what you should be doing in policing”.

“It doesn't mean a lot to me other than providing a cycle for the rationale.

I feel detached from it”

“It provides clear guidance on what the public would expect”.

“It is only when you are going for promotion and a job interview that it becomes more meaningful”.

There was general consensus that the Code of Ethics and the national Decision Making model were useful frameworks to use to write statements and to provide justification for decisions.

“It does not stop the organisation beating you over the head regarding your decision-making. It’s a way of providing information on decision-making of how you operated ethically so it can be taken into account”.

An insightful comment was made about the Code of Ethics in that it is generally only referred to when something has gone wrong and not when it goes right.

The focus group note that “there are some good people on panel”. This gave the Panels a degree of credibility. It was also stated that Ethics Champions would be good at promoting the work of the Panels, the communication as well as follow up and feedback. Communication of the outputs of the Panel and how that impacts on policy and practice would be useful, particularly as the interviewees, generally, had not be aware of the suggestions, advice and action. They felt that this form of communication would make a difference to organisational learning and support change in the way the organisation operates.

One participant reflected that good decisions were generally not recognised but bad ones were harshly dealt with. The reward and recognition scheme was viewed as positive, although it was sometimes behind schedule so the recognition was ‘out of date’. The group also suggested that this may be an opportunity to look at how they reward ethical behaviour. Although this was caveated by the conduct recognised should go through ‘due diligence’ on who gets it and who doesn’t. This may include acknowledging good ethical action even when the outcome is bad - but the person made the right ethical decision. It is the context and circumstances surrounding the decision making.

It was suggested that examples and feedback on dilemmas would assist officers and staff to understand the value of the Panels and that promotion of how to submit dilemmas may improve submission rates.

9. Staff Focus Group

Three out of four members of group had heard and had some understanding of the LPCF, while the remaining member was aware of its existence, but not its structure or remit.

When asked what they would do if they encountered an ethical dilemma, the response included:

“I would discuss with line manager or someone in the appropriate position.

I would raise with Stuart as the Ethical Lead as he is a trusted leader”.

The members of this focus group articulate that when risks are highlighted, they are managed through line management, the organisational risk register, and policies and procedures. The Risk and Business Continuity Committee and Senior Management Board include discussions on local and organisational issues.

The Integrity Standards Board also has a dashboard to monitor concerns and issues which are more internal than external. Organisational Learning and development is linked to the Integrity Standards Board and supports the understanding and improvement with some governance in place. In addition, the Bad Apple is available for referrals to raise sensitive issues.

The Code of Ethics was launched within the City of London Police with a robust strategy that included workshops and training packages for officers and staff. In addition a dedicated Intranet was developed to support the strategy. The Code of Ethics is also embedded into specific areas of policing, for example, it is linked to the training for NCRS as part of the agenda to ensure strict compliance with crime recording.

Moreover, the process and documentation relating to areas such as policing and corporate plans, development strategies and policy records include an area for the Code of Ethics to be considered and signed off. This prompts and encourages ethics to be considered and referred to. However, it was noted – or there is a perception - that the City of London police Values are different to the Competency Values

Framework and Code of Ethics – induction ‘Leadership development programme ‘everyone has leadership qualities.

It was mentioned that HMIC have encouraged a corporate governance process, which prompted a review of corporate credit cards. There led to the standardisation of buying equipment and the audits of officer expenses for overseas. A deeper understanding about ethics has enabled challenge. For example, officers and staff have been challenged around sunglasses and a jacket put on to corporate credit cards. This sends a powerful message to officers and staff about the expected standards of conduct more widely. One of the members of the Group observed:

“Good ethics and integrity makes sure we don’t undermined public confidence. When resourcing crimes and screening out, its not unethical when it can be justified”.

Another member volunteered:

“Scrutiny needs to be intrusive and start to challenge the force.
There would be push back on some decisions such as
restructuring the force and a proposal to increase Superintendent posts.
Then I would challenge it”.

It was suggested that consistent messaging about ethics, ethical leadership and the LPCF from the ‘Top Team’ would be positive and beneficial to the organisation. It was noted that PSD roadshows and ‘Drop-ins’ go down very well. There were also a number of issues that could be usefully submitted to the Ethics Panels for consideration, including the number of people acting up before their retirement and receiving a ‘golden handshake’; officers and staff who are unsuccessful at promotion boards but they maintain acting/temporary roles for 18 months; and acting-up for 2 years having failed a board.

10. Observations and Comments:

- The Ethics Lead for the City of London is commended in his dedication and commitment to this agenda within the Force.
- The Administrator for the LPCF works closely with the Ethics Lead, which has been beneficial for both parties. The LPCF Administrator has been committed

and steadfast to this agenda which has contributed to the developments in this agenda.

- Similar to other police forces that have set up Ethics Panels and Ethics Committees, the marketing of the Committee and call for dilemmas is a challenge, particularly at the start. This challenge is even greater for the LPCF given the geographical dimension and the collaboration of four organisations.
- The City of London may wish to consider the development of a communication strategy relating to ethics and the Code of Ethics, including the role and function of the LPCF and how to submit a dilemma as well as including the outcomes of dilemmas that are submitted. This information will be essential to maintaining the momentum of the agenda.
- The City of London has 18 Ethics Associates on the LPCG; this represents approximately 14% of the LPCF members. The City of London may wish to review how to encourage more representation on the LPCG.
- The Ethics Lead may want to review how membership and participation of the LPCF can be incorporated into CPD for officers and staff.
- Police officers and staff have varying degrees of understanding and knowledge about the Code of Ethics and the role and function of the LPCG: this is to be expected given the complexity of the subject and the time required for ethics to be conceptualised, developed and embedded into police processes and practices. That said, the level and comprehension of those officers and staff who did understand was excellent.
- The Ethics Associates were dedicated and committed and felt they had been supported by a good training/events programme. It is important to ensure that the training programme is continually refreshed when necessary.
- There may be merit in exploring if ethical dilemmas can be submitted anonymously, although effort should be given to attracting ethical dilemmas in operational and strategic planning.
- It was noted that the Transformational Programme was an exceptional framework to further develop and embed ethical practice and policy. Attaching the ethics agenda to this framework is to be commended for innovation.
- It may be useful to consider introducing some the ethical tools available in sessions such briefings etc to ensure regularity and consistency of implementing the ethics agenda.

- It was noted that the Code of Ethics was not just supported by the LPCG, but a vigorous strategy comprising of a range of inter-related activities, including videos and other tools.
- There was a deep and consistent understanding of what the Code of Ethics was and the rationale for its introduction. However, there are still small pockets in the organisation that do not fully appreciate the utility of the Code in terms of decision-making and leadership.