College of **Policing**

Working together
to share knowledge

Code of Ethics review

Public consultation on scope and recruitment of
committee members

November 2021

Contents

This document lays out the details of the process that was followed during the consultation on the scope of the Code of Ethics review and the recruitment of committee members for the review of the policing principles.

Communication plan

To support the Code of Ethics review consultation and recruitment for committee members, a detailed communications plan was established with the College Corporate Communications department and a number of channels of engagement were used.

Format or channel	Audience	Content or message
What Works Centre update	Academics	News article including consultation documents
Website	Frontline officers, website visitors	News article including consultation documents
College intranet	College staff, external engagers	News article including consultation documents
Direct, email	Frontline officers, Evidence Champions	News article including consultation documents
Social, Knowledge Hub	Frontline officers, policing academics	News article including consultation documents
Email	Academics, members of police-academic collaborations	News article including consultation documents
Website, APP	Authorised Professional Practice (APP) users	Rolling banner, APP consultation site
Email	National Police Chiefs' Council (NPCC) leads, Force Professional Standards units, Knowledge Hub groups, National Association of Legally Qualified Chairs	Targeted email
Web, ChiefsNet	Chief officers	Targeted email
Social (Twitter, LinkedIn, Facebook)	Frontline officers	News article including consultation documents
Email	Staff associations (Unison, Police Federation of England and Wales, Police Superintendents' Association)	Targeted email

Email	Force learning and development leads	Targeted email
Email	Chartered Institute of Personnel Development forum	Targeted email
Email	College Diverse Ethnic Action Network	Targeted email
Email	Independent Office for Police Conduct (IOPC), Her Majesty's Inspectorate Constabulary and Fire and Rescue Service (HMICFRS), national stakeholder updates, College Board	Targeted email
Email	Stopwatch, Inquest, Criminal Justice Alliance, Amnesty, Human Rights Watch, NetPol, Right Honourable Reverend James Jones	Targeted email
Email	Diversity and inclusion groups	Targeted email
Email	Frontline officers, stakeholder update	Targeted email

Table 1: Communication strategy.

Active and targeted awareness campaigns were run to encourage greater responses for the duration of the consultation and recruitment period.

Consultation on scope

A draft scope for the review of the Code of Ethics was agreed by the College Executive and was circulated for public consultation on 29 July 2021, with a closing date of 10 September 2021.

The draft scope proposed that the revised Code of Ethics should again be a code of practice and should use the same structure as the current Code. It also proposed that the policing principles should be revised using the College guideline development process (see Appendix A for details), while the explanatory notes on the Standards of Professional Behaviour (SPB) should be updated using a working group. All the information was published on the **Help shape the Code of Ethics review** page of the College website.

Consultation responses

After the close of the public consultation, a total of 21 consultation feedback responses were received. Responses predominantly originated from forces (with some replies on behalf of forces and others from individuals working in a force), academics and staff associations. A breakdown of these can be found in the table below.

Type of organisation	Number of responses
Police force	10
Police, fire and crime commissioner	1
Staff association or union	2
Academia	4
Other	4

Table 2: Consultation responses.

Overall, the response to the scoping document was positive. Below is a summary of individual comments received.

Focus and clarity of the scope

Positive feedback (20/21), negative feedback on clarity (1/21).

> 'Like that aim of review is for principles to be more reflective of contemporary and future policing in the light of increasing digitalisation.'

> 'Especially like aim of moving away from blame culture to one of learning from mistakes, sharing vulnerability appropriately.'

'The code should equip officers and staff with a sense of pride, something to buy into organically and without thought and should be seen in a positive light.'

There were several comments that related to the overall structure of the current Code of Ethics and comments about the inclusion or expansion of specific principles. Predominantly, it was felt that the current Code was too long and wordy, and a shorter document was required.

Comments were made regarding some of the principles directly.

- Expansion of 'openness' or 'transparency' to include ethical aspects of advanced data analytics, machine learning and artificial intelligence, and data usage.

- Consider taking inspiration from the army principles, specifically 'courage'. This behaviour was felt to be well documented throughout frontline policing and should be part of the principles.

- Stronger emphasis on 'selflessness'. Decision making and the rationalising of decisions made using the National Decision Model (NDM) was considered helpful, with a revamp of the 10 risk principles to help staff to feel confident they are making the right decisions.

- Inclusion of principles of privacy and confidentiality, and avoidance of harm.

- Elaborate the principle of 'fairness' to make specific reference to non-discrimination, and use of fair criteria to determine priorities given scarce resources.

It is notable that several of the suggestions above are related to the overlap between the current principles and the SPB, whereby there is a standard and a principle with the same name. The planned approach to development should address this and provide greater separation and clarity between them. The College development team will ensure that the comments and suggestions raised during the scope consultation are fed into the committee during the development process.

Overall, these issues are related to the more fundamental and key question of: '**What are the policing principles for and what are they there to do?**'

Some feedback was received that directly links to the SPB and is included in Appendix B.

Audience and inclusivity

Positive feedback (18/21), neutral feedback (2/21), negative feedback (1/21).

> 'As long as all branches of the police family are included and appreciate it is relevant to them then the scope is looking in the right direction.'

> 'Inclusive and a catch all for those working alongside the police.'

> 'Target audience covers a broad target audience which feels appropriate. The link to the review of the SPBs is crucial as they are intrinsically linked.'

> 'Should include as wide an audience as possible both within policing and outside policing who have an active interest in policing and criminal justice.'

Answers to the questions about whether the scope is targeting the right audience and promoting inclusive practice or reducing adverse effects were mostly positive. Again, a number of suggestions were made about specific groups that should be included in the review in some capacity, to ensure as wide ranging an evidence base as possible. These included the following.

- References to 'stakeholders' could be elaborated to specify which groups are included – for example, the public in general, victims of crime, suspects, bystanders affected by investigations.

- Sources of information: the term 'other organisations' is ambiguous and a full list of those organisations should be published to avoid criticism of an in-house review.

- Ensure that consultations with people who have lived experience of policing and the criminal justice system are included, as there is a danger that certain voices will not be heard. The views of people who are disproportionately affected by policing and crime must be part of the discussion on the ethics of policing. The

importance of fairness and justice must be reflected in the way in which the guidelines are developed.

- People with protected characteristics and direct experience of policing should be actively encouraged to apply. Care must be taken to avoid misrepresenting or diluting the views of people who are not directly represented on the committee.

- Ensure that you have the views and comments from those who work with the police (partners) and those receiving the services of the police (members of the communities being policed).

- Ensure that you seek the views of people with different experiences of policing, in order to promote inclusive practice and to reduce adverse impacts on individuals. The review should listen to the experiences of people from ethnic minority groups, women and girls, and children in care to fully understand ethical decision making.

- Ensure that up-to-date psychological behaviour evidence is included. This will look at the psychological perspective behind why and how individuals may perceive complex ethical decision making.

Every endeavour will be made to ensure that as many different populations and individuals or groups of individuals are consulted with during, or after, the development of the revised principles.

Issues raised within the scope of this review

1. There was a suggestion that the revised Code should consider comparing the principles of policing with the principles of equality (right to equality, equal treatment, positive action and right to non-discrimination) to determine the extent to which these principles are compatible.

2. How to ensure that a revised code is embedded and implemented into the policing landscape and culture. This was mentioned in several responses.

   o Possible better clarity around how moving away from a blame culture to a learning culture can be supported by the Code of Ethics.

   o How can the Code of Ethics encourage confidence in making the right decisions? This links to the NDM and the risk principles.

- o The embedding of any new principles is critical and policing has struggled with this. The landscape with local force principles and priorities is often cluttered.

- o Clear drive to operationalise the Code for end users.

- o Consideration should be given to how the principles can help to build public confidence.

- o Consider an explicit focus on application, an increased emphasis on activity and guidance to operationalise the Code. Something that assists officers in their day-to-day application.

- o Greater emphasis on the end user. Senior management will always be able to evidence appropriate implementation of the Code and ethical decision making. Arguably, our greatest day-to-day challenges occur – and much of our controlling power is wielded in the public eye – at end user level.

3. A few suggestions were made around terminology. For example, instead of referring to various 'training' packages (which reiterates the concept of traditional didactic training), consider use of 'learning and development' interventions, as this suggests a more multi-method blended continuing professional development (CPD) approach. The use of more inclusive term like 'individuals' rather than staff (whereby volunteers might feel excluded) was also suggested.

4. There was a call for greater clarity on the methodologies and the evidence-gathering process proposed for the review. As far as possible, a multi-method, multi-access approach was used. It was also suggested that more details on how the review will be carried out in a systematic, open and transparent manner should be provided (for example, regular monthly updates on the website to be published on the progress of the review).

5. It was suggested that consideration should be given to developing different products that convey the information of the Code, as the written word and the language used can be offputting to individuals, especially if they have language or learning barriers.

These will all be taken forward and either immediately included in the revision of the scope or passed to the relevant College teams to be considered.

Issues out of scope

There were three main issues identified from the consultation feedback that are not within the scope of this review.

1. A concern was raised relating to the identification of loopholes, areas of exploitation and ambiguity, and a prescriptive process in relation to officers who may have faced serious complaints, both internally and externally, and have failed to be charged by the Crown Prosecution Service (CPS) due to a lack of evidence. This issue is not about the Code of Ethics directly but about the misconduct arrangements, so is therefore out of the scope of this review.

2. The problem of ethical issues surrounding whistle-blowers was raised, with a suggestion that in many cases the whistle-blower is responding to their organisation's wish for them to expose malpractice, subsequently becoming a victim requiring legal action and expensive litigation at the taxpayers' expense. This issue is addressed by recent Home Office guidance and therefore out of the scope of this review.

3. Whether the Code has kept up with the technological changes affecting the police (officer and staff social media accounts, blogs, 'semi-official' Facebook groups, WhatsApp groups and webcams), which create a potential minefield of visible and public breaches of ethical standards. This issue relates to the SPB and not the policing principles, and is therefore out of the scope of this part of the review. However, data usage ethics may be revised as part of the review of the guidance to the SPB.

Recruitment of committee members

Committee members were recruited by open expressions of interest, with recruitment advertised concurrently and using the same methods as for the scope consultation. Each applicant completed an expression of interest form describing their experience and interest in the role. Criteria for selection were agreed by the development team.

In total, 67 expression of interest forms were received and considered. This is greater than numbers received for previous guidelines. Of these, 47 of the applicants

were from a police force and 20 were from academia. The majority of applicants (46) were male.

Table 3 describes the organisations from which applications were received.

Organisation	Count	Organisation	Count
Avon and Somerset Police	2	Police Scotland	1
Bedfordshire Police	1	Police Service Northern Ireland	1
City of London Police	1	South Wales Police	3
Devon and Cornwall Police	2	South Yorkshire Police	1
Dorset Police	4	Surrey Police	1
Gwent Police	4	Sussex Police	2
Hertfordshire Constabulary	1	Thames Valley Police	2
Lincolnshire Police	1	Warwickshire Police	1
Metropolitan Police Service	14	West Mercia Police	1
Northamptonshire Police	1	West Midlands Police	1
Northumbria Police	1	Academia	20

Table 3: Breakdown of the organisations that individuals who submitted an expression of interest currently work for.

Table 4 describes the police roles and ranks of individuals from whom applications were received.

Rank or role	Count	Percent
Constable (police, detective, special)	7	10%
Sergeant (police, detective)	9	13%
Inspector (detective, chief, detective chief)	12	17%

Superintendent (chief, detective chief)	7	10%
Other (police staff, PCSO, retired officer)	8	11%

Table 4: Breakdown of ranks and roles of individuals who submitted an expression of interest.

All applications were double scored by the College development team against a scoring schedule. Due to the large number of applications received, anyone scoring at least 80% in total was considered for shortlisting for the committee. All applications were scrutinised for suitability for the project. Subsequent group discussions were had to ensure that as diverse a committee as possible was selected in terms of demographic characteristics and geographic representation. Applicants were notified of their success to be part of the committee via email and calendar invites were sent out as early as possible to ensure attendance at the first virtual committee. All other applicants were made aware of other ways in which they could still be involved in the review of the Code.

These include but are not limited to:

- helping to explore operational practice

- providing feedback on drafts of the Code as they are developed

- range of consultation activities to understand such things as current practice, future challenges, and individual and organisational factors that will support the implementation of the Code once drafted

Summary of committee members

In total, 24 members have been selected for the committee. Committee members come from 15 different police forces and six different academic institutions. The selected individuals come from a range of backgrounds, ranks and roles, have varying lengths of service, and are as varied as possible in terms of demographic backgrounds. Only individuals who submitted an expression of interest form were considered to sit on the committee. Table 5 below provides an overview of the ranks and roles of committee applicants.

Rank or role	N	%
Constable (police, detective, special)	3	13%
Sergeant (police, detective)	5	21%
Inspector (detective, chief, detective chief)	6	25%
Superintendent (chief, detective chief)	3	13%
Academics (senior lecturer, lecturer, researcher, professor, reader)	5	21%
Lay member	1	4%
Police staff	1	4%

Table 5: Breakdown of rank and role of individuals selected for the committee.

Reflective of all applications received, the majority of committee members are male (63%) and identified as British (67%). In terms of age, 25% of committee members are under 35, 29% are aged between 35 and 44, 29% are aged between 45 and 54, and 16% are aged 55 or over.

Table 6 illustrates the length of service (policing, academic or a combination) of committee members.

Length of service	N	%
Less than 5 years	2	14%
6 to 10 years	7	50%
11 to 15 years	5	36%
16 to 20 years	5	36%
20 to 25 years	3	21%
26 to 30 years	0	0%
31 years and over	2	14%

Table 6: Length of service.

Appendix A: Overview of the College guideline development process

The College of Policing uses a standard process for developing national evidence-based guidelines. Guidelines are developed by bringing together a committee of frontline practitioners, subject matter experts and academics to develop guidelines for policing informed by evidence. The committee considers systematically gathered evidence and practitioner experience in developing the guidelines, which are subject to public consultation before being finalised and released by the College.

The Guideline Committee

As the Guideline Committee is responsible for agreeing the scope and drafting the guidelines, convening an effective committee is one of the most important stages in producing a guideline. The committee:

- considers the feedback from the consultation on the scope and makes any amendments to the final scope

- may refine and agree the review questions to be addressed by the evidence reviews as defined in the scope

- may advise on developing the review protocol

- considers the evidence and uses it to draft the guidelines

- considers factors that may help or hinder implementation

- may help in identifying potential good practice

- advises on implementation support that may be needed

Committee composition

A committee is usually made up of a Chair, practitioner members, subject matter experts (from policing or related organisations) and academics, all independent from the College. The committee usually comprises between 15 and 20 members. This number ensures a broad range of experience and knowledge, and protects against particular experiences not being represented should members being drawn away due to operational demands.

Committee members are selected for their knowledge and experience, and do not represent their organisation(s). They all have equal status, acknowledging the importance of the expertise and experience that each member brings to the committee.

The exact composition of the committee is tailored to the guidance topic and is agreed by the Development team. As far as possible, the committee should aim for diversity in membership. Equality and anti-discrimination considerations are reflected at every stage of recruitment. Ideally, committee members are drawn from different parts of England and Wales, but this depends on the expertise available and does not exclude anyone from any other country in the UK.

In certain circumstances and depending on the topic, the committee may include one or more lay members (members of the public and community or voluntary sector with relevant experience). The College is currently developing a formal process for the involvement of lay people.

Recruitment

While the Chair may be appointed before guideline scoping and contribute to the development of the scope, all other committee members are recruited in the first instance, through the public consultation on the scope of the guidelines. Requests for expressions of interest are made through advertising the consultation and on the feedback form. Candidate packs including more detail on the responsibilities and commitment involved in becoming a guideline committee member are then sent to individuals who have expressed interest. Candidates are required to submit a formal application form.

Appendix B: Summary feedback relating to the standards of professional behaviour

Below is a summary of individual comments received.

1. The broad terms of the scope include many diverse topics implicitly, therefore it may be beneficial to explain explicitly which topics will be included so that the issues that are on the mind of the public are covered (eg, section 60, diversity, violence against women, corruption within the police).

2. Review of some of the values and ethical standards as they don't reflect contemporary policing (eg, undercover policing).

3. Greater clarity needed about the interaction between the SPB and the legal status of the Code of Ethics, and how the two reviews (review of the principles and the review of the SPB) will feed into one another. Greater clarity on the scope and focus of the review of the explanatory text of the SPB.

4. Structuring the Code so that the (revised) principles are more central, with guidance on how to comply with the SPB included as a minimum standard. This is to address the issue that currently most of the guidance in the existing Code derives from the SPB, which are derived from legislation and regulation rather than from the principles.

5. Provide clarity that the Code cannot alter the meaning of the statutory provisions of the SPB, as set out by the Schedule to the Police (Conduct) Regulations and the Home Office Guidance, and that the explanatory text should not conflict with the statutory provisions. Clarity around the status of the Code could help everyone working in the police service and those who might seek to refer to it to understand the Code of Ethics.

Appendix C: Code of Ethics Review: Committee member selection criteria

Main requirements

- Currently police officers, staff or support volunteers.

- Academic researchers with an active professional interest in:

  o practical, applied or professional ethics

  o ethical decision-making

  o implementation science or behaviour change

- An individual working for a professional organisation with a code of ethics or with responsibility for ethical standards

Overall committee make-up

- Approximately 25 members (allows for attrition).

- A balance of senior leaders and relevant officers and staff, which encourages participation by all.

Notes

- People on the committee are acting as individuals, not as official representatives of an organisation.

- Individuals working for a public-sector or third-sector organisation would be more desirable if they have undertaken work with the police as a partner.

Person specification

Academic and subject matter expert group

- Holds a current academic post with a particular interest in practical, applied or professional ethics, ethical decision making, or focused in the field of implementation science and behaviour change.

- Preferably academics that are not solely focused on police misconduct research.

- Holds a post working for a professional organisation with a code of ethics or with responsibility for ethical standards.

Practitioner group

- Potential members should have experience of – or be interested in – professional standards, police legitimacy and public confidence, complex and challenging decision making, making operational and organisational decisions, and human rights.

- It would be advantageous if some had experience of implementing and/or shaping policy through evidence-based policing.

Availability

- Should be able to attend first planned meeting. Exceptions may be made but these should be kept at a minimum, for example, if the potential member is likely to bring a specific perspective not held by other potential members of the committee (bearing in mind it is highly likely that some individuals will have to drop out of the meeting at late notice).

Balance

- As far as possible, we will aim to encourage and support applications from under-represented groups. However, relevant experience will be weighted higher in our selection, if it is not possible to do both.

Selection criteria

- The guideline committee member selection criteria will strive to maximise diversity. As a result, we will not necessarily recruit the highest-scoring participants.

- We will be asking potential committee members about their protected characteristics and about their skills and experiences. We believe that by having a rich diversity of backgrounds, experiences and thoughts in the group collectively, we will drive innovative thinking, embed evidence-based learning and drive inclusive practices through our guidance.

- Additionally, this will also ensure that we are delivering on College of Policing values particularly inclusion.

- Where possible we will ensure that the committee contains at least:

  o 1 inspector

  o 1 sergeant

  o 2 police constable

  o 1 PCSO

  o 1 special

  o 1 police staff

  o 1-2 ethics or professional standards leads

- Additionally, we will:

  o aim to recruit from a wide range of experiences

  o maximise geographic spread

  o consider use of the most similar forces rather than just geographic regions

  o maximise mix of length of service

  o if possible, have one committee member from an analytical background

  o if possible, have representation from Evidence Champions scheme

  o aim for equal representation between men and women

  o aim for representation from under-represented groups

Application form

The application form contains three sections.

1. Motivation: 250-word statement detailing motivation for applying to this committee (score 1-4).

2. Experience: 250-word statement detailing any relevant experience on the subject (score 1-3).

3. Diversity and inclusion: outline of understanding of diversity and why it is important in a policing context. Overview of experience in relation to diversity in a personal or professional capacity (score 1-4).

Scoring

Score	Description	Evidence
4	Excellent	Excellent or very strong understanding and evidence provided.
3	Good	Demonstrates good depth of understanding and evidence.
2	limited	Shows little relevant evidence, falling below the standard expected.
1	No evidence	Incomplete response and/or does not answer the question asked.

About the College

We're the professional body for the police service in England and Wales.

Working together with everyone in policing, we share the skills and knowledge officers and staff need to prevent crime and keep people safe.

We set the standards in policing to build and preserve public trust and we help those in policing develop the expertise needed to meet the demands of today and prepare for the challenges of the future.

college.police.uk