College of Policing

Review of the Code of Ethics

Scope

January 2022

Aims

The Code of Ethics was published in 2014. It includes:

- the policing principles, adapted from the Nolan Principles of Public Life

- the Standards of Professional Behaviour (SPB), accompanied by additional explanatory text

- supplementary notes on the National Decision Model (NDM) and breaches of the Code

The College of Policing is undertaking a review of the constituent parts of the Code of Ethics. Each part of the Code will be reviewed using an approach most suited to the content and its purpose.

The aim of the review is as follows.

- To review the policing principles:

  o to establish whether they reflect the requirements for both contemporary and future policing[1]

  o to ensure that they are inspirational, befitting and relevant to all in policing

  o to ensure that they provide a strong and practical ethical framework that supports autonomous professional decision making and learning and development

  o to ensure that they support 'candour', as per the Hillsborough and Daniel Morgan Inquiries

- To review and update the explanatory text of the SPB, to reflect recent legislative changes and other contemporary issues in policing.

- To provide guidance, recommendations and supporting material to forces, to aid the implementation of ethical decision making at all levels.

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[1] For example, the Hillsborough Review recommendations and findings from other inquiries.

The Code of Ethics complements the NDM to support everyone in policing[2] who regularly take decisions that involve ethical or moral considerations. The NDM places the Code at the core of the decision-making process. The review of the Code of Ethics will look at how ethical considerations can inform decision making within the current framework. The review will not look at the NDM.

Intended audience

The Code of Ethics will continue to be relevant and applicable to all those involved in policing (eg, officers, staff and volunteers), and should be used to guide decision making and professional behavior in daily activities. This includes senior leaders, who need to promote the Code through professional and ethical leadership to ensure an appropriate working environment within their forces[3].

Overall approach

As stated above, the different sections of the current Code of Ethics will be reviewed using a number of different methods.

Update to the policing principles

In order to ensure that the review of the policing principles is carried out in a systematic, open and transparent manner, the College's evidence-based guideline development process will be used.

This process means that the principles will be developed by a committee, made up of practitioners, subject matter experts and academics, with support from the College. Changes to the principles will be based on the best available evidence, which may include research and practitioner experience that has been systematically collected and synthesised. The process will also involve consultation with

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[2] This refers to officers, staff and volunteers, as well as suppliers and contract staff.
[3] As a code of practice, there is a legal requirement that chief officers of police have regard to the code (Police Act 1996 (c.16), section 39A).

stakeholders, practitioners and the public before any amendments are agreed and released by the College.

This will be referred to as the Policing Principles Review Committee in any communications and reports going forward.

Update to the explanatory text of the SPB

In view of its legal content, a review of the explanatory text of the SPB will be carried out by the College project team in close consultation with staff associations, unions, the National Police Chiefs' Council (NPCC) and other key stakeholders. This work will be developed by a separate working group in collaboration with the College team. There will not be any amendments to the SPB themselves, as these are determined by the Police Conduct Regulations owned by the Home Office. The working group will be asked to review the explanatory text connected to, and sitting underneath, the SPB.

This working group will be referred to as the Development Committee for Guidance on Professional Behaviour in any communications and reports going forward.

Supporting material on decision making and implementation

The evidence-based approach outlined above, supported by the behaviour change model,[4] will help to guide the development of the supporting material required to support officers and staff:

- 'do the right thing' in ambiguous and complex situations

- understand the principles that should guide ethical decision making in policing

- successfully implement the revised Code

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[4] Michie S, van Stralen MM and West R. (2011). **The behaviour change wheel: A new method for characterising and designing behaviour change interventions**. Implementation Science, 6(42).

All revised sections of the Code of Ethics will be publicly consulted on before final publication. Due to its legal status, any revised code of practice would also be laid before Parliament.

Context

The Code of Ethics was developed in 2014 and was the first statutory Code of Practice issued by the College, following its establishment as the first professional body for policing. The development of the Code was considered to be an important step in aligning the College to other professional organisations, most of which have codes of ethics. A further impetus was to address concern about particular aspects of policing practice and behaviour that were in the public domain.[5,6,7,8]

In line with concerns that had been raised, the research carried out in developing the 2014 Code focused on:

- how ethical behaviour can be promoted and how wrongdoing can be prevented[9]

- what role senior leaders play in encouraging ethical behaviour[10]

- the impact of fairness and respect on ethical policing[11]

Due to these focuses, the Nolan Principles[12] were used as a framework for the Code, with the addition of the principles of 'fairness' and 'respect', which research on organisational justice identified as important drivers for ethical behaviour.

Integrity and procedural justice are reviewed by Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) as part of their annual PEEL

[5] Anon. (2015). **'Plebgate' police officers face misconduct hearings** [internet]. BBC News. 10 August. [Accessed March 2021]

[6] Undercover Policing Inquiry. (2015). **Undercover Policing Inquiry** [internet]. [Accessed March 2021]

[7] Anon. (2014). **Phone-hacking trial explained** [internet]. BBC News. 25 June. [Accessed March 2021]

[8] Independent Police Complaints Commission. (2011). **Corruption in the police service in England and Wales**. London: TSO.

[9] McDowall A and others. (2015). **Promoting ethical behaviour and preventing wrongdoing in organisations – A rapid evidence assessment** [internet]. College of Policing. [Accessed March 2021]

[10] Porter L and others. (2015). **The role of leadership in promoting ethical police behaviour: The findings of qualitative case study research** [internet]. College of Policing. [Accessed March 2021]

[11] Quinton P and others. (2015). **Fair cop 2: Organisational justice, behaviour and ethical policing An interpretative evidence commentary** [internet]. College of Policing. [Accessed March 2021]

[12] Committee on Standards in Public Life. (1995). **Guidance: The Seven Principles of Public Life** [internet]. [Accessed June 2021]

Legitimacy inspections. They found that consideration of ethics as part of decision-making processes is becoming more widespread, featuring in training and guidance.[13] HMICFRS inspection found that most forces' leaders demonstrated a strong understanding of the value of treating the people who they serve with fairness and respect, by demonstrating ethical behaviours and consistently considering the ethical implications of decisions, policies and practices as a central part of developing and maintaining an ethical culture.[14]

Most forces in England and Wales are working towards creating and maintaining an ethical working environment through:

- regular communications that reinforce the importance of maintaining high standards of ethical behaviour

- roadshows, short video messages and vlogs incorporating real case studies

- leading by example

- policies and procedures

- training courses where staff can discuss ethical dilemmas[15]

This is further supplemented with Force Ethics Committees, which provide a forum for ethical dilemmas faced by staff to be raised and debated.

Forces are trying to foster a culture where staff are encouraged to learn from mistakes in an open and honest manner.[16,17] The basis of this culture is identifying what went wrong and taking steps to ensure that mistakes are not repeated, as opposed to focusing purely on blame and punishment. Staff can be better supported in the decisions they make, as long as they can demonstrate good decision making,

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[13] HMICFRS. (2017). **PEEL: Police legitimacy 2017 – a national overview** [internet]. [Accessed April 2021]
[14] Ibid.
[15] HMICFRS. (2019). **PEEL Assessment 2018/19** [internet]. [Accessed March 2021]
[16] See, for example: HMICFRS. (2020). **PEEL: Police effectiveness, efficiency and legitimacy 2018/19: An inspection of West Yorkshire Police** [internet]. [Accessed March 2021]
[17] Changes brought about in the Police (Conduct) Regulations 2020 have introduced the Reflective Practice Review Process to promote a reflective and learning culture in policing.

focused on fairness, integrity and 'doing things right for the right reasons'[18] (decision makers are accountable for the decision they make and the way they are taken).[19]

Research tells us that not only do supervisors influence the compliance with codes, but role modelling by senior figures was also considered important in the effective implementation of codes.[20,21,22] Leaders who set values and standards, and communicated and enforced those standards fairly, were also considered key components of promoting ethical police behaviour.[23] An ethical working environment and a belief among workers that a code was well-enforced has been shown to have a positive effect on ethical decision making.[24] The idea of organisational justice (fair decision making and respectful treatment internally) and ethical leadership were associated with an increased commitment to the principles of ethical policing.[25] Therefore, the extent to which ethical principles become embedded in organisational culture will be important in determining the success of its implementation.[26,27]

HMICFRS identified some initial inconsistencies in the implementation of the Code of Ethics, including in:

- the adoption of all nine policing principles

- the application of the Code across forces

- the use of the Code in everyday decision making[28,29]

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[18] Kingshott B and Prinsloo J. (2004). 'Ethics in policing'. Phronimon, 5, pp 49–70.

[19] Nolan JJ, Parsons T and Crispino F. (2020) '"Doing right": Police ethics in an age of reform'. In: Nolan JJ, Crispino F and Parsons T, eds. 'Policing in an age of reform'. London: Palgrave Macmillan.

[20] See, for example: Brown D. (2014). **The impact of codes of ethics on behaviour: A rapid evidence assessment** [internet]. College of Policing. [Accessed March 2021].

[21] Thaler J and Helmig B. (2016). 'Do codes of conduct and ethical leadership influence public employees' attitudes and behaviours? An experimental analysis'. Public Management Review, 18(9), pp 1365–1399.

[22] Neyroud P. (2019). 'Ethical leadership in policing: Towards a new evidence-based, ethical professionalism?'. In: Ramshaw P, Silvestri M and Simpson M, eds. 'Police leadership'. London: Palgrave Macmillan.

[23] Porter L and others. (2015). **The role of leadership in promoting ethical police behaviour: The findings of qualitative case study research** [internet]. College of Policing. [Accessed March 2021]

[24] McDowall A and others. (2015). **Promoting ethical behaviour and preventing wrongdoing in organisations – A rapid evidence assessment** [internet]. College of Policing. [Accessed March 2021]

[25] Fridell LA, Mskaly J and Donner CM. (2020). 'The relationship between organisational justice and police officer attitude toward misconduct'. Policing and Society, pp 10–26.

[26] See, for example: Lawton A. (2004). 'Developing and implementing code of ethics'. Public Policy and Administration, 1(7), pp 94–101.

[27] Westmarland L and Rowe M. (2018). 'Police ethics and integrity: can a new code overturn the blue code?'. Policing and Society, 28(7), pp 854–870.

[28] HMICFRS. (2015). **PEEL: Police legitimacy 2015 – a national overview** [internet]. [Accessed June 2021]

[29] HMICFRS. (2016). **PEEL: Police legitimacy 2016 – a national overview** [internet]. [Accessed June 2021]

More recently, confusion around the number of different guiding documents (Code of Ethics, individual force values' statements, SPB) was identified as affecting decision making and professional judgements of officers, staff and volunteers. This was found to be exacerbated in collaborative settings, as officers, staff and volunteers from different forces working in joint units were subject to different sets of values. This review provides an opportunity to identify how forces might be best supported in, and to make recommendations for, the implementation of the Code.

Existing work

A number of products were produced during the development of the existing Code:

- a rapid evidence assessment (REA) on the impact of codes of ethics on professional conduct[30]

- an REA on promoting ethical behaviour and preventing wrongdoing in a range of organisations[31]

- qualitative case study research examining the role that senior leaders play in encouraging ethical behaviour among frontline officers and staff[32]

- an exploratory study on what investigators and stakeholders perceived to have contributed to cases of chief officer misconduct[33]

- an interpretative evidence commentary on organisational justice, behaviour and ethical policing[34]

- a literature review conducted as part of the HMICFRS integrity inspection[35]

- a Code of Ethics reading list[36]

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[30] Brown D. (2014). **The impact of codes of ethics on behaviour: A rapid evidence assessment** [internet]. College of Policing. [Accessed March 2021].

[31] McDowall A and others. (2015). **Promoting ethical behaviour and preventing wrongdoing in organisations – A rapid evidence assessment** [internet]. College of Policing. [Accessed March 2021]

[32] Porter L and others. (2015). **The role of leadership in promoting ethical police behaviour: The findings of qualitative case study research** [internet]. College of Policing. [Accessed March 2021]

[33] Hales G and others. (2015). **Chief officer misconduct in policing: An exploratory study** [internet]. College of Policing.

[34] Quinton P and others. (2015). **Fair cop 2: Organisational justice, behaviour and ethical policing An interpretative evidence commentary** [internet]. College of Policing. [Accessed March 2021]

[35] Newburn T. (2015). **Literature review - Police integrity and corruption** [internet]. HMICFRS. [Accessed March 2021]

[36] College of Policing. (2014). **The Code of Ethics – Reading list** [internet]. [Accessed March 2021]

- a training package on **Ethics of Professional Policing**

Evidence gathering process for the policing principles

To support the development process, the College will carry out the following.

- Review the literature on ethical/moral philosophy, which explores ways to influence right and wrong conduct. The review will help us to understand the various ways in which officers, staff and volunteers could or should – in theory – identify ethical issues in their day-to-day activities.

- Complete an REA[37] of research on policing ethics to understand how officers, staff and volunteers could – in practice – identify, approach and resolve ethical issues in policing in their daily activities.

- Carry out consultation activities[38] with a range of officers, staff, volunteers, stakeholders and third parties, to help translate the evidence into a practical and meaningful set of principles.

- Review other professional codes of ethics and gather practice evidence on effective implementation from forces and other organisations. This may also include reviewing international human rights law.

To support the implementation of the revised Code of Ethics, the behaviour change model and the work with officers, staff and volunteers will be used to identify behaviours that are likely to help or hinder implementation of the Code of Ethics. The findings will then be used to inform the design of targeted interventions aimed at the specific behaviours identified.

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[37] The research literature required to inform the review will be identified through an REA. REAs are reviews of the research literature that involve following clear procedures to search for, sift and bring together the findings of studies on a particular topic within the available timescales and resources. The method reduces bias and enables research to be replicated in the future.

[38] Consensus-building exercises may be used to apply rigour to drawing out agreement from stakeholders as to what good practice looks like. It is a technique often used to explore areas that do not have a strong or robust academic evidence base.

Impact on other work and products

A range of College activities and products build on the Code of Ethics. All of these will need to be reviewed on completion of the review of the Code. These include, but are not limited to:

- the National Decision Model

- the Competency and Values Framework

- the Policing Education and Qualifications Framework

- the National Curriculum

- various learning and development interventions

The review of the Code of Ethics will not specifically identify the changes required in these products, nor is it within this scope to make the amendments to these products.

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.

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