

**Chief Constables  
Police and Crime Commissioners**

31 August 2022

Dear Colleague,

**Guidance on Outcomes in Police Misconduct Proceedings and the Police Race Action Plan**

I recently wrote to you launching our new misconduct outcome guidance which makes clear that the possible wider impact on public confidence of an officer's wrongdoing, as well as the incident itself, should be a large part of the decision making in misconduct cases. It also provided new guidance relating to officers found guilty of misconduct related to violence against women and girls, which had not been covered in previous versions. The service's work to tackle racism stands alongside our work in relation to violence against women and girls as critical parts of our mission to build trust and confidence.

You will be aware that the Police Race Action Plan, published by the National Police Chiefs' Council and the College in March, makes commitments on behalf of all in policing, including that:

Reports of racist behaviour or action by officers and staff will be thoroughly investigated and will be dealt with swiftly and robustly, with appropriate support for victims and those reporting racist behaviours. The police service will not only deal with racism and discrimination where it occurs, but will be proactive in preventing it from happening in the first place. We will use available sanctions within the disciplinary process and, where criminal offences may be disclosed, we will liaise with the Crown Prosecution Service (CPS). Every police force in England and Wales will review their policies, procedures and practices, embedding an anti-racist stance

Given this commitment I wanted to draw your attention to the specific references in the guidance to misconduct related to discrimination, including discrimination based on race. The guidance is clear that discrimination is never acceptable and is always serious:

Discrimination may involve language or behaviour. It may be directed towards members of the public or colleagues. It may be conscious or unconscious. Cases where discrimination is conscious or deliberate will be particularly serious. In these circumstances, the public cannot have confidence that the officer will discharge their duties in accordance with the Standards of Professional Behaviour.

However, unconscious discrimination can also be serious and can also have a significant impact on public confidence in policing. The Independent Office for Police Conduct (IOPC) guidelines for handling allegations of discrimination give factors that should be considered when assessing the gravity of discrimination.

I wanted to take the opportunity to emphasise that, when combined with the new elements ensuring that the potential impact on public confidence is considered, as well as the commitments in the Race Action Plan, the misconduct outcomes guidance is clear that police forces should take a zero-tolerance approach to racism in the service, just as it is clear that violence against women and girls can never be

tolerated. While I believe that the guidance as drafted should deliver this outcome, we will be keeping it under review as the work of the Race Action Plan develops, should further amendments be required.

I would be grateful if Chief colleagues would this letter with your Professional Standards Departments and if PCCs could ensure it is drawn to the attention of Legally Qualified Chairs.

I have copied this letter to CC David Thompson, DCC Tyron Joyce, the programme director of the Race Action Plan and Ch Insp Andy George, President of the National Black Police Association.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andy Marsh', written in a cursive style.

**Chief Constable Andy Marsh QPM**

Chief Executive Officer

College of Policing

**E: [Andy.Marsh@college.police.uk](mailto:Andy.Marsh@college.police.uk)**

cc CC David Thompson, West Midlands Police  
DCC Tyron Joyce, Police Race Action Plan  
Ch Insp Andy George, National Black Police Association