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SI0417

LOCATE - Accountability Processes

The Police Service of Northern Ireland utilises the LOCATE vehicle and driver performance management system which has been fitted to the vast majority of vehicles.

The system provides management information and data on a range of driver and vehicle related subjects including the speeds at which a vehicle has been driven.



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1. Introduction

The Police Service of Northern Ireland (PSNI) is committed to:

- Safeguarding; Police Officers, Police Staff and members of the public when police vehicles are driven; and
- Providing reassurance for a high standard of police driving.

This Service Instruction sets out the intention and process for local LOCATE accountability, and the scrutiny of ‘triggers’ to be undertaken by all respective departments and should be read in conjunction with SI0418 Driving of Police Vehicles.

It ensures a consistency of approach, reflects driver training, skills, qualifications and roles.

Police Drivers	Refers to all Officers and Staff driving police vehicles.
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2. Objective

The key priorities for the PSNI in terms of the LOCATE accountability processes are to:

- Improve driving standards and improve overall road safety;

- Provide a consistent effective level of assessment and accountability at management level of the driving standards of Police Drivers to ensure driving actions are proportionate, justified and necessary.

3. Purpose

Police officers will, on occasion, have a lawful and legitimate requirement to breach legislation in the execution of their lawful duties.

LOCATE is not an approved device for evidential recording of speed and, as such, cannot be used for prosecution of speeding offences.

Legal provision for this is provided for by The Road Traffic Regulation (Northern Ireland) Order 1997 Exemption for fire engines, etc. which states:

“No enactment imposing a speed limit on motor vehicles shall apply to any vehicle on an occasion when it is being used for fire and rescue, ambulance, police, military or customs purposes, if compliance with that provision would be likely to hinder the use of the vehicle on that occasion for any of those purposes.”
(Section 42 (1))

Although the law does afford qualified exemptions, a police driver, if called to account, must be able to justify their actions as necessary and proportionate to the policing purpose. It does not give *carte blanche* protection from legal action instigated for driving that is considered dangerous or careless.

The onus, as a driver of a police vehicle, is to ensure that in driving the vehicle and availing of these exemptions, they do not endanger the lives of others or themselves.

In order for the PSNI to have confidence that officers and staff are driving police vehicles in a safe and appropriate way, which complies with their training and qualifications, a management process is required to scrutinise police drivers use of speed in police vehicles.

The LOCATE system has been set up with an appropriate 'trigger' speed of driver/vehicle. This means that when a police vehicle records a speed in excess of 90 mph for a constant duration of 60 seconds or more, LOCATE records a 'trigger breach' and an alert is created on the system. NB: For Temporary Basic Drivers 'trigger breaches' are alerted when a police vehicle records a speed in excess of 60 mph for a constant duration of 60

secs or more, and / or use of blue lights and sirens for 60 secs or more.

This alert commences a process by which the driver and line management are made aware of the LOCATE 'trigger breach' and the accountability process outlined below will commence.

4. Accountability Process

The notification data from LOCATE is sent directly to the officer via an e-mail, the information is also notified to an administrative point at District or Departmental level.

The officer notified of their LOCATE breach completes a proforma which is sent to their Inspector/line manager for comment and then forwarded to the LOCATE Administration point. The LOCATE Administration point is responsible for preparing the necessary papers for the LOCATE Panel to be held.

The outcomes of the LOCATE panels are communicated to the officer via their District/Area Commander (DPC) or their Chief Inspector (Depts.) with an explanation of the Panel decision and the outcome including sanction.

Each Operational Department/Area level will establish a LOCATE Accountability Panel chaired by the respective Discipline Champion. The Panel will meet on a monthly basis and consider notified LOCATE trigger breaches by officers within that area of business.

At District Policing Command level (DPC), Crime Operations Department and Innovation and Standards Department the Panel will be chaired by the Discipline Champion and will have representation from a:

- Chief Inspector; and
- Federation / Staff Representative.

For Operational Support Department (OSD) the Panel will be chaired by the Discipline Champion and have representation from:

- Roads Policing Branch;
- Federation / Staff Representative;
- Driver and Traffic Training (TDTU).

The different Panels reflect the different levels of:

- Speed;
- Training;
- Driver qualification;
- Operational roles; and
- Different levels of driving risk within the organisation.

All driver / rider performance is monitored through Locate and Locate Review Panels. The purpose of the Panel is to consider whether the speed and performance incurred by the Police Driver was justified, proportionate and necessary in pursuit of a lawful policing purpose, to establish that given the circumstances the speed incurred was safe and retrospectively approve or sanction the use of speed or actions by the Police driver.

Each Panel will use the management information produced by the LOCATE system to consider each breach on an individual basis. Guidance for the Panel's considerations is at [Appendix B](#).

5. Thresholds

Speed thresholds within the PSNI are set by the Transport Delivery Group which is chaired by the ACC OSD and **Director of Finance, Support Services and Human Resources**.

It is accepted that there are different levels of training and skill of drivers within the PSNI. Temporary Basic Driver – Police Staff, Basic Driver – Police Officer, Standard Drivers, Advanced Drivers.

Basic Drivers – Police Staff

Receive no practical training but are required to;

- Complete the mandatory Police Staff Basic Drivers familiarisation package.
- Remain always within the national speed limits.

Police Staff Basic Drivers	
Breach of MPH Speed Limit	Dealt with by
10 + Below	Locate Panel
11 + Above	Immediate removal of Temporary Basic Driving authorisation & referral to Locate Panel for final decision.
Reinstatement	In cases where the removal of Basic Driving authorisation is endorsed, application can be made to the Locate Panel for consideration to have this reinstated after a period of 3 months. The Locate Panel must consider whether there is a continued operational need for

	this temporary category to be reinstated at that time.
NB: In addition to the figures above Removal can be considered at any time/stage.	

Temporary Basic Drivers Police Officer

Receive no practical training but are required to;

- Complete the mandatory Police Officers’ Temporary Basic Drivers familiarisation package re using emergency equipment and to carry out compliant stops.
- Remain normally within the national speed limits.

The use of emergency equipment to facilitate progress through a traffic holdup is deemed to be response driving and normally outside the scope of a Temporary Basic Driver. However, use of blue lights and sirens (emergency equipment) will be permitted for compliant stops once the Police Driver has completed the online familiarisation package.

Any other use of emergency equipment outside this situation will be referred for consideration to the Line manager or the Locate panel as appropriate.

Police Officer Temporary Basic Driver	
Breach of MPH Speed Limit	Dealt with by
10 + Below	Locate Panel
11 + Above	Immediate removal of Temporary Basic Driving authorisation & referral to Locate Panel for final decision.
Reinstatement	In cases where the removal of Temporary Basic Driving authorisation is endorsed, application can be made to the Locate Panel for consideration to have this reinstated after a period of 3 months. The Locate Panel must consider whether there is a continued operational need for this temporary category to be reinstated at that time.
NB: In addition to the above figures Removal can be considered at any time/stage.	

Standard Response Drivers

Receive training and assessment which equips them to drive Standard Response vehicles at speeds up to and inline with the training which they have received.

Drivers should remain within speed limits unless there is an operational requirement for the tactical use of speed. Consideration should also be given to the speed limits that apply to armoured vehicles.

With permission of the Incident Coordination Centre (ICC) vehicles in Category B Armoured Vehicles;

the driver may exceed the speed threshold by a maximum of 20mph where;

- there is 'Life at IMMEDIATE and significant risk' emergencies, and
- subject to the discretion of the driver considering the following factors: their ability, road, traffic, weather and any other environmental factors'.

(Any request which does not satisfy the criteria will be refused).

Advanced Drivers

Receive role specific higher level training and assessment and drive high

performance vehicles appropriate to their roles. Advanced Driver training has no upper training speed limit reflecting the specialist role. Incurring speeds in excess of 120mph should be considered worthy of higher levels of scrutiny and accountability.

These skill and role differences are reflected in the composition of the two panels, with District Policing Command, Crime Operations Department and Community Safety Department officers more likely to be standard drivers in standard vehicles incurring trigger breaches at the lower end of the scale.

OSD officers include a greater number of advanced drivers in specialist roles (ARU, Roads Policing, CPU) where triggers are more frequent and greater speeds are incurred as part of their regular roles. (An officer trained and authorised to advanced level who is deployed within a role where those training levels are neither used nor required, reverts to the level below after 12 months), this would include officers transferring to Dog Section.

Whilst all speeds over 90 mph and of 60+ second duration will incur a trigger report to be generated, the DPC, Community Safety Branch, Crime Operations and Panels will consider all triggers over 90 mph (Standard

Panels) whereas the OSD Panel will consider all advanced driver triggers over 120 mph (Advanced Panels).

OSD standard drivers will be considered by the Panel at 90mph triggers. Where there are specialist roles involving Advanced Drivers not attached to OSD the trigger for LOCATE referrals will be 120 mph, these Departments triggers will be considered by the Advanced OSD Panel ensuring consistency and a higher level of scrutiny required for their roles.

Any challenge to the accuracy of the Locate system or the speedometer in the vehicle will not be considered as mitigation by the panel.

6. Police Collisions

The LOCATE Panel will also consider relevant statistical information produced by Transport Services relating to Police Collisions. 'Locate points' can be issued where the Panel are satisfied that the collision record of the police driver represents an organisational risk that requires management action to be taken and recorded. Police Points may be disposable to PONI during any subsequent investigation.

Collisions	Action Generally Taken
With Stationery objects	3 Locate points
Police Driver is subject to Criminal Investigation	Temporary suspension of driving authorisation (review at conclusion of the Criminal Justice process)
Attributable to another party	No further action
Discovered Damage	Consider investigation to identify the driver responsible

In all cases seek the views of local management for consideration by the Locate Panel, within the context of the repair cost.

7. Outcomes

There are a number of possible outcomes which the panel can consider:

Where the Panel has found that the trigger breach was incurred in pursuit of a lawful purpose and the use of speed and actions taken were proportionate, justified and necessary there should find No Further Action (NFA).

Where the Panel do not find that the speed incurred and actions taken by the officer were proportionate, justified and necessary but was for a lawful police purpose the Panel will make a determination which will include:

- The issuance of 'Locate points'* to the driver based on the Panel's considerations, OR
- Removal of authorisation for Temporary Basic Drivers.

If the Panel determine that the use of speed and actions taken were not for a lawful policing purpose, or otherwise breached the Code of Ethics, then a referral to the relevant 'Appropriate Authority' may be initiated. This referral may be to the officer's own District/Branch or directly to Discipline Branch based upon the circumstances of the case.

*Locate Points are a way of flagging and indicating that an area of risk has been identified by the Panel regarding the specific driving incident and implications to public and police drivers safety. Different levels of points can be issued by the Panel based on their assessment of the risk.

The levels and appropriate interventions available to the LOCATE Panel are as follows:

Temporary Basic Driver – Police Staff / Police Officer
Removal of authorisation. Police Driver can apply to the Locate Panel to be reinstated after 3 months <i>if</i> the operational need for this temporary category still exists.
Standard / Advanced Driver
3 points = Line management action
6 points = TDTU (Re-Test)
9 points = TDTU 1 day Refresher Training/Assessment
12 points = suspension of driving authorisation for 1 month (or more) and 1 day Refresher Training / Assessment

The issuance of Locate points as an outcome is not a formal disciplinary sanction and as such is not appealable.

The Locate points will remain in place for a period of 12 months from issuance. They will not be held on the officers HR personal file but maintained within the [record keeping](#) arrangements of the LOCATE Panel.

8. Record Keeping

The LOCATE Administrator will:

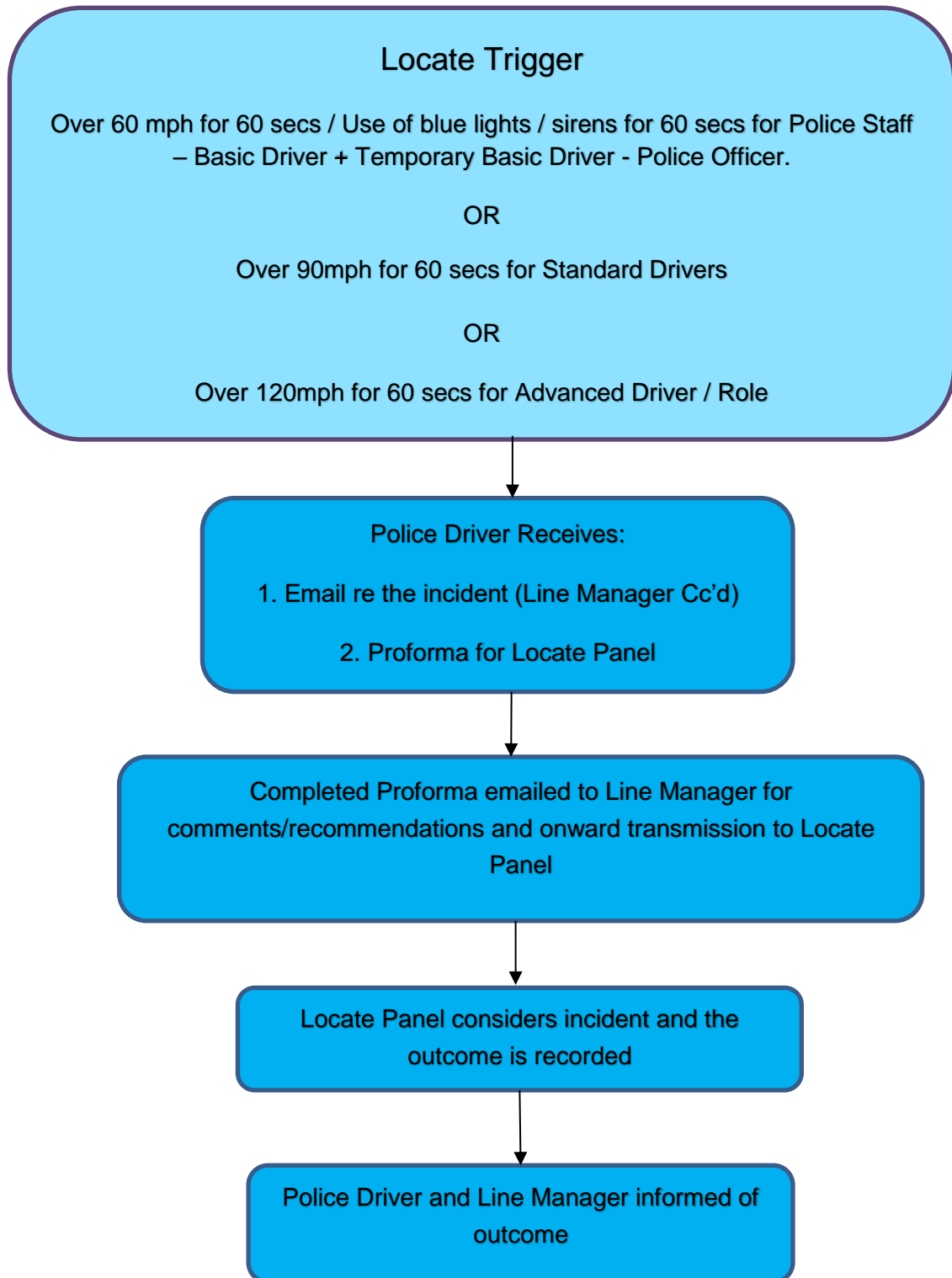
- Maintain a local record of Panel decisions and sanctions including the issuance of Locate points; and
- Ensure compliance at District and Departmental level with the outcomes. (Where the outcome requires action by TDTU, the details of the action and the officer will be sent to Head of TDTU).

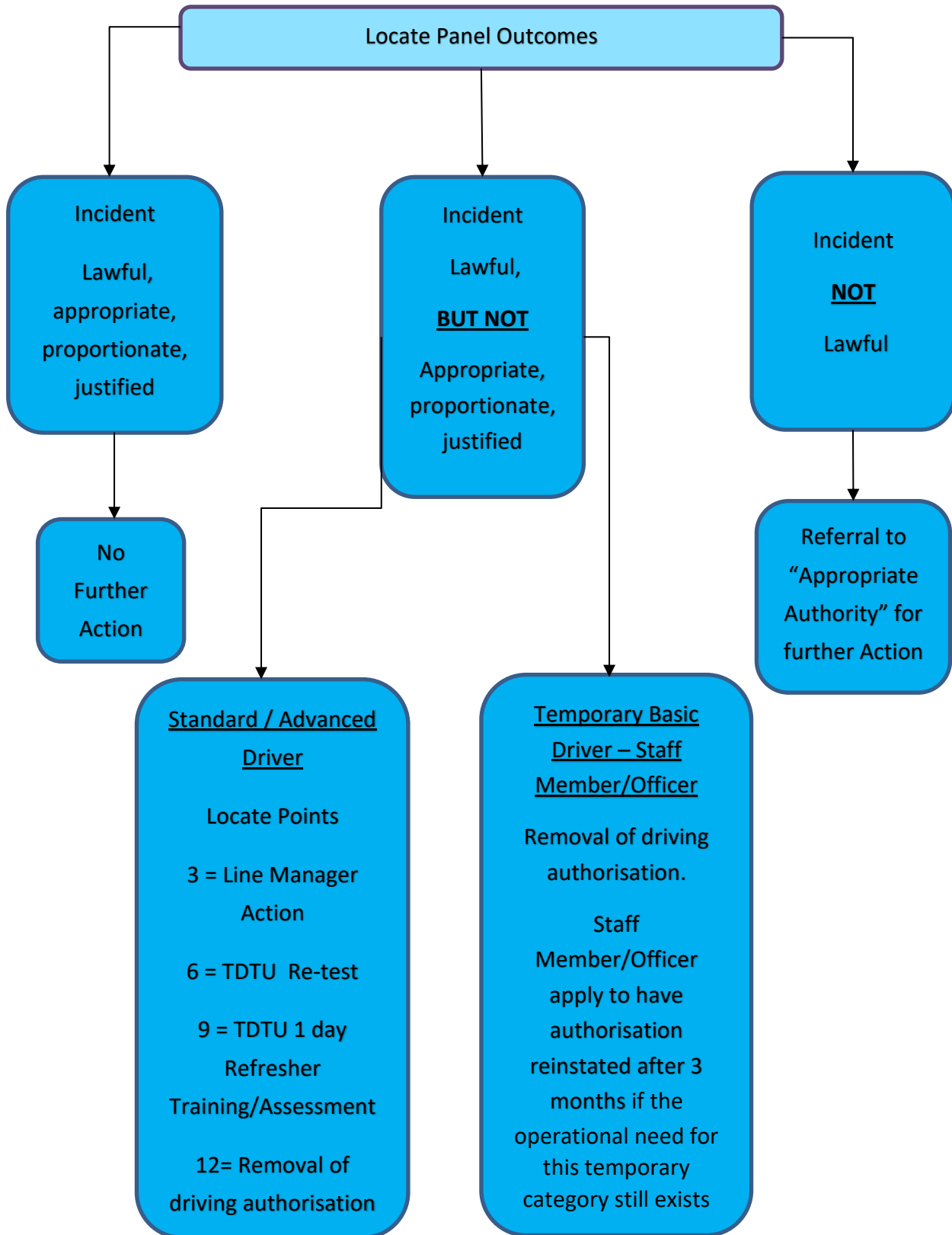
TDTU will then make arrangements via the officer's Operational Planning Department to arrange for the outcome to be delivered.

Where the Panel outcome is the suspension of driving authorisation the staff member / officer should be informed of this at the outcome meeting which should be held by the Police Driver District/Area Commander or Departmental Chief Inspector.

The Staff Member's / Police Officer's line manager should also be informed.

Appendix A LOCATE Trigger Investigation Process





Appendix B Guidance For LOCATE Panel Members

Consideration Factors	
The Panel will consider the LOCATE report incident with regard to the following 3 areas	
Safety	Safety in respect of the public, staff and officers inside the vehicles are always a key factor particularly for armoured vehicles. Given the circumstances outlined in the LOCATE report and the information provided by the driver, supervisor and any other information that has been provided (for example ControlWorks log, report from other member/s, etc.) was the speed and driving considered 'safe' for the circumstances. Information and advice will be taken during this consideration from the Traffic and Driver Training representative in terms of, "do the circumstances comply with training guidelines, Service and College of Policing APP policies etc. in relation to safe driving standards?"
Necessity	The Panel will consider the appropriateness and proportionality of the speed incurred given the circumstances. This will be particularly relevant to the threats and risks posed by the type of call or incident the officer was responding to when the LOCATE trigger occurred. Information will be taken from the LOCATE report submitted by the officer and their Line Manager as well as any other information available as above. There will be a level of subjectivity in making the assessment as to whether the speed used was appropriate, proportionate and necessary in the circumstances but it should be approached from a similar position as consideration of Police use of force principles and Human Rights legislation in so much as it must be considered as necessary in the circumstances to achieve the lawful objective.
Reputational Risk	The Panel will consider what Organisational reputational risks are created by the circumstances of the LOCATE trigger. PSNI's Code of Ethics at Preamble D states that 'Public confidence in the Police Service is closely related to the attitude and behaviour of officers towards members of the

public in particular their respect for the human rights and fundamental freedoms of individuals as enshrined in the European Convention on Human Rights.’

PSNI Code of Ethics, Article 1 – Professional Duty requires Police Officers to act within and uphold the law and to act in a way which ‘as far as practicable, carry out their functions in cooperation with and with the aim of securing the support of the local community.’ (Article 1.2)

Therefore the Panel will consider, whether the circumstances of the LOCATE breach have or had the potential to damage the reputation of the Service in the eyes of the public or reduce public confidence in the police. Again there will be a degree of subjectivity in coming to a view on this and the panel should seek to have a clear agreed view. In order to satisfy themselves of the appropriateness of the organisational reputational risk the panel might wish to consider whether they could confidently make a clear, well-argued and defensible case to a member of an accountability body (PCSP, Ombudsman etc.) a member of the public, or a media enquiry regarding the circumstances of the LOCATE trigger incident.

The Panel will then consider their findings in relation to each factor and any other relevant additional factors or information before coming to an overall view and decision.

Appendix C Contact Us

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