



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2011-00270

Keyword: Complaints/Discipline

Subject: Superintendents' Written Warnings

Request and Answer:

This is to inform you that the Police Service of Northern Ireland has now completed its search for the information you requested. The decision has been taken to disclose the located information to you in full.

Question

I wish to be provided with the management plan and/or lesson plan and/or written guidance delivered to Superintendents in PSNI in relation to the delivery of Superintendents Written Warnings

Answer

The documents detailed below outline the information held at PSNI Professional Standards Department, in relation to your request and can be viewed at the end of this correspondence.

- 'SWW launch briefing note to Commanders Discipline Champions Jan 2010'
- 'Minutes of Discipline Champions Meeting Jan 2010'

PSNI Service Procedures provide guidance to a course of actions, tasks or steps to be followed. This would include tactics, methods, administration, roles and responsibilities. The PSNI Service Procedure relating to Superintendents' Written Warnings is accessible on the PSNI website via the link provided below:

http://www.psni.police.uk/service_procedure_0110.pdf

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by

emailing foi@psni.pnn.police.uk

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psni.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality

Briefing Note for Commanders & Discipline Champions – Local Misconduct Action & Superintendents' Written Warnings

The new procedure for local misconduct action, including SWWs will be going live on 18th January 2010. A copy of the Service Procedure, which will be published on 18th January, is attached for information.

The key features of the new procedures are:

- Once a matter comes to attention, an initial assessment is conducted, to assess whether the issue is one of conduct or performance, and whether it is suitable for local action.
- Written notification must be given to the officer concerned if a local misconduct meeting is to be held, outlining the nature of the conduct being considered and providing any relevant documents. (This does not need to be on a formal form – e-mail would suffice)
- Misconduct meetings should take place within 20 days from receipt of report, and minutes recorded.
- In addition to any misconduct outcome (i.e. SWW or Management Advice), a development plan should be considered when appropriate. The officer's line manager will be responsible for ensuring implementation and monitoring of same.
- Officers can no longer refuse to accept a SWW.
- There is a new local appeal mechanism, to the C/Supt in the relevant District / Department.

Impact of Local Misconduct Action:

- Local Misconduct action, including written warnings, may be considered and referred to during an officer's APR.
- Receipt of a SWW will not automatically impact on CRTP or SPP, but may be considered alongside other criteria in deciding whether payment is appropriate.
- Receipt of a SWW may be considered as part of the overall assessment of suitability for promotion by the officer's management; however is not an automatic bar to eligibility.
- A live SWW may be revealed to a discipline panel in any later misconduct hearing.

PSD, in conjunction with the SAP team, are in the process of developing electronic recording of SWWs, which will automatically update SAP via a portal. A definite date for completion of this piece of work is not yet available, but it is anticipated that this will be completed by March 2010 at the latest.

**MINUTES OF DISCIPLINE CHAMPIONS MEETING AT LISNASHARRAGH
15 JANUARY 2010 AT 10.30**

Superintendents Written Warnings

D/Inspector Merrick provided an update to the meeting on the Superintendents Written Warnings Policy. New Policy went live on 13 January 2010 and a briefing note had been issued. This was to be seen as first step towards Taylor.

D/Inspector Merrick explained some of the main points to be noted in the Policy.

If it is an old case it should be dealt with under the old policy and if it is a new case it should be dealt with under the new policy.

General discussion took place in relation to what should be considered as old and new case.

Transitional arrangements for the introduction of the Policy are that the relevant date of whether an issue is dealt with under the old or new policy is the date it comes to the attention of the Superintendent. Therefore any matter coming to the attention of a Superintendent on or after 13 January 2010 will be dealt with under the new policy, regardless of when the transgression took place.

Discussion took place in relation to the electronic recording of SWW's. Given the introduction of NICHE, the consensus was that all Discipline Champions present did not wish to commence electronic recording and wanted to retain carbonated copies for SWW. As a result this part of the project will not be progressed.

D/Superintendent Taylor asked D/Inspector Merrick to also mention Officer appeals where the SWW originated from either PONI or PSD. In these cases the persons conducting the appeal must liaise with PSD in the first instance.

Action

D/Inspector Merrick to consult with employment lawyer to confirm approach adopted for dealing with new cases is correct.