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SI2617

Off Duty Standards

This Service Instruction provides guidance and direction to Police Officers and Staff of the standards of behavior expected relating to off duty conduct and activities.



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1. Introduction

The Police Service of Northern Ireland (PSNI) and the public expect the highest standards from our officers and staff both on and off duty. Whilst encouraging police officers and staff to play an active part in the communities in which they live, the Police Service is duty bound to prevent and deal with any behaviour or activity that may damage the reputation of the Police Service, or call into question a Police Service employee's ability to carry out their duties effectively, impartially and with integrity. By doing so we protect not only the integrity and reputation of the officer or staff member concerned but also that of the organisation itself.

This Service Instruction (SI) provides guidance and direction regarding acceptable behaviour or activity by a member of the Police Service. Some aspects of this apply only to police officers, and some to both officers and staff, for example, inappropriate associations.

[Section 2](#) indicates which sections apply to police officers and staff.

This SI covers the following:

- Business Interests;
- Registration of Notifiable Memberships;
- Political Activity;
- Civil or Criminal Proceedings Involving Members of the Police Service;
- Debt Management;
- Inappropriate Associations; and
- Appropriate use of personal social media.

Whilst this SI provides guidance on some particular areas of off duty conduct, it doesn't cover every eventuality and officers and staff are expected to uphold the highest standards in all areas of their off-duty conduct. Guidance should be sought from a line manager in cases of doubt. The PSNI Code of Ethics 2008 and the PSNI Staff Handbook govern the standards expected of our officers and staff.

2. Application

The table below outlines which procedures and guidance contained within this service instruction apply to different types of Police Service employees.

| | Police Officers including Part-Time Reserve Officers | Police Staff (including Temporary workers) | Designated staff (direct employees) | Student Officers |
|---|---|--|--|----------------------------------|
| Business Interests | Yes | Ch 6 of the Police Staff Handbook | Ch 6 of the Police Staff Handbook | Yes |
| Registration of Notifiable Memberships | Yes | Ch 7 of the Police Staff Handbook | Yes | Completed at time of attestation |
| Political Activity | Yes | Police Staff Handbook (Annex 8) | Police Staff Handbook (Annex 8) | Yes |
| Civil or Criminal Proceedings | Yes | Ch 6 of the Police Staff Handbook | Ch 6 of the Police Staff Handbook | Yes |
| Debt Management | Yes | Yes. See also Ch 6, para 20 of the Police Staff Handbook | Yes. See also Ch 6, para 20 of the Police Staff Handbook | Yes |
| Inappropriate Associations | Yes | Yes | Yes | Yes |
| Social media guidelines | Yes | Yes | Yes | Yes |

Police officers and staff intending to avail of a career break should be aware that they remain bound by the Code of Ethics 2008 and the PSNI Staff Handbook - Code of Conduct. Therefore these procedures apply not only to serving officers and staff but also to officers and staff on career breaks.

3. Article 8 Considerations

The Service recognises that police officers have a right to a private life under Article 8(1) of the European Convention on Human Rights (ECHR) and that the fact they are police officers cannot dictate what they do in all aspects of their off-duty lives.

However there may not be a reasonable expectation of privacy in relation to certain conduct and the fact of being a police officer means that some of what officers can do off-duty can lawfully be restricted in order to maintain confidence in the police under Article 8(2).

It is possible that off-duty conduct, depending on what it is, may give rise to misconduct or criminal proceedings. This can apply when an officer is acting in private, when he or she is interacting with someone who does not know the officer's profession, and even if the conduct has not in fact reached the attention of a member of the public.

It is the risk of the public discovering this conduct and that it has been done by a police officer that is highly relevant. It is the case that police officers, by virtue of their profession, are held to different standards, even in areas of their lives which may to them seem completely

private. It is a question of balance between an officer's right to a private life and the need to maintain confidence in the police.

Whilst police staff do not exercise police powers, the same principle of expecting high standards in their private lives applies.

The starting point is that the Service expects officers and staff to act with the highest standards of integrity and decency in all aspects of life, including off-duty. The relevant question is whether public confidence in and the reputation of the PSNI might be undermined if they became aware of the off-duty conduct in question.

The following are examples from UK policing when seemingly 'private' off duty conduct have been dealt with as misconduct matters:

In an attempt to increase his chances of securing a place in a prestigious marathon, a police officer submitted multiple applications using family members' details. He obtained a place under a family member's name and completed the marathon. This was discovered by colleagues who reported the matter. The panel deemed this to be dishonesty, albeit in a private sphere, and the officer was subsequently dismissed.

An off-duty officer sent a text message using his private mobile to a friend, making comments of a sexually violent nature about a third party. The friend was arrested some months later on an unconnected matter, and the text message subsequently came to light. The officer made an unsuccessful argument that this was a breach of his Article 8 rights and was dismissed.

4. Business Interests

There may be occasions when an officer wishes to pursue an additional business interest or secondary occupation (collectively referred to as Business Interest). Reasons for this may be to pursue a hobby, to prepare for retirement, or to supplement income. Whatever the reason, the police service and the public have a right to expect that police officers are primarily focused on the needs of the public. All business interests should rank after their police duties. This section is designed to:

- provide guidance as to what factors should be taken into consideration when considering business interest applications;
- provide guidance in relation to what business interests are likely to be incompatible with employment in the Police Service;
- to outline an applicant's responsibilities with regard to applications, record keeping and conduct; and
- to outline the application, decision-making and review processes.

These procedures apply to police officers of all ranks, including Police Officers Part-time. It also refers to officers who are on career breaks.

Whilst police staff are not subject to the same level of restriction as police officers in terms of their activities outside of work, they are still required to inform the Chief Constable of any other occupation or business interest in order that the Service can be satisfied that there is no conflict of interest and that the duty of care with regard to Health and Safety and Working Time Regulations is discharged. The Police Staff Handbook refers.

Professional Standards oversees the business interest process on behalf of the Chief Constable, and is responsible for convening business interest panels when required.

5. Definition of Business Interest

The legislation governing police officers' business interests is contained in Regulations 7, 8 & 9 of the Police Service of Northern Ireland Regulations 2005; the Police Trainee Regulations (NI) 2001; and PSNI Reserve (Part-Time)(Amendment) Regulations 2009.

A business interest is defined as 'the holding of any office or employment for hire or gain, or carries on any business; or holds or possesses a pecuniary interest in any licence or permit relating to licensed premises or gaming.'

6. Requirement to declare a Business Interest

Any officer holding or intending to hold a business interest is required to notify Professional Standards. This requirement also extends to relatives who hold a business interest, where the interest interferes, or could be seen as interfering with the impartial discharge of the duties of the officer.

Applicants to the Police Service are required to declare any existing business interest which they intend to continue

should they be appointed. Applicants will not be eligible for appointment if they intend maintaining a business interest that is not compatible with employment in the Police Service.

There may be occasions where work, even if it is unpaid, would still be considered to be a business interest. Advice should be sought from Professional Standards in cases of doubt.

Failure to declare a business interest, breaching conditions placed on a business interest, conducting a business interest whilst on sickness absence or conducting a business interest that has been rejected under this procedure may result in misconduct action, and in some cases, criminal investigation.

An officer may not pursue a business interest pending approval or any appeal process.

The Police Rehabilitation and Retraining Trust (PRRT) supports officers in preparing for retirement. Whilst they may fund or provide training courses to serving officers, this does not imply permission or support for a business interest whilst the officer is still serving.

7. Factors for consideration

Whilst each case will be considered on its own merits, a number of factors must be taken into account in determining whether to approve an application for a business interest. The National Police Chiefs' Council (NPCC) have identified the following areas (expanded upon below) as:

- Impact on the Police Service - potential and perceptions;
- Integrity and Impartiality - predicted, expected or evidenced;
- Attendance, conduct and performance;
- Health, Safety and Wellbeing; and
- Proportionality - in relation to the applicant's seniority and role.

These factors are not exhaustive, and there may be other considerations which apply to individual cases.

Impact on the Police Service – this relates to the risk of the business interest either discrediting the Police Service or undermining confidence in the Service. To include:

- The nature of the business interest – how reputable it is in its own right in the

eyes of the public, and in association with the Service;

- Whether the activity could lead to the public losing confidence in the honesty and integrity of the individual or the Service, or if it would be likely to cause confusion in the minds of the public as to whether the individual was operating in an official or unofficial capacity;
- Whether the activity could lead to the individual being improperly beholden to any person or organisation; and
- Whether the business interest could lead to conflicting contractual commitments to a third party, for example, providing advice to a training company who are then contracted to work for the Police Service.

Integrity and Impartiality - relates to the risk of the business interest interfering with an individual's ability to impartially discharge his or her duties, or the extent to which the public would be likely to perceive this is the case. To include:

- Whether the activity is one regulated by the police, or where the police are involved in the licensing of the activity;

- Whether the business interest is merely an extension of an individual's duty or the extent to which training, skills, or experience provided by the Police Service are relied on;
- Whether the individual's status as a police officer could be used to promote the business interest;
- The potential to use for personal benefit police duty time, equipment, information or intellectual copyright. **In addition, it is never acceptable to use PSNI IT systems in connection with a business interest;** and
- Whether an individual's fairness or impartiality in their dealings with the public or colleagues might be compromised.

Attendance, Conduct & Performance -

this relates to the risk of a decline in attendance, performance or conduct of the applicant, coupled with evidence as to the individual's current suitability through performance monitoring, expanded upon below:

Attendance:

- If an officer is on sickness absence they are not permitted to take an active part in any approved business without the

express permission of the Chief Constable. A business interest panel will determine each case on behalf of the Chief Constable.

- When an individual who holds a business interest is on restricted or recuperative duties, consideration should be given to suspending approval of the business interest where the medical issue may be related to or impacted by the business interest.
- The views of the Occupational Health and Wellbeing Unit will be sought on the potential for the business interest to have a detrimental effect on an individual's health, although the final decision will be taken by a business interest panel.

Conduct:

Consideration should be given to any previous or current misconduct issues which may be relevant to the business interest application. If it is considered that a misconduct issue relates directly to an existing business interest, approval may be modified or withdrawn. If an officer is suspended from duty on full pay, it is unlikely that an application for a secondary business interest will be approved. Any

existing business interest will also be reviewed. It is the view of the Chief Constable that public confidence would be severely impacted if an officer is facilitated to earn additional income whilst suspended on full pay.

Performance:

Evidence from Individual Performance Reviews (IPRs) may be considered during the annual review of business interests. Additionally, where an individual with an existing approved business interest is subject to formal performance procedures, this will initiate a review of the business interest.

Consideration should be given to the extent to which the business interest could interfere with the ability for a police officer to be recalled to duty.

Health, Safety & Wellbeing – this relates to the duty of care to the individual and others.

- The risk of injury or increased stress and fatigue which could impact on the individual's ability to perform duties to a satisfactory standard will be taken into consideration;

- As part of any consideration of a business interest it is essential that the Police Service monitors the total number of hours an individual will be working, to comply with the duty to protect their health and safety, and to ensure that the total demands of the jobs do not pose a risk to the health of the individual or his or her ability to work safely, either as an individual or part of a team. Consideration should be given to the total number of hours, times of day, frequency and overall commitment required by the business interest. If the business interest would result in the officer's working time being in excess of the 48-hour week limit, they should be requested to waive their rights to the maximum 48-hour week; and
- The business must not involve activities that would be a threat to the security of the officer, their immediate family, colleagues or the public.

Proportionality in relation to Seniority and Role - relates to the requirement to take account of the seniority, role and nature of duties of the applicant.

It may be relevant to reflect on the nature of the work carried out by the applicant, the

different employment status of police officers and police staff, and the public - impact of their proposed interest, prior to making a decision. Each case should be considered on its merits. For example, whilst it may be acceptable for a police officer at the rank of Constable to work as an extra for film or TV productions dependant on the nature of the production and role portrayed, it may not be appropriate for a senior officer who is regularly appearing within the media in a police related capacity to do so.

8. Examples of Incompatible Occupations

Whilst every case is considered on its own merits, NPCC Guidance indicates that the following types of business interests are likely to be refused under this procedure as being incompatible with the role of police officer.

| | | |
|---|--|---|
| <p>An activity that would present a conflict of interest in the administration of justice (e.g. magistrate, practising solicitor, barrister, paralegal, fine enforcement officer)</p> | <p>An activity that is connected with the lending of money or recovery of debts for others, or an activity that involves ‘hard selling’ to colleagues or members of the public by placing undue pressure on them to buy or rent, including recruiting others to sell on their behalf</p> | <p>Appearing in any commercial filming production in which they portray a police officer or other uniformed member of police staff, whether on or off duty, or undertake any role where it could be construed that they are representing the police service</p> |
| <p>An activity that involves investigation or use of force for other than police purposes (e.g. loss assessor, private detective, security guard, door staff)</p> | <p>An activity using specialist skills or knowledge obtained through the police service (e.g. training or consultancy relating to core policing activities)</p> | <p>The writing and publication of books, articles or other material for gain about their policing or work experiences</p> |
| <p>An activity that mirrors police responsibilities or is an extension of police functions (e.g. close protection, private security or surveillance, crime prevention or personal safety)</p> | <p>Renting or letting accommodation to a member of staff who is in the same line management structure (excluding short-term arrangements, such as holiday lets)</p> | <p>Holding a licence or permit, or working in premises, relating to liquor licensing, or betting and gaming or any other area in which police have a role in licensing</p> |

The above examples are not exhaustive, but give an idea of those interests that could be incompatible with being a police officer.

9. Application Process

Application process

A summary of the application, authorisation and review process is contained at [Appendix A](#).

Any officer who wishes to apply to register a business interest must submit a written application, via their line manager, to their Inspector (or immediate line manager if the applicant is of Inspector rank or above).

The application Form BI1 can be accessed via Service Forms on PoliceNet, and must be completed and submitted electronically to the appropriate line manager. It is the responsibility of the officer concerned to provide full detail in the application to allow an informed decision to be made (to state that the business interest is, for example, 'Consultant' is clearly not sufficient and will result in the application being returned to the individual concerned requesting greater detail/clarity or as rejected).

On receipt of an application to register a business interest, the applicant's Inspector (or line manager if the applicant is Inspector rank or above) will examine the application to ensure that all relevant information has been included and append any further information on the suitability of the applicant, for example issues relating to

performance, attendance or misconduct issues.

On receipt of the application, Professional Standards will ensure that the application is recorded onto SAP and may convene a Business Interest Panel. The panel will consist of Human Resources and Superintendent, Professional Standards or their designated representatives and such other persons as may be deemed necessary to enable an informed decision to be made. The panel may ask for research to be conducted to verify information provided by the applicant.

The panel will consider all relevant material, including any recorded information held by PSNI for Business Purposes, and give careful consideration as to whether or not the proposed business interest is compatible with an individual being a police officer. The panel will also consider any potential conflict with the aims and reputation of the Police Service, the PSNI Code of Ethics 2008, and Working Time Directive. There may be occasions where the proposed business interest conflicts with the current role of the officer and it may be rejected on that basis.

The panel can arrive at one of the following decisions:

- Request further information. Should requested information not be supplied by the applicant, the application will be rejected;
- Approve the application;
- Approve the application but set conditions or make it subject to more frequent monitoring or review;
- Reject the application; and
- Where there is evidence that an officer has breached procedures in relation to a business interest, the panel may forward details to the Appropriate Authority to conduct an initial assessment under misconduct procedures.

Where the panel are minded to reject a business interest application, or approve subject to conditions, the applicant should be notified in writing and provided with an opportunity to make written representations before a final decision is made.

Once a decision on an application has been made, the applicant will be informed in writing and the approval or otherwise recorded on SAP by Professional Standards. The original application and accompanying documentation will be retained in the applicant's personnel file.

10. Appeals Processes

Request for Chief Officer Determination

If a business interest application is rejected or subject to conditions, the applicant may request that the Chief Constable make a determination on the issue. In the interests of efficiency, the Chief Constable may delegate this to another member of the Service Executive Team. Written requests for determinations must be made in writing within 10 calendar days of receipt of notification of the decision to refuse the application, and must be accompanied by written reasons why the applicant believes the application should be approved. The officer appealing can request that this 10 day period be extended if they have reasonable grounds for making this request.

At each stage of the process there must be a full record of all decision-making.

Further appeal to NIPB

An officer may appeal a Chief Officer's Determination by submitting an appeal to the Northern Ireland Policing Board (NIPB). Any officer wishing to appeal a Chief Officer's Determination must submit the appeal in writing, along with reasons for the appeal, to NIPB within 10 calendar days of the notification of the Chief Officer's determination to refuse an application. The officer appealing can request that this 10

day period be extended, if they have reasonable grounds for making this request.

If the NIPB reject an appeal, legislation permits a further appeal to the Minister for Justice, under Regulation 7(8)(b) of the PSNI Regulations 2005.

Regulation 7(9) outlines that if the Chief Constable has determined that a business interest is incompatible with the office of Constable, and an officer still wishes to pursue the business interest, then after consultation with the NIPB, he may dispense with the police officer's services.

11. Monitoring / Review

Officers holding a business interest are required to submit an annual declaration on Form BI2 stating:

- whether the interest is still current;
- whether or not there has been any change of circumstances which may constitute a material change to the business interest;
- average number of hours per week spent on business interest; and

- that all tax liabilities arising from the business interest have been discharged.

Professional Standards will review this information, along with any other relevant information including misconduct, sickness absence or performance matters. Upon review, should it be considered that the business interest is no longer compatible; a business interest panel will be convened to consider the issue.

It is the responsibility of the officer to report any changes in circumstances between reviews, via local management.

Professional Standards may ask for further information as necessary. Consideration should be given to rescinding approval if an officer fails to report any change of circumstances, provide an annual declaration, or supply any additional information requested.

Following approval of a business interest there may be circumstances that lead to a review of the approval. These may include performance and attendance issues, conduct, welfare and well-being issues, or any change in role. Such a review will be conducted by a business interest panel, as set out above.

Enquiries may be made to ensure that a business interest is being conducted within

the limits of any approval, or that individuals are not pursuing Business Interests which have previously been rejected. Open-source material may be accessed to do this.

12. Registration of Notifiable Memberships

The Chief Constable has a statutory obligation under Section 51(5) of the Police (Northern Ireland) Act (2000) to require each police officer to inform him of any notifiable membership that the police officer believes they have, or if they believe that they have no notifiable membership, of that belief. Section 51(1) of the Act states that a police officer has a notifiable membership if membership of the organisation in question might reasonably be regarded as affecting the officer's ability to discharge their duties effectively and impartially.

This requirement applies to all police officers, and also extends to police staff with designated powers. Student officers complete their notifiable membership declaration at the time of attestation. Instructions relating to police staff are contained in the Chapter 7 of the Police Staff Handbook.

Background

The Chief Constable has produced 'Notes for Guidance' and a list of organisations in relation to which, in his opinion, membership of any one of these organisations could reasonably be regarded by some members or sections of the public as affecting a police officer's ability to discharge their duties effectively and impartially. These notes for guidance were developed following statutory consultations on the matter. Notes for Guidance are contained on the Professional Standards intranet site.

The organisations are:

1. Ancient Order of Hibernians.
2. Apprentice Boys of Derry Association.
3. Freemasons.
4. Independent Orange Order.
5. Knights of St Columbanus.
6. Loyal Orange Institution (including the Women's Orange Order).
7. Royal Black Institution.
8. Any other organisation, membership of which, an officer believes might reasonably be regarded as affecting their ability to discharge their duties effectively and impartially.

The Chief Constable reviewed the list of organisations contained within the Chief Constable's Guidance on 24 November 2015.

The list of organisations above is not exhaustive. A police officer is obliged to notify the Chief Constable of membership of **any** organisation which the individual police officer is a member of and they believe might reasonably be regarded as affecting his or her ability to discharge their duties effectively and impartially. Nil returns are also required.

The Chief Constable will retain the information while the individual remains a police officer; destroy it within one year of the individual ceasing to be a police officer; and amend the information where the police officer notifies a change in their notifiable memberships.

All information received by the Chief Constable under Section 51 is held confidentially and is disclosable only for one of the specified statutory purposes, specified in section 51(8) of the Act which can include for the purposes of criminal, civil or disciplinary proceedings or provision of statistical information. Professional Standards currently administers the

Notifiable Membership scheme on behalf of the Chief Constable.

13. Political Activity

Article 1.6 of the Code of Ethics¹ states that officers shall not take an active part in politics. This SI clarifies what is and is not acceptable conduct for police officers regarding this issue. The rules relating to police staff are contained within Annex 8 within the Police Staff Handbook – Code of Conduct.

Membership

The PSNI Service Executive Team has agreed that police officers are permitted to be members of political parties in their capacity as a private individual. However public support of a political party or candidate is not permitted. Public support includes any overt activity such as campaigning for a candidate, displaying material, canvassing, fundraising, standing for election, holding office within a political party, etc.

Any membership of a political party must be notified to the Chief Constable under the Notifiable Membership procedure.

¹ Schedule 1 of the PSNI Regulations 2005 also refers, as does Reg 6(2) of the PSNI Reserve (Part-time) Regulations.

Officers must not become involved in any activity or conduct which may be unlawful or discredit the Service or that may call into question an officer's ability to carry out their duties effectively and impartially.

The Police Service will not tolerate the expression of support or membership by police officers for any political party, political cause or support for an organisation that advocates racism, or that promotes intolerance, hatred or unlawful discrimination. Membership of such groups is totally incompatible with the aims of the Police Service.

The Police Service has a duty as a public body under Section 75 of the Northern Ireland Act 1998 to 'promote equality of opportunity' and 'have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group'. PSNI Service Executive Team has therefore issued a direction prohibiting membership of such parties or organisations. Examples (which are not exhaustive) include parties and organisations such as the British National Party, the National Front, and Combat 18.

Donations

Apart from membership fees, only private donations are permitted, and officers must not become involved in any media or publicity campaign connected to such donations.

Publicity

Officers are not permitted to express a political view, represent a political party or promote a political viewpoint in any form of media such as, but not limited to newspapers, the internet, social networking sites, radio and television, written or artistic work.

Public Rallies or Meetings

Police officers are not permitted to address meetings or to conduct themselves in such a way that demonstrates support for a particular political party. They may not, for example, distribute leaflets, display badges, placards or banners or otherwise participate in the organisation or conduct of the event in any way that solicits support for the cause. Any attendance at an event must be off duty and no item of uniform may be worn. No item may be worn which is likely to create the impression that the wearer is a police officer.

Cause Issues

This Service Instruction is not intended to restrict participation in cause issues such as environmental or public safety campaigns that are conducted independently of mainstream party politics. Any activity in support of a cause issue would be acceptable behaviour provided:

- It is not unlawful;
- It is not likely to bring discredit to the Service;
- It is done in a private capacity;
- An officer does not make reference to their role as a police officer or purport to represent the Service;
- Complies with this procedure as regards Notifiable Memberships; and
- Complies with the PSNI Code of Ethics 2008.

Officers must remember their duty of confidentiality and are required to observe the rules concerning the use of official information or knowledge. (Article 3 of the Code of Ethics refers).

14. Civil or Criminal Proceedings

There is a duty under Article 7.4 of the Code of Ethics for police officers to inform the Chief Constable of any legal proceedings initiated against them. The paragraphs below provide further guidance:

Criminal Proceedings

If a police officer has been arrested or informed they are being investigated for a criminal offence, there is a duty on that officer to disclose to the investigating officer that they are a member of the Police Service.

The officer under investigation must immediately submit a report to Professional Standards, via their senior management, notifying that they are under investigation, and providing the contact details of the investigating officer.

The investigating officer must also notify Professional Standards of the circumstances.

Any motoring offence, which is dealt with by way of court proceedings, must be notified.

Any attendance at court as a defendant in criminal proceedings must be in plain clothes.

Fixed Penalty Notices

This paragraph applies to all Police Authorised Drivers, both Officers and Staff, hereafter referred to as the “authorised driver”.

Where an authorised driver accumulates a total of 6 penalty points arising from an endorsable Fixed Penalty Notice for a moving traffic offence², there is no requirement to make a notification.

Where an authorised driver accumulates a total of 7 or more penalty points arising from an endorsable Fixed Penalty Notice for a traffic offence, he or she must make a report to his or her line manager. The local Chief Inspector with relevant responsibility for the authorised driver should review the circumstances relating to the issue of the EFPN, and following review, may make a referral to Traffic and Driver Training Unit. See Service Instruction ‘Driving of Police Vehicles’.

Where the cumulative number of penalty points will result in disqualification, the officer or staff member regardless of whether they are an authorised driver or not, must notify Professional Standards via

their senior management. Where it involves an authorised driver, the report must be copied to Traffic and Driver Training Unit.

Receipt of an endorsable fixed penalty notice for the offence of No Insurance must be notified to Professional Standards via the officer or staff member’s line manager.

Community Resolution Notices and Notices for Disorder

If an officer or staff member receives a Penalty Notice for Disorder under Section 64 of the Justice Act (NI) 2011, or Community Resolution Notice they must notify Professional Standards.

Civil Proceedings

An officer has a responsibility to notify their District Commander/Head of Branch immediately in the event of civil proceedings being initiated against them. The District Commander/Head of Branch should consider the circumstances (including any welfare issues) and decide upon appropriate action. If a misconduct issue is identified it may be dealt with by local misconduct action, however, if there is evidence of gross misconduct, the matter must be referred to Professional Standards.

² Moving traffic offence includes but is not limited to excess speed, use of handheld mobile phone, breach of sign, and not having proper control of a vehicle.

It is not anticipated that divorce proceedings, where there are no aggravating factors such as alleged violence or child protection issues, would need to formally be notified. There is still a requirement to notify any change of circumstances to HR.

Any attendance at court as a defendant, claimant or witness in proceedings unrelated to their police duty must be in plain clothes.

15. Debt Management

If individuals find themselves in a position where they have uncontrollable debt levels, this is primarily a welfare matter.

Occupational Health and Well-being Branch (OHW) can assist, including 'signposting' the staff member concerned to specialist debt counsellors if appropriate. Staff Associations may also be able to provide support and assistance in this regard. Inspire Workplace Services can also provide advice.

If an officer or member of staff has substantial debts, it can have an adverse impact on work performance, and also leave them vulnerable to corruption. If it appears that there are indications that an

individual's financial situation could leave them vulnerable to corruption, the details should be forwarded, in confidence, to Superintendent, Anti-Corruption and Vetting for information.

Anti-Corruption and Vetting will ensure that the Service Vetting Officer is made aware of the situation in order that an assessment can be made as to the potential requirement for the review of an individual's current vetting level. This may result in the transfer of an officer or staff member who no longer holds the required standard of vetting for their current role.

Officers and staff should also be aware that in certain circumstances, failure to discharge debts could be deemed to be a misconduct matter.³ Whilst every case must be viewed on its own merit, factors that should be taken into consideration may include:

- Circumstances as to how the debt was incurred;

³ Schedule 1 of the PSNI Regulations 2005 states that 'A member shall not willfully refuse or neglect to discharge any lawful debt.' Also of relevance are the Police Trainee Regulations (NI) 2001, Regulation 9(4); and Regulation 6(3) PSNI Reserve (Part-time) Regulations 2004.

- What steps have been taken to reduce or mitigate the debt; and
- The level of engagement/co-operation by the officer or staff member concerned with professional or voluntary bodies trained in debt management.

Any individual who has concerns about their levels of debt should seek advice from OHW or their line manager.

16. Guidance relating To Inappropriate Associations

Guidance on Inappropriate Associations is aimed at all levels of the Service and applies to all police officers and members of police staff (including Police Officers Part-Time, associate staff, contracted staff, designated civilians, and student officers collectively referred to as staff).

Public confidence in policing can be seriously damaged if officers and staff associate with criminal elements. These guidelines are intended to inform all members of staff as to what may amount to an inappropriate association and to make them aware that working for the Police Service brings with it certain responsibilities, which may, for the

individual concerned, require certain difficult life-style choices to be made.

The guidance is in place to ensure public confidence, to protect the information that the Service holds, and protect the methodology employed in operational situations. The guidance will also protect the integrity of staff who may find themselves the subject of interest from criminal elements intent on obtaining information from or influencing a course of action by individuals due to their associations.

In an attempt to clarify what an inappropriate association is in the context of these guidelines, an association will be considered inappropriate and will not be acceptable where it has the potential to, or is likely to:

- Compromise the member of staff;
- Compromise the operations or activity of the Police Service; and/or
- Compromise the reputation of the Police Service.

Individuals need to ask themselves the question, is my association, whether it is with an individual, a group, participating in a social activity, or frequenting a location likely to impact on (i) – (iii) above? If the

answer is yes, then the association is incompatible with the lifestyle choices required of individuals working for the Police Service and must cease.

Whilst it is impossible to provide precise definitions, inappropriate association would include associating with those involved in drugs activity, paramilitary activities and other criminality. The association could arise from a family connection, childhood acquaintance, or frequenting locations where criminal elements socialise. Criminals often seek to target police officers and staff in an attempt to gain information or influence.

In all circumstances where a member of staff believes that they have an involvement with an individual which could be considered an inappropriate association, they **MUST** declare it to Anti-Corruption Unit.

The Police Service accepts that staff sometimes have little or limited control over some relationships or associations, for example through the marriage or civil partnership of a close relative, or where a relative becomes involved in criminal activity.

Declaring a potential inappropriate association to Anti-Corruption & Vetting

means that measures can be put in place to support the staff member and manage any risks.

It is of utmost importance that officers and staff do not conduct their own 'research' using police systems to establish whether a family member or associate has criminal connections.

Where it becomes apparent that a member of staff has an inappropriate association, which has not been declared, Superintendent, Anti-Corruption and Vetting must be informed. The range of responses could, for example, include conducting an ethical interview, reviewing vetting status, or utilising SP 8/2012 'Service Confidence.

An inappropriate association could be treated as a misconduct matter, especially where the member of staff knew or ought to have known it was inappropriate, has failed to declare a potential inappropriate association, or it has been brought to their attention and they have persisted with the association.

17. Appropriate Use of Social Media

The Police Service of Northern Ireland (PSNI) recognises that the personal use of social media is now an integral part of everyday life however police officers and staff must remember that the same high standards of conduct set out in the PSNI Code of Ethics 2008 and the PSNI Staff Handbook apply to their online activity. This section is intended to complement the guidance contained in SI 10/17 'Social Media' and should also be read in conjunction with the section on private communications in this Service Instruction.

Police officers and staff are advised not to identify their employment online as this carries a degree of tangible risk to your personal security. They could become a target for attack, be targeted for information, blackmailed or render themselves, family and friends vulnerable to personal threats.

Police officers and staff should be mindful of security settings on any personal social media sites and should ensure they make full use of privacy settings.

Police officers and staff should never share information acquired through the course of their employment.

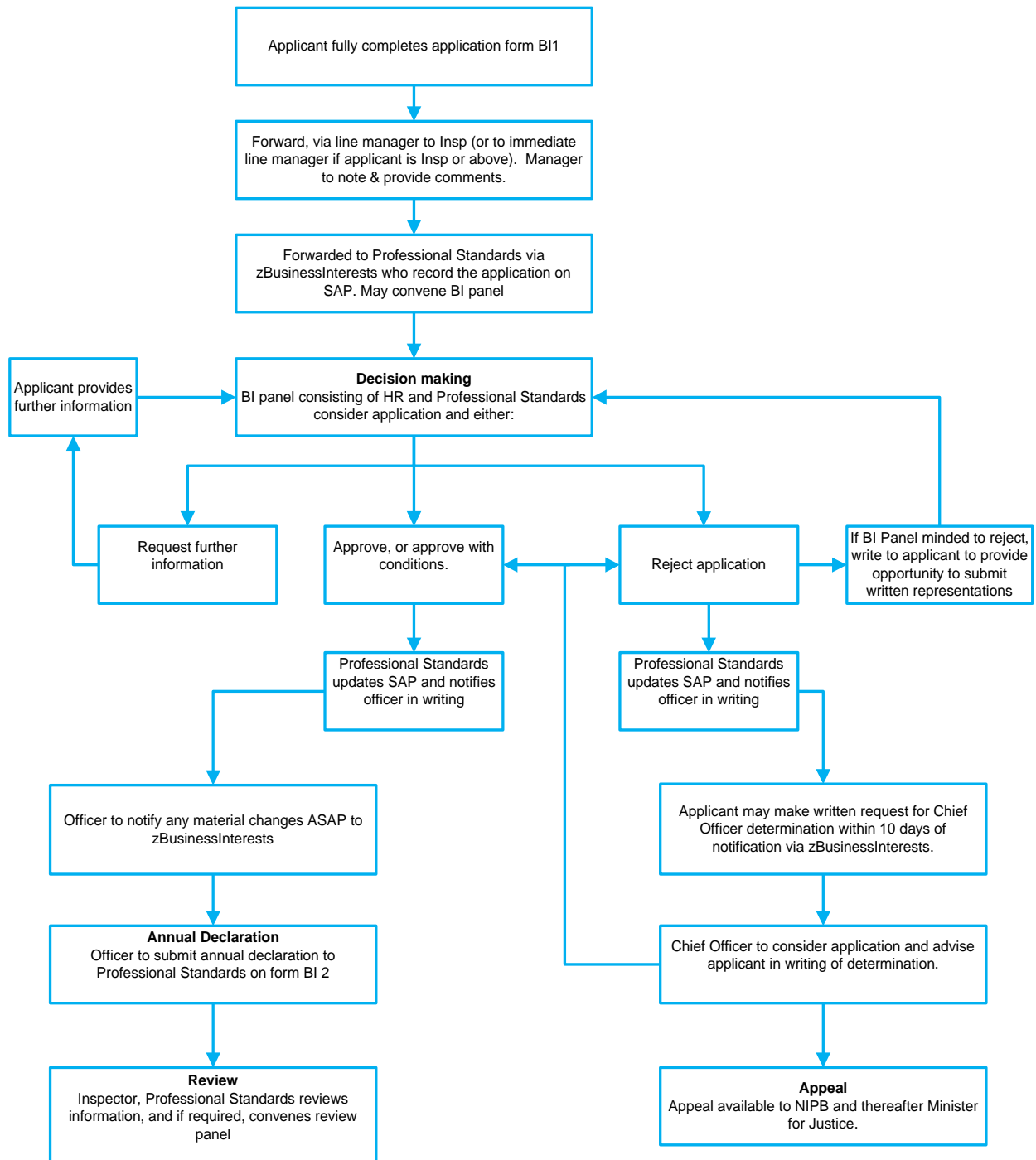
Whether or not a police officer or member of staff chooses to identify their employment online they should be mindful of their comments and views and ensure that any expression of opinion does not lead to the public losing confidence in police and does not cause confusion in the minds of the public as to whether the individual is operating in an official or unofficial capacity.

If any officer or member of staff is in doubt about online conduct, they can contact the Corporate Communications Department, Digital Hub, for guidance and advice.

18. Private Communications

The requirement to act to the highest standards extends in principle to all communications, even if private. Where private communications which breach the expected standards are discovered in the course of lawful action (for example a criminal investigation into others) appropriate misconduct or criminal action may be taken.

Appendix A Business Interests Process Chart



Appendix B Contact Us

Service Instruction Author

Inspector PW1532,
Professional Standards

Branch Email

zProfessionalStandardsOCMT@psni.pnn.police.uk