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SI0618

Service Confidence

This Service Instruction outlines protective measures that may be put in place when the Police Service loses confidence in an officer, with a view to managing and reducing risk.



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1. Introduction

The purpose of this Service Instruction is to manage risks posed when confidence in the integrity, honesty and trust of an officer has been lost. It is primarily concerned with protecting the public, the public interest, the Police Service, operations and colleagues.

2. Key Principles

When serious concerns exist about the conduct of an officer, those concerns will be addressed by instigating criminal or misconduct proceedings wherever possible, as well as a review of the officer's vetting status. This Service Confidence Process (SCP) will only be used when this is not possible, for example where the information is credible intelligence that cannot be used in an investigation, or when proceedings have been concluded and yet serious concerns remain. Use of the process is focused on managing ongoing risks posed by an officer in whom the Service has lost confidence, and is not intended to be punitive.

This process applies to all police officers of all ranks.

The legal basis is Section 33 of the Police (NI) Act 2000. Section 33 is also used for purposes other than Service Confidence Process.

3. Serious Concerns

A precise definition of 'serious concerns' is not possible as each set of circumstances must be judged on their own merit, however the following types of behaviour are likely to be categorised as 'serious concerns'. This list is not exhaustive:

- Suspected unethical or dishonest conduct or corruption;
- Suspected disclosure or leakage of information;
- Suspected drugs activity or other criminality;
- Inappropriate associations with individuals involved in criminality;
- Abuse of position for financial or sexual gain; and/or
- Inter-personal relationships with potential for, or resulting in serious negative impact on efficiency or Police Service reputation.

Where 'serious concerns' exist, contact should be made with the Service Vetting

Officer as there is potential that they will impact on the police officer's vetting status.

4. Triggers for SCP

'Serious concerns' may be brought to the attention of the Service through a number of means. The following are non-exhaustive examples:

- Failing vetting processes;
- Reliable information;
- Inappropriate Associations; and/or
- Residual recommendations from misconduct procedures where ongoing risks remain.

5. Ethical Interview

Where 'serious concerns' exist it may be appropriate to conduct an ethical interview with an officer so they can answer the concerns and be advised of the potential for invoking the SCP. It also provides an opportunity to improve their ethical behaviour. However, it is recognised that it is not always possible or appropriate to do so, particularly if this could expose the public or Service to further risk.

An ethical interview is not a disciplinary interview. The purpose of the ethical interview is to raise concerns with an individual with a view to managing the concerns or to give them an opportunity to respond to the allegation or information, offer an explanation, or to improve their ethical behaviour. A record will be kept of the ethical interview along with any response provided by the officer concerned.

Any officer subject to an ethical interview may be accompanied by a 'friend'.

6. Vetting Interview

Serious concerns may also prompt a vetting review interview with the officer.

A vetting interview is not a disciplinary interview. The purpose of the vetting interview is to raise concerns with an individual with a view to informing an assessment as to whether any identified risks can be managed at the relevant vetting level. A record will be kept of the vetting interview along with any response provided by the officer concerned.

7. Initiation of SCP

On receipt of 'serious concerns' the Chief Superintendent, Professional Standards (or deputy) may convene a Service Confidence panel. The panel may be comprised of the following, along with any other relevant individuals who may assist with decision-making:

- Chief Superintendent Professional Standards (chair);
- Discipline Branch representative;
- Anti-Corruption & Vetting Branch representative;
- Legal Services Branch;
- Human Resources; and
- Senior manager for the officer.

The purpose of the panel is to consider the nature of the concerns, consider the risks that are posed, and to make a recommendation to the relevant Assistant Chief Constable (ACC) for decision.

8. Decision-making Process

The Service Confidence panel will use the National Decision Model to support decision-making.

9. Risk Management Measures

Measures taken to manage the risk cannot be prescriptive, and every case will be considered on its individual merits, however the following (non-exhaustive) measures may be considered:

- Transfer to a different post or geographic area on either a permanent or temporary basis. The legislative provision for such a move is Section 33 of the Police (Northern Ireland) Act 2000;
- Removal of access to particular Police Information systems;
- Removal from evidential chain;
- Not to work with a specific group, for example children or vulnerable individuals;
- Not to be placed in a role which involves minimal supervision; and/or
- Making recommendations on eligibility for future promotion.

The Service Confidence panel will agree the extent of information that can be provided to the officer's management team to enable them to effectively manage the risk.

10. Notification to officer & representations

The Service Confidence panel will consider the scope of the information that can be provided to the officer, bearing in mind the potential for risk to the public, the Police Service or investigations.

The Chair of the panel will ensure that the officer is personally notified that Service Confidence Process (SCP) is under consideration, and provided with the agreed information relating to the concerns.

The officer will be afforded the opportunity to make written representations within 10 working days of being notified of the decision to invoke Service Confidence. This timescale may be extended by the Chair of the Service Confidence panel.

Interim protective measures may be put in place pending receipt of representations and final decision by the nominated ACC.

11. Decision of Nominated Assistant Chief Constable

Once the Service Confidence panel have considered the risks, formulated recommendations, and advised the officer,

the recommendations along with any written representations will be forwarded to the relevant Assistant Chief Constable for decision. The Chair of the panel will be responsible for ensuring the officer is advised of the subsequent decision of the ACC and of the right to appeal the decision.

12. Appeal

The officer may appeal the decision to the Deputy Chief Constable (DCC). Written reasons for appealing the decision should be forwarded to the DCC within 10 working days of being notified of the ACC's decision. This timescale may be extended by the Deputy Chief Constable. The Deputy Chief Constable's decision is final.

13. Reviews & Record Keeping

All members of the Service Confidence panel will be required to sign a confidentiality agreement. Confidential minutes will be recorded.

Superintendent Anti-Corruption & Vetting will be responsible for the maintenance of records in relation to Ethical Interviews,

Vetting Interviews and the Service Confidence Process, and will also ensure that annual reviews are initiated.

Each case involving use of the Service Confidence Process will be reviewed annually, unless there is information which would suggest it should be reviewed earlier. The Chair of the Service Confidence panel will convene the panel to consider whether continuation of SCP is necessary & proportionate.

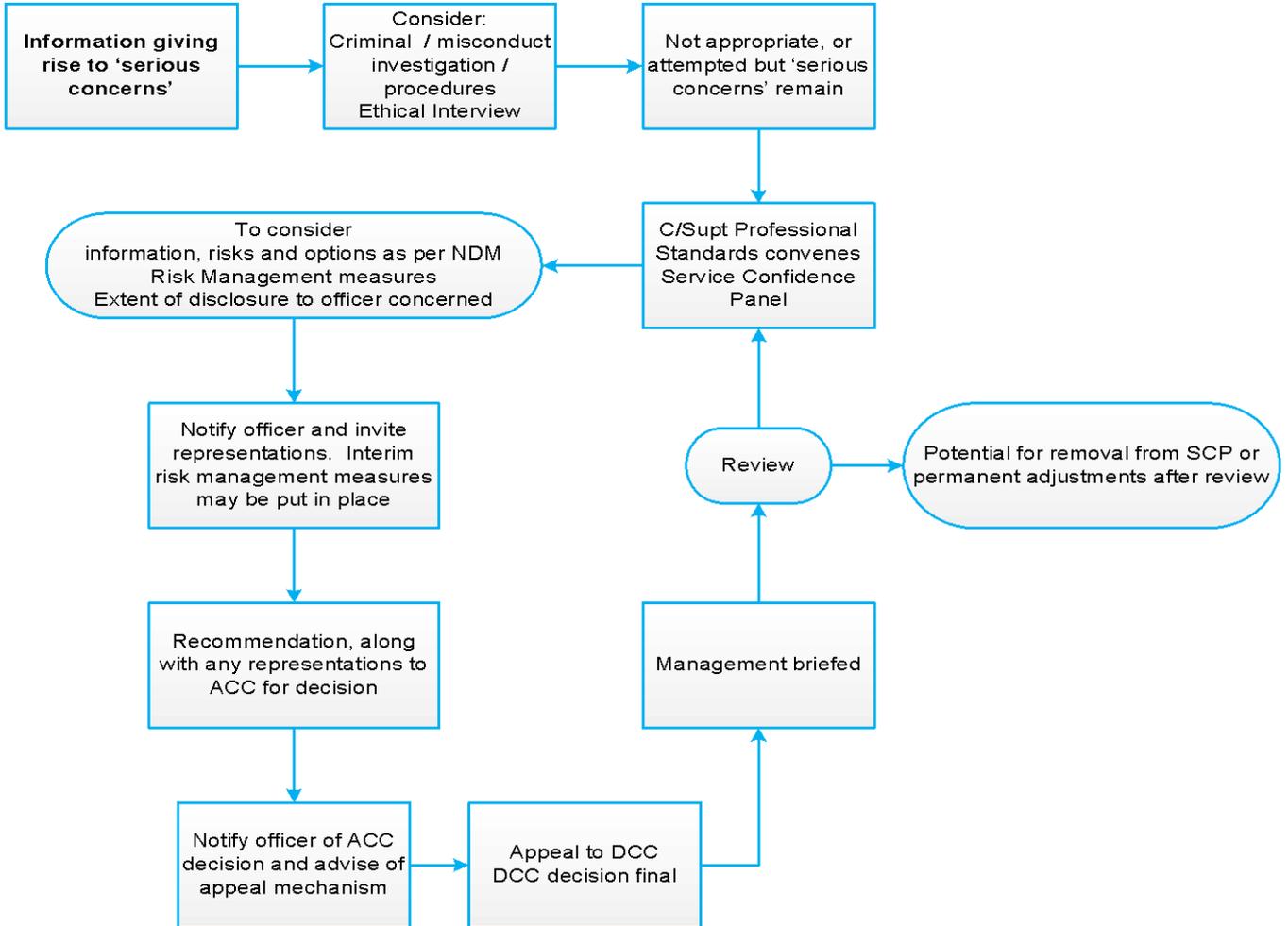
The officer will be advised of the review in advance and invited to make written representations.

14. Permanent Adjustments

If, following review, it is apparent that permanent adjustments or conditions are required to manage the risk over the longer term, the Service Confidence panel may make a recommendation to the Deputy Chief Constable that adjustments are to be permanent and that reviews will cease. Permanent adjustments will be made by virtue of Section 33 of the Police (Northern Ireland) Act 2000.

[Appendix A](#) provides an overview of the Service Confidence Process.

Appendix A Service Confidence Process Overview



Appendix B Contact Us

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