

SI0526

# Conflicts of Interest

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This Service Instruction provides direction to Police Officers and Police Staff concerning Conflicts of Interest (including membership of organisations). It is intended to raise awareness on how to identify and outline personal responsibility to make an appropriate declaration when a conflict becomes or is likely to become apparent and how this should be managed. A Conflicts of Interest Service Instruction is critical for maintaining confidence in any public body.

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## 1. Introduction

All public officials must discharge their duties in a manner that is, and is seen to be, impartial, fair and unbiased.

A Conflict of Interest occurs when an individual has personal or financial interests, relationships, memberships or affiliations which might reasonably be regarded as affecting their ability to discharge their duties effectively and impartially.

The Police Service of Northern Ireland (PSNI) must ensure that all conflicts of interest are identified and managed in a way that safeguards the integrity of Police Officers, Part-Time Officers and Police Staff (collectively referred to hereinafter as members), enhances accountability and maximises public confidence in the organisation's ability to deliver an appropriate Public Service.

Conflicts of interest that are undeclared, hidden or poorly managed create the risk of misconduct (or the appearance of misconduct) and could undermine public trust. Effective management of conflicts of interest protects the PSNI and members

from allegations of bias or inappropriate conduct.

The PSNI defines a Conflict of Interest as any factor (including membership of an organisation) which might reasonably be regarded as affecting a member of the Police Service in discharging their duties effectively and impartially.

This Service Instruction should be read in conjunction with the [PSNI Code of Ethics](#) and the [Police Staff Handbook](#).

## 2. Aims

Conflicts of interest can threaten the integrity of the individual and the PSNI as they can bring the organisation's impartiality and integrity into question. A perceived or potential Conflict of Interest can be equally as damaging as an actual Conflict of Interest.

This Service Instruction aims to:

- Ensure the PSNI comply with the legislative requirements as set out in

[Section 51 of the Police \(Northern Ireland\) Act 2000](#) (see [Appendix A](#));

- Ensure that members maintain impartiality and objectivity in their duties, without any personal or financial bias or the perception thereof;
- Prevent the abuse of power and authority by those who may have personal or financial connections to individuals, businesses or organisations;
- Protect the integrity of investigations and Court proceedings by ensuring that evidence is gathered and presented in a fair and unbiased manner;
- Promote public trust in Policing by demonstrating transparency and accountability in the handling of potential conflicts of interest;
- Reduce the risk of legal challenges and complaints by providing clear guidelines and procedures to follow when conflicts of interest arise; and
- Reinforce a culture of ethical behaviour and professionalism within Policing which can help prevent misconduct and improve overall performance.

### 3. Applicability

This Service Instruction applies to all members which include Police Officers, Part-Time Officers and Police Staff.

The Service Instructions for Off Duty Standards (SI2617), Gifts Gratuities and Hospitality (SI0617), Maintaining a Professional Boundary between Police and Members of the Public (SI3217) (available on the [PSNI Corporate Policy Homepage](#)) and Procurement and Contract Management within the Police Service of Northern Ireland should be read in conjunction with this Service Instruction.

### 4. Conflicts of Interest

Members may have numerous interests which may give rise to conflicts in certain situations. Conflicts of Interest can be actual, perceived or potential and can arise in all aspects of work.

It is important to note that a Conflict of Interest does not necessarily imply wrongdoing or unethical behaviour. However it is essential to identify and manage all conflicts to ensure that all

members carry out their duties in a fair, unbiased and impartial manner.

It is important to declare and deal with Conflicts of Interest effectively and efficiently to safeguard and enhance public confidence in the PSNI.

## 5. Definitions

### Actual Conflict of Interest

Any factor (including membership of an organisation<sup>1</sup>) which might reasonably be regarded as affecting a member of the Police Service in discharging their duties effectively and impartially.

### Perceived Conflict of Interest

The perception of outside observers that there is any factor (including membership of an organisation<sup>1</sup>) which might reasonably be regarded as affecting a member of the Police Service in discharging their duties

effectively and impartially, whether or not that is the case.

### Potential Conflict of Interest

A situation where there is any factor (including membership of an organisation<sup>1</sup>) with the potential to be reasonably regarded as affecting a member of the Police Service in discharging their duties effectively and impartially.

## 6. Identifying Conflicts of Interest

When determining if a conflict exists, it should be considered whether there is a risk that a fair-minded independent observer, acting reasonably, would likely conclude, that there is a realistic possibility of an actual, perceived or potential Conflict of Interest (as defined in [Chapter 5 – Definitions](#)).

Examples of when conflicts of interest may occur include, but are not limited to:

<sup>1</sup> See [Chapter 7 – Membership of an Organisation](#).

- Public order or public safety events;
  - Calls for service;
  - Criminal investigations;
  - Misconduct investigations;
  - Promotion and selection processes;
  - Procurement or contract management;
  - Governance and decision making processes;
  - Representing the PSNI in a governance role for a third-party organisation;
  - When exercising discretionary powers (such as Gatekeeper);
  - Licensing or vetting functions;
  - Managing Staff or Contractors; and
  - Reviewing decisions in which the Police played a role (such as historical reviews).
- Relationships with family, friends, current or former partners or work colleagues;
  - A financial interest in a company, trust or property;
  - Holding another position in a public office;
  - Political affiliations;
  - Secondary employment;
  - The acceptance of gifts, discounts or hospitality;
  - A legal obligation such as being a trustee; and
  - A financial obligation such as a loan.

Example case studies are shown in [Appendix B](#).

Examples of interests that could conflict with duties include but are not limited to:

- Membership of a club, society or association;

## 7. Membership of an Organisation

As part of the community, Officers and Staff may have membership, connections or affiliations, to varying degrees, in a number of organisations. These can be in

the traditional sense or as on-line communities.

Therefore the term organisation should be considered in its widest sense to include any group of people or entities (including those on-line) that come together with a common purpose such as a club, society, business, association, group (including sporting groups) or any other body.

These do not need to be declared unless such membership may result in a Conflict of Interest as defined in [Chapter 5 – Definitions](#). If this occurs then Members should follow the guidance outlined in [Chapter 12 – Declaring a Conflict of Interest](#).

It should also be noted that there are some organisations with which it will never be acceptable to hold any membership, connection or affiliation. These include those which hold hate, intolerant or discriminatory views regarding any persons whose characteristics are protected under [Section 75\(i\) and \(ii\) of the NI Act 1998](#), [Section 49\(a\) and \(b\) of the Disability Discrimination Order 2006](#) and [Section 48 of the Police \(Northern Ireland\) Act 2000](#).

The above extends to the evolving on-line culture of groups and / or individuals who operate on various platforms to promote extreme behaviours or views which are contrary to the values and ethical standards of the PSNI.

Officers and Staff should refer to [Off Duty Standards \(SI2617\)](#) which provides guidance on permitted political activity. Membership of a political party will follow the same principles and procedures as outlined in this section for membership of an organisation.

Police Officers must make themselves aware of Section 1.6 of the [PSNI Code of Ethics](#) which states that *'Police Officers shall not take any active part in politics'*.

Members should also remind themselves of the PSNI Statement of Action on Conduct and Standards.

## 8. Managing Conflicts of Interest

Conflicts of interest may be avoided by abstaining from involvement in decisions or actions that could be compromised by other interests. Likewise, members should avoid activities where they could be seen to be at an advantage because of their position, or due to information or other resources they have access to because of their role with the PSNI.

The same principles should be kept in mind when responding to incidents, assigning or conducting investigations and participating in decision making. It should always be considered whether an impartial observer could have reason to question independence.

For those in governance roles, conflicts can most readily be avoided if they are considered prior to discussions. It is good practice to have a 'declaration of interests' agenda at the start of every meeting, such as:

*“Does anybody present need to declare any interests that might be considered prejudicial to their independence in relation to the items on the agenda? If any should*

*arise during the meeting please make the Chair aware as soon as this becomes apparent.”*

## 9. Conflicts during Internal Investigations

Particular care must be given to the potential for conflicts of interest in the case of internal investigations (where the subject is a member), whether they are criminal, misconduct or other employment investigations. This is particularly relevant to Professional Standards Department, Human Resources and Local Misconduct Investigations.

As internal investigations are open to scrutiny it is essential that investigations are independent. All investigators must make a declaration to their Line Manager when a conflict becomes apparent. Line Managers should never investigate sexual or other serious complaints against Staff under their direct supervision. An independent investigator should be appointed to ensure impartiality and that the investigation is carried out diligently, fairly and robustly.

## 10. Conflicts of Interest in Procurement

Conflicts of interest can undermine the integrity and fairness of procurement processes. A compromised procurement process risks loss of trust and credibility of the Police Service and may result in the initiation of legal action.

A Conflict of Interest and confidentiality agreement must be completed to participate in a procurement or tendering process. If a Conflict of Interest becomes apparent during the process it must immediately be brought to the attention of a Line Manager or other appropriate person (such as the Senior Risk Officer) and declaration made as outlined in [Chapter 12 – Declaring a Conflict of Interest](#).

Procurement and Contract Management within the Police Service of Northern Ireland and [Gifts Gratuity and Hospitality \(SI0617\)](#) provide additional guidance.

## 11. Relationships

### Personal Relationships

[Maintaining a Professional Boundary between Police and Members of the Public](#)

[\(SI3217\)](#), provides clear guidance to all members of the PSNI regarding social contact and maintaining professional relationships. An existing private relationship may become conflicted. Circumstances requiring a relationship to be reported include, but are not limited to, when a partner, family member, friend or acquaintance:

- Is a significant witness or suspect in an ongoing investigation;
- Takes legal action against the PSNI; or
- Becomes the subject of media interest.

If in doubt, seek advice and support from your Line Manager or Professional Standards Department.

### Managing Internal Relationships

Personal relationships between members of the PSNI can affect perceptions of fairness within the workplace. [Appropriate Personal Relationships and Behaviours in the Workplace \(SI0223\)](#) provides clear instructions about when to make an appropriate declaration. Specific guidance regarding relationships involving Student

Officers and Probationary Constables is also available<sup>2</sup>.

## **Conflicts of Interest (Non-Work Related)**

It is important that members do not misuse their position to benefit themselves, their colleagues or others whom they have close connections with, such as family members or friends. For example, wearing a PSNI uniform or displaying PSNI identification cards could be perceived as an attempt to inappropriately influence or intimidate. Identifying as a member of the PSNI when attending Court in a support role for an accused could give the impression that the organisation supports the defendant. Such actions could be misinterpreted as an attempt to intimidate or influence witnesses in the Court proceedings. Please refer to [Chapter 19 – Provision of References and Testimonials](#) for further guidance.

Officers and Staff should make themselves aware of [Off Duty Standards \(SI2617\)](#) and [PSNI Participation at Events \(SI0125\)](#).

## **12. Declaring a Conflict of Interest**

When a member becomes aware that a Conflict of Interest has arisen or is likely to arise, or that there may be the perception that one has arisen or is likely to arise, they must make an appropriate self-declaration. This self-declaration should be made as soon as reasonably practicable.

A self-declaration will be made on eServices and should include a brief summary of the circumstances to initiate a discussion with your Line Manager. Any urgent declaration may be given orally and must be followed up on eServices.

In order to comply with Data Protection Legislation, do not include any personal or sensitive data when providing information on the Conflict of Interest.

## **Participation in the Management of Conflicts**

All members will discuss the Conflict of Interest and how it could be managed with their Line Manager. They should co-

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<sup>2</sup> Police College Code of Practice on College Staff Relationships with Prospective Student Officers, Student Officers and Probationer Constables.

operate with any management plan or mitigating action as directed.

Any member who is concerned that the management plan does not properly address the conflict, or considers the plan to be unfair or disproportionate, should raise those concerns with the Line Manager and escalate if necessary. Please refer to [Chapter 15 – Appeal Process](#).

Members are responsible for bringing any current or potential conflicts of interest to the attention of their new Line Manager if they move to a different Branch or District.

### 13. Line Manager Assessment

Line Managers should foster an environment where members feel free to discuss issues such as Conflicts of Interest.

When a Conflict of Interest is identified they will make an initial assessment and discuss the risks with the member.

The Line Manager will assess whether the conflict could influence, may influence or be foreseen to influence the member in the discharge of their duties.

In co-operation with the involved member the Line Manager will initially assess if the seriousness of the conflict is low, medium or high.

Low
<p>A factor (whether perceived, potential or actual) and the current circumstances present little evidence that a fair minded independent observer could conclude that there is a realistic possibility which might reasonably be regarded as affecting a member of the Police Service in discharging their duties effectively and impartially.</p>
Medium
<p>A factor (whether perceived, potential or actual) and the current circumstances present clear and identifiable evidence that a fair minded independent observer could conclude that there is a realistic possibility which might reasonably be regarded as affecting a member of the Police Service in discharging</p>

their duties effectively and impartially.

**High**

A factor (whether perceived, potential or actual) and the current circumstances present clear and identifiable evidence that a fair minded independent observer is highly likely to conclude that there is a realistic possibility which might reasonably be regarded as affecting a member of the Police Service in discharging their duties effectively and impartially.

They will apply the risk rating and record details of the management plan or mitigating action on eServices, including a review date where applicable.

Line Managers should also note if the Conflict of Interest relates to membership of an organisation. If so, the name of the organisation should be recorded when prompted.

Assessors should seek advice from their own Line Management if they are unsure of

the potential impact of the identified Conflict of Interest.

Conflicts of Interest can be managed differently depending on the circumstances. For example:

- If, in the Assessor’s view, the Conflict of Interest will not influence the member, they may note and monitor the Conflict of Interest for any changes in circumstance;
- Imposing additional oversight over the conflicted member’s work or duty;
- Assigning work to another member;
- Removing the member from the role which is causing conflict; and
- Consider strategies to avoid future conflicts.

The range of options outlined above to address the conflict is not exhaustive; it is supplied by way of example to support and aide professional decision making from Line Managers which should be recorded on eServices.

Support and guidance is available from Human Resources or Professional Standards Department.

## 14. Senior Management Review

The purpose of the Senior Management Review is to ensure that all Conflicts of Interest are managed in a consistent and expeditious manner in line with the values and ethical standards of the PSNI.

The Line Manager will submit the Conflict of Interest to a Superintendent or Grade 7 or above (as applicable) on eServices for review.

The Reviewing Officer will examine the circumstances of the Conflict of Interest and the management plan agreed between the Member and Line Manager. If the plan satisfactorily mitigates the declared circumstances they can indicate that they agree with the course of action proposed.

If the Reviewing Officer would like to amend the management plan they can make comments and return it to the Line Manager for implementation.

## 15. Appeal Process

If the Member or Line Manager has legitimate concerns with regards to any action or plan directed by the Reviewing Officer, they may appeal this decision. This appeal will be submitted via eServices to the Chief Superintendent or Grade 6 equivalent or above.

The Appeal Officer will review the Conflict of Interest and the representations made and make a final decision on the management plan. This will be done on a case by case basis and there is no further right of appeal.

## 16. Senior Officers and Senior Police Staff

Senior Police Officers (Superintendent and Chief Superintendent) and Senior Police Staff (Grades 5, 6 and 7) will submit the Conflict of Interest to their Line Manager on eServices for review.

The Line Manager will carry out an assessment as set out in [Chapter 13 – Line](#)

[Manager Assessment](#) and will submit it to the Reviewing Officer.

The Reviewing Officer (who will also be the Countersigning Officer) will examine the circumstances of the Conflict of Interest and the management plan agreed. If they are satisfied that the plan mitigates the declared circumstances they can indicate that they agree with the course of action proposed.

If the Reviewing Officer would like to amend the management plan they can make comments and return it for implementation.

The Reviewing Officer's decision is final and there will be no right of appeal.

## **17. Members of Strategic Management Board (SMB) and Audit and Risk Assurance Committee (ARAC)**

Public confidence in the PSNI's most Senior Officers and officials depends on it being clearly understood that decisions are

taken in the public interest and not for any other reason.

A register will be maintained of all interests for members of SMB and ARAC on behalf of the Chief Constable and will be available for inspection if and when required.

Corporate Governance will maintain this register. The Chief Constable will examine the Register of Interest annually.

## **18. Breaching Conflict of Interest Instruction**

Members who fail to adhere to the requirements of this Service Instruction may face disciplinary action or misconduct proceedings. Consequences for failing to appropriately declare a Conflict of Interest may also include, but not be limited to, embarrassment, loss of role or criminal prosecution.

Police Officers must make themselves aware of Section 1.7 of the [PSNI Code of Ethics](#) which articulates the obligation to comply with this Service Instruction.

## 19. Provision of References and Testimonials

When a member provides reference or testimonial for another person there may be the potential for the appearance of inappropriate influence.

For the purpose of this Service Instruction a reference or testimonial is a verbal or written communication which may include but is not limited to:

- An application for employment;
- Immigration status;
- Applications for citizenship;
- The issue of a licence, other than a driving licence (e.g., firearms or alcohol);
- Child custody issues; or
- Any other statement of credibility or good character (other than in Court proceedings under certain circumstances – see 'Members acting in their Personal Capacity in Criminal or Civil Cases' below).

A member of the PSNI in their professional capacity must not write, sign or give any

personal testimonial of character, personal reference or other recommendation with the objective of obtaining employment for any person or of supporting the grant of a licence of any kind without the written consent of the Chief Constable. The only exception is if members are identified as referees as part of the developed vetting process.

If a member proposes to supply a testimonial, reference or other recommendation in a personal capacity, they must not allude to their profession or rank / grade, nor draw on confidential information or knowledge obtained during their service in the PSNI. If a member proposes to express their views in a personal capacity they must obtain consent from their Head of Branch / District Commander.

### **Members Acting in their Personal Capacity in Criminal or Civil Cases**

When Officers are required to attend civil or criminal proceedings in a personal capacity, they are free to express their honestly held views. However they must:

- Not attend in uniform;
- Not use PSNI headed paper;

- Not draw on confidential information or knowledge obtained during their service in the PSNI; and
- Make it clear that any character witness they provide is their personal view and does not reflect that of the organisation within which they work.

If a member proposes to express their views in a personal capacity they must obtain the consent of their District Commander / Head of Branch.

## Passports and Identity Photographs

Police Officers and permanent / established Civil Servants are permitted to verify the true likeness of a passport or driving licence photograph as this is not provision of a character witness. This is subject to the conditions set out by the Passport Office and the Driving and Vehicle Licensing Authority.

## 20. Data Protection and Information Sharing

Information received by the Chief Constable under [Section 51 of the Police \(Northern Ireland\) Act 2000](#) (Notifiable Memberships) is held in the strictest of

confidence. [Section 51\(8\) of the Police \(Northern Ireland\) Act 2000](#) outlines the circumstances when the information can be disclosed.

In accordance with [Section 51\(7\) of the Police \(Northern Ireland\) Act 2000](#), the Chief Constable will:

- Retain the information while the individual remains a Police Officer;
- Amend the information held where the Police Officer informs the Chief Constable of a change in their notifiable memberships; and
- Destroy the information within one year of the individual ceasing to be a Police Officer.

Information received by the Chief Constable relating to Conflicts of Interest will only be shared with the Office of the Police Ombudsman for Northern Ireland if requested and case specific. The lawful basis is contained in [Section 66\(1\) Police \(Northern Ireland\) Act 2000](#).

All data collated in relation to Conflicts of Interest will be stored, retained and reviewed in line with the [Data Protection](#)

Act 2018 and the General Data Protection Regulations.

## **Appendix A – Notifiable Memberships – Section 51 of the Police (Northern Ireland) Act 2000 – Police Officers Only**

[Section 51\(1\) of the Police \(Northern Ireland\) Act 2000](#) 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 (a Conflict of Interest).

This requirement applies to all Police Officers (including part-time) and will affect Student Officers from the time of attestation.

[Section 51\(5\) of the Police \(Northern Ireland\) Act 2000](#) directs the Chief Constable to require each Police Officer to inform them of any notifiable membership which the Police Officer believes they have or, if they believe that they have no notifiable membership, of that belief.

The Chief Constable previously provided a list of organisations in relation to which, in their opinion, membership 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.

In 2022 the Chief Constable, upon review, decided to remove the list to encourage fuller and wider reporting.

Compliance with these legislative requirements will now be through this Service Instruction.

Therefore, it is essential that Police Officers comply with this policy when a Conflict of Interest (actual, perceived or potential) relates to membership of an organisation.

When a Police Officer is already a member or becomes a member of an organisation, and in the course of their duty believes that an actual, perceived or potential Conflict of Interest has arisen as a result of that membership, they will make a declaration (notification of membership) as outlined in [Chapter 12 – Declaring a Conflict of Interest](#).

Declarations by virtue of [Section 51\(5\)\(b\) of the Police \(Northern Ireland\) Act 2000](#) – that you do not believe you have any Notifiable Memberships will be complied with as part of the eServices Annual Integrity & Vetting Health Check (AIVHC) which will be available from April 2026.

This policy supersedes the previous registration system and records for Notifiable Memberships which is now obsolete.

If you have any queries in relation to this Appendix please contact Professional Standards Department for guidance.

## Appendix B – Example Case Studies: Conflicts of Interest

These case studies are intended to provide a practical application of this Service Instruction and are not designed to be prescriptive or replace professional judgement.

### Scenario 1 – Public Safety Event

There is a large public event planned for the City Centre which will culminate in a parade incorporating various organisations, with a counter demonstration notified at a sensitive point along the route.

There are a large number of Officers who will perform various roles throughout the Police operation and there are three Officers who have a current membership of one of the organisations participating in the event.

Constable Jones is detailed to perform a traffic point at a major junction, Constable Smyth is detailed evidence gathering duty at the counter demonstration and Inspector White will perform the role of Bronze Commander, which will require liaison with the organisers of both the parade and demonstration.

All three Officers make a self-declaration of a potential Conflict of Interest on eServices immediately they become aware of the roles they have been allocated.

#### Rationale

[Chapter 5](#) of this Service Instruction defines a potential a Conflict of Interest as *‘a situation where there is any factor (including membership of an organisation) which might reasonably be regarded as affecting a member of the Police Service in discharging their duties effectively and impartially’*.

As there is no longer a specified list of ‘Notifiable Memberships’ in line with [Section 51 of the Police \(Northern Ireland\) Act 2000](#) these Officers have complied with this Service Instruction by making a self-declaration that they have a potential Conflict of Interest due to their membership of one of the

organisations involved in the event which might reasonably be regarded as affecting them discharging their duties effectively and impartially.

The Line Manager (Sergeant) for Constable Jones carries out an initial assessment in line with this Service Instruction and determines with Constable Jones that, due to their role of traffic duty, there is a low risk of a Conflict of Interest.

They will continue with their proposed duty with no further action required other than a record being made on eServices of the rationale in compliance with this Service Instruction.

This will be subject to a Senior Management Review (Superintendent) who will examine the circumstances and agree the management plan proposed by the Line Manager.

Constable Smyth makes a self-declaration on eServices in compliance with this Service Instruction and this potential Conflict of Interest is assessed by their Line Manager (Sergeant).

The Line Manager refers to [Chapter 13 – Line Management Assessment](#) of this Service Instruction and assesses that the risk rating is high as there is clear and identifiable evidence that a fair minded independent observer is highly likely to conclude that there is a realistic possibility of a Conflict of Interest. This is due to Constable Smyth's membership of one of the organisations involved in the parade and that their role in the event will be to record evidence of those demonstrating against an organisation they are a member of. Any evidence obtained by Constable Smyth may be used in subsequent investigations and / or Court proceedings and it is crucial to ensure the integrity of this cannot be called into question.

The management action plan agreed by both Constable Smyth and their Sergeant is to remove them from evidence gathering duty and replace them with another suitably trained Officer. Constable Smyth will then carry out traffic duty away from the location of the counter demonstration.

This will be recorded on eServices and will be subject to a Senior Management Review (Superintendent) who will examine the circumstances and agree the management plan proposed by the Line Manager.

Inspector White makes a self-declaration on eServices and discusses the circumstances with their Line Manager (Chief Inspector). During the initial assessment the Chief Inspector applies the medium risk rating as there is clear and identifiable evidence that a fair minded independent observer could conclude that there is a realistic possibility of a Conflict of Interest.

It is agreed by both Officers that Inspector White's overall command and liaison will not be affected by this Conflict of Interest and should there be any controversial decisions that are required to be made they will be referred to the Silver Commander.

This is recorded on eServices and forwarded to the Senior Management Review (Superintendent).

The Reviewing Officer is not satisfied that this satisfactorily mitigates the Conflict of Interest. They believe that referring a decision to Silver Command may delay and impede decision making in the operational arena. To remove the risk of any perception of a Conflict of Interest Inspector White will be replaced by another suitably trained Officer.

The Senior Officer records on eServices that this decision does not imply any potential wrongdoing or unethical behaviour by Inspector White, but this will ensure that their integrity is protected and public trust in Policing is maintained by demonstrating transparency and accountability.

This decision by the Senior Officer is agreed by Inspector White and their Line Manager.

## Scenario 2 – Call for Service

Constable Smith has been tasked to a report of anti-social behaviour. Upon arrival, they realise that they went to school with the reporting person, although have not seen them since. Constable Smith is unsure if there is a Conflict of Interest in these circumstances. They excuse themselves and call their Sergeant to discuss the possible Conflict of Interest (an urgent oral declaration as outlined in [Chapter 12 – Declaring a Conflict of Interest](#)).

The Officer is permitted to continue with the call as they have highlighted the relationship to their line manager and they have assessed the risk of bias and considered it disproportionate to take

any further action. They should follow up by making a declaration of a Conflict of Interest on eServices.

## Rationale

The Officer's actions are permitted under [Chapter 12 – Declaring a Conflict of Interest](#) and [Chapter 13 – Line Manager Assessment](#) as the member identified the potential conflict, and discussed it with a Line Manager who determined that no action needed to be taken.

This scenario could be perceived to be a Conflict of Interest by an outside observer given the knowledge that the pair have of one another. It may or may not be the case that Constable Smith would deal with the scenario differently given they know the reporting person from school.

In order to mitigate any perception that this is the case Constable Smith does the right thing by notifying a Line Manager. This means they have been open and transparent about their familiarity with the reporting person.

As a Line Manager with the information provided, this scenario is likely to be classed as low risk. Constable Smith has not seen the reporting person since school and the pair don't have an active relationship. Therefore there is little evidence that a fair minded independent observer could conclude there is a realistic possibility of influence. Nonetheless this has been documented and the rationale behind the decision to allow Constable Smith to continue noted.

## Scenario 3 – Call for Service

Constable Smith is tasked to an urgent call for assistance in relation to an on-going domestic incident. Upon arrival the Officer realises that the incident is actually taking place at a property that they own and rent out. The incident involves Constable Smith's tenant and their partner. Constable Smith deals with the immediate threat and both parties are separated and safe. At this point they telephone their Sergeant and make them aware of the Conflict of Interest (an urgent oral declaration as outlined in [Chapter 12 – Declaring a Conflict of Interest](#)).

The Sergeant checks for callsign availability and no one else is free to attend. Constable Smith is permitted to deal with the call and initial enquiries at the scene, then the file and follow up is allocated to another Officer to progress. This should be followed up with a declaration of a Conflict of Interest on eServices.

## Rationale

In this instance there is a potential Conflict of Interest. The pre-existing relationship between Constable Smith and the parties involved could reasonably be seen to influence them in the performance of their duties. Constable Smith did the right thing in dealing with the initial call and made their Sergeant aware at the earliest opportunity when it was safe to do so of the potential Conflict of Interest.

The seriousness of this conflict is likely to be high. If Constable Smith became the investigating Officer a fair minded independent observer is likely to feel that there is clear and identifiable evidence of a possibility of bias / influence and this is highly likely in the circumstances.

As a result the Sergeant has tried to mitigate the risk at the earliest opportunity. No callsigns were available so Constable Smith deals with the scene and then hands over to another independent Officer. All of this decision making and rationale should be recorded on eServices to ensure transparency.

## Scenario 4 – Call for Service

Constable Smith is tasked to a Road traffic collision involving a car and a bicycle. Upon arrival they realise that the cyclist is a member of the same cycling club as Constable Smith, although Constable Smith doesn't personally know the rider apart from to see at the club.

Constable Smith telephones their Sergeant to make them aware of the situation (an urgent oral declaration as outlined in [Chapter 12 – Declaring a Conflict of Interest](#)) and have it assessed as a Conflict of Interest. In the circumstances Constable Smith's Sergeant deems it a low risk perceived

Conflict of Interest and advises Constable Smith to carry on dealing with matters and make a declaration on eServices upon their return to the station.

Further enquiries reveal that injuries have been sustained by both parties and the cyclist is now being treated as a suspect. At this point Constable Smith informs their Sergeant that there has been a change and this is documented on eServices. Constable Smith's Sergeant assesses the matter as an actual conflict, which is high risk and subsequently directs that Constable Smith is to cease their involvement in the investigation and this is passed to someone else.

## **Rationale**

[Chapter 12 – Declaring a Conflict of Interest](#) outlines Constable Smith's responsibilities around declaring a Conflict of Interest. The Officer complies with this at every stage; initially in telephoning their Sergeant and then as follow up when more information comes to light surrounding the incident.

The Sergeant applies this Service Instruction guidelines and decides that this matter is low risk and no management plan is necessary. This will be documented on eServices.

Once it becomes apparent that there are offences and the cycling club member is a suspect Constable Smith advises their supervisor and it is at this stage that the assessment of risk changes and Constable Smith's membership of the club becomes a relevant notifiable membership as outlined in [Chapter 7 – Member of an Organisation](#) of this Service Instruction.

The cycling club is an organisation and falls within the guidance provided. The membership is relevant because of the Conflict of Interest and therefore should be documented to ensure Constable Smith is complying with their obligations under [Section 51\(1\) of the Police \(Northern Ireland\) Act 2000](#).

Details of this are recorded in the free text box within the Conflicts of Interest declaration on eServices.

## Scenario 5 – Crime Investigation

Jo is a member of Police Staff who works as an inputter on Holmes. They realise that their daughter is in a relationship with a suspect in the murder case they are currently working on.

The member must immediately declare a Conflict of Interest on eServices.

### **Rationale**

In this instance there is an actual Conflict of Interest. The relationship and Jo's knowledge of those involved will influence them in the performance of their duties, whether consciously or not.

This situation would be deemed to be high risk because the current circumstances (if allowed to remain) present clear and identifiable evidence to a fair minded independent observer that there is a possibility of bias or influence and this is highly likely in the circumstances.

Jo should notify their supervisor of the conflict via eServices and should stop working on the case immediately.

## Scenario 6 – Promotion Process

Constable Smith is preparing to attend a selection process for an upcoming Sergeant's promotion process. They receive the list of those who will be sitting on the selection board and note that their aunt, Chief Inspector Johnston, is due to be a board member.

The Officer must declare a Conflict of Interest on eServices.

### **Rationale**

[Chapter 11 – Relationships](#) of this Service Instruction deals with relationships and an appropriate declaration must be made when an individual becomes aware of a Conflict of Interest.

The relationship between Constable Smith and Chief Inspector Johnston is a personal one and does not need to automatically be declared. However, this situation arising means their private relationship becomes relevant and creates a conflict.

In this instance the conflict is actual; the relationship between the pair will influence them in the performance of their duties, whether consciously or not.

This situation would be deemed to be high risk because the current circumstances (if allowed to remain) present clear and identifiable evidence to a fair minded independent observer that there is a possibility of bias or influence and this is highly likely in the circumstances.

The onus is on both Officers involved to notify their supervisor via eServices of the Conflict of Interest.

## Appendix C – Example Case Studies: Character References and Testimonials

### Scenario 1

Constable Smith is a Neighbourhood Policing Team Officer and has been approached by a friend who asked them to provide a character reference for a new job, in their capacity as a Police Officer. They do not have consent from the Chief Constable to provide the reference.

The Officer is not permitted to provide such a reference.

#### Rationale

As per [Chapter 19 – Provision of References and Testimonials](#), a member of the PSNI in their professional capacity must not write, sign or give any personal testimonial of character, personal reference or other recommendation with the objective of obtaining employment for any person or of supporting the grant of a licence of any kind without the written consent of the Chief Constable.

### Scenario 2

Sam Smith is a member of Police Staff and wishes to provide a reference for their neighbour who is seeking to obtain a firearms certificate. Sam has obtained consent from their Head of Branch. Sam Smith intends to e-mail a personal character reference from their Police e-mail address.

The member is not permitted to provide such a reference.

## Rationale

The member's actions are prohibited under [Chapter 19 – Provision of References and Testimonials](#) as by e-mailing the reference from their Police e-mail account, they are alluding to their profession as a member of the Police Service.

## Scenario 3

Constable Smith has been approached by a friend to provide a character reference for a new job. Constable Smith intends to provide this reference in a personal capacity, without referring or alluding to their occupation as a Police Officer. Constable Smith has obtained consent from their District Commander.

The Officer is permitted to provide such a reference so long as they do not give any impression that they are employed by the Police Service.

## Rationale

The Officer's actions are permitted under [Chapter 19 – Provision of References and Testimonials](#) as a reference may be given with the consent of their District Commander / Head of Branch as long as they do not allude to their profession or rank, nor draw on confidential information or knowledge obtained during their service in the PSNI.

## Scenario 4

Constable Smith is working in the Enquiry Office when a friend, who has attended the station, asked them to certify their passport application.

The Officer is permitted to certify the passport application.

### **Rationale**

No consent is required for this purpose as per [Chapter 19 – Provision of References and Testimonials](#) of this Service Instruction.

## **Appendix D – Contact Us**

### **Service Instruction Author**

Inspector Professional Standards Department

### **Branch e-mail**

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