

# Procedure



<b>Notifiable Associations</b>			
<b>J-Pr-002</b> (previously SA016)			
<b>Version</b>	1.0	<b>Host Force</b>	Dorset
<b>Effective Date</b>	29.03.21	<b>Host Policy Unit</b>	Dorset
<b>Version Date</b>	29.03.21	<b>Policy Owner</b>	Head of PSD
<b>Review Date</b>	29.03.22 (TBC)	<b>Policy Author</b>	D/Inspector - CCU
<b>Associated Policies</b>	J-P-010		
<b>Procedure Summary</b>			
<p>The Notifiable Association provisions contained within this procedure and its associated policy introduce a framework for reporting associations, which have the potential to compromise either the individual or Devon &amp; Cornwall and Dorset Police.</p> <p>Devon &amp; Cornwall and Dorset Police recognises there is a risk of some staff associating with inappropriate persons, groups or organisations. It is important that staff understand the directives to be observed to ensure that no doubt is cast on the integrity of Devon &amp; Cornwall and Dorset Police.</p> <p>We welcome any comments or suggestions you wish to share about the content or implementation of this procedure. If you would like to make contact to discuss further, please email: <a href="mailto:Policies@dorset.PNN.police.uk">Policies@dorset.PNN.police.uk</a> or <a href="mailto:Forcepolicyandprocedures@devonandcornwall.pnn.police.uk">Forcepolicyandprocedures@devonandcornwall.pnn.police.uk</a></p>			
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## 2. Procedure

### 2.1 Definitions

2.1.1 **‘Association’** will have its everyday meaning. This will include:

- Meeting or uniting for a common purpose.
- Keeping company or being familiar.
- Being an ally, confederate, partner or colleague.
- Having a friendship, relationship, intimacy or connection.
- Contact (including expressing support) through social media, email or internet.
- Being a member of a group, organisation or society, which is formed for the promotion of a common object or objects.

2.1.2 **‘Association’** does not include a chance meeting.

2.1.3 **‘Notifiable’** - There is no definitive list of associations, which will be deemed to be notifiable. Whether or not an association is in fact notifiable will be for PSD, or the relevant DCC in the event of an appeal, to determine. However, for the purposes of this policy, association with certain organisations will be considered unacceptable. These include:

- The British National Party
- Combat 18
- The National Front
- English Defence League (EDL)

2.1.4 Active membership of any group or organisation listed at 2.1.3 could involve activities such as: the participation in leaflet drops, meetings, fund raising, and speaking on behalf of or writing articles for the said organisation. These activities remain unacceptable, regardless of whether or not an individual is a formal member of the stated organisations. These activities are not exhaustive.

### 2.2 Procedures

2.2.1 Where a member of Devon & Cornwall and Dorset Police knows, considers or suspects that they may have a personal association with an individual, group or organisation, which is or may be notifiable they must report the matter. In the first instance they should make their line manager aware and the line manager is responsible for ensuring that the Notifiable Association Form at **Appendix A** is completed and sent to the Counter Corruption Unit (CCU) should they agree that the association is reportable. If in any doubt the Notifiable Association Form should be completed.

2.2.2 Employees must not conduct research on Force systems for the purpose of seeking to substantiate or rebut concerns or suspicions. It may be proportionate for a line manager to make some checks which may negate

the need to take any further action. If there any concerns or doubts regarding any information found then the line manager should consult with CCU and/or ensure that the Notifiable Association Form is completed. The results of any information found should not be disclosed to the person making the association declaration.

**2.2.3** There may be occasions when members of Devon & Cornwall and Dorset Police may prefer to declare an association directly to the Counter Corruption Unit (CCU) by completing the Notifiable Association Form and sending it in to the CCU themselves. Should the declaration require an Association Agreement to be completed by the CCU (see Appendix B) then, where it is necessary to manage or mitigate any potential risks, their local line management will be informed.

**2.2.4** CCU will then risk assess the association based on the details on the Notifiable Association Form and may contact the person declaring the association for clarification. The CCU will, if necessary, prepare an Association Agreement (**Appendix B**) for the person declaring the association which, where it is necessary to manage or mitigate any potential risks, may be shared with local line management.

**2.2.5** Should a member of staff wish to appeal against the control measures contained in the Association Agreement the Head of CCU will, in consultation with the Head of PSD, refer the matter to the relevant Deputy Chief Constable for consideration.

**2.2.6** The onus will be on individuals to report any change of circumstances about the association, in order that the Association Agreement can be reviewed.

**2.2.7** Where a member of the organisation is aware of an association between another member of the organisation and an individual, group or organisation, which falls to be reported under this policy, the member of the organisation who has identified the possible concern has a responsibility to challenge or report the matter.

**2.2.8** Where an association is judged to be inappropriate because it carries risks which cannot be managed, the individual, CCU and where necessary management will seek to agree the steps to be taken for the association to cease or be subject to limitations. This will be detailed on an Association Agreement. Where advice has been given that such an association must cease yet it persists, or the limitations are not observed, then the inappropriate association will be considered under the Police (Conduct) Regulations 2020 for police officers, or as a disciplinary matter in respect of police staff. Where an employee is legitimately engaged in any legally authorised covert activity with any person, group or organisation in the capacity of their role, exemptions may be made in respect of this policy.

**2.2.9** Statutory Instrument 2004 No 3216, the Police (Amendment) Regulations, states that ‘a member of a police force shall at all times abstain from any

activity which is likely to interfere with the impartial discharge of his duties or which is likely to give rise to the impression amongst members of the public that it may so interfere'.

**2.2.10** Police officers and those police staff in politically restricted roles shall, in particular:

- Not take any active part in politics (an active part in politics may include canvassing, delivering election leaflets – if in doubt, ask your line manager / PSD)

Members of a police force shall, in particular:

- Not belong to any organisation specified or described in a determination of the Secretary of State.

**2.2.11** In all cases; the following factors (which are not exhaustive), will be taken into account in making that determination:

- The nature of the relationship and the extent and closeness of it.
- The antecedents and history of the person, group or organisation with whom the member of the organisation has the association.
- Any criminal convictions of the person or persons within the group or organisation with whom the member of the organisation is associated.
- The number, seriousness and frequency of the convictions and the time since the last conviction.
- The suspected involvement in crime or notifiable activity of the person or persons within the group or organisation with whom the member of the organisation has the association.
- The criminal associations of the person or persons within the group or organisation with whom the member of the organisation has the association.
- The nature and objectives of the group or organisation to which the member of the organisation is associated.

**2.2.12** A member of the Devon & Cornwall and Dorset Police must always declare an association with a person, group or individual where they know, consider or suspect that the association is with a person who falls into the following categories:

- Persons with unspent convictions.
- Persons charged with a criminal offence.
- Persons known to be under investigation but not yet charged with a criminal offence (this may include suspended officers / staff). Unless the association or contact is related to a role or function being performed on behalf of the force, trade union or staff association.

- Persons subject of criminal intelligence or the subject of an interest marker.
- Persons who have been dismissed from the police service or other law enforcement agency, or who have resigned whilst under a police conduct investigation.
- Former police officers or other law enforcement officers who are working in a related field of employment. This will include private investigators and legal employees.
- Vulnerable persons met through policing duties.
- Journalists and those that are employed in the private media arena.
- Persons who are suspected to work within the sex industry.
- Persons who are contractors / suppliers for Devon & Cornwall or Dorset Police.
- Association with any group, organisation or society that could give rise to a conflict of interest or the perception of bias in carrying out their work for Devon & Cornwall and / or Dorset Police.

**2.2.13** Where a member of the Force is suspended from duty, this may be for an investigation into gross misconduct and / or a criminal matter. If you are associating with a colleague you know to be suspended, you should report the matter as a potential notifiable association, unless the association or contact is as a result of a role or function being performed on behalf of the force, trade union or staff association. General advice in relation to contact with suspended colleagues is as follows:

- Whilst an officer/ staff member is suspended from work any police powers they may have are fully suspended. They should not enter police stations and police business should not be discussed with them.
- You must not discuss the circumstances of the allegations with the suspended officers / staff whether or not you are considered a witness to the event. The exceptions being for staff associations, trade unions or legal consultations.
- If a suspended officer / staff member raises issues that may have a bearing on the matters under investigation you must withdraw from that conversation and record it submitting the information to PSD or HR.
- If you visit the officers / staff in an official support capacity welfare etc. you should make a note of the visit and of the content of the meeting.
- If you visit outside of work time, as a friend, then it is a private meeting but the direction not to discuss the events under investigation does still remain.

- If you are a witness to the events, or believe you may be, and you wish to visit the suspended officers / staff members it would be wise to explain the compromise you find yourself in and arrange such a meeting for another time, when the investigation has concluded. If this is not possible then record a rationale and attending in pairs is good practice.
- Each individual circumstance and relationship is different but you should at all times take steps to ensure that you do not leave yourselves or the suspended officers open to allegations of conspiracy with regard to material subject to the investigation.

Please seek advice from your line manager or PSD where you are unclear what is the best course of action. These measures are to ensure the integrity of yourselves and the suspended officers / staff members is protected.

**2.2.14** The obligation to report any such association applies irrespective of whether or not these associations have been declared as part of any security clearance or vetting procedure.

**2.2.15** ‘Group or Organisation’ - There is no definitive list to which this policy will apply. Whether or not a body amounts to being a group or organisation will be for PSD, or the relevant DCC in the event of an appeal, to determine.

**2.2.16** ‘Compromise’ means to place in a position of difficulty or danger, to expose to risk of failure, frustration or disgrace or to cast doubt on one’s integrity.

**2.2.17** There is no exhaustive list of activities, which have the potential or are likely to lead to compromise of the member of the organisation or compromise of the operational effectiveness or integrity of the Alliance. However the following activities will have this potential:

- Passing information or intelligence in contravention of the Data Protection Act.
- Misuse of Force I.T. systems.
- Entering into an association, which involves the acceptance or granting of favours, benefits in cash or in kind, or bribes.
- Turning a ‘blind eye’ to criminal or notifiable behaviour by another.
- Failure to record and submit intelligence in respect of another.
- Giving evidence of character in criminal proceedings on behalf of a person with whom an association is deemed to be notifiable.
- Standing surety for an individual in criminal proceedings.
- Discussing tactics, operations or technical equipment inappropriately such that, whether intentionally or not, operational or other Devon and Cornwall /Dorset Police activity could be compromised or sensitive tactics revealed.

- Associating, without proper authority, with a person or persons who have criminal convictions or who are suspected of unlawful activities.

**2.2.18** The Devon and Cornwall and Dorset Police considers it has a duty to see that the good name of the Forces do not fall into disrepute and that the community they serve can be satisfied that the Forces, its Police Officers, Special Constables, Volunteers and Police staff are managed in a proper manner to ensure that duty is discharged.

**2.2.19** This policy does not seek to govern or unnecessarily restrict every aspect of an individual's private life, nor does it attempt to prescribe what the determination or outcome should be in every case which comes under consideration. Each set of circumstances will need to be considered in its own right so that the action taken is appropriate and proportionate to the need to protect the integrity of individuals and the Alliance forces.

**2.2.20** Devon and Cornwall and Dorset Police accept that staff sometimes have little or limited control over some relationships or associations, for example; through the marriage of a close relative, or where a relative becomes involved in criminal activity.

**2.2.21** Where it is not practicable for an association to cease altogether for example; the determination may set limits, parameters or conditions to which the staff member will be required to adhere. These may include but are not limited to:

- To have no contact whilst on duty.
- Not to access any force systems in relation to the subject of the determination.
- Not to ask anyone else to access force systems in relation to the subject of the determination on your behalf.
- To have no involvement in dealing with any incidents, work or decisions regarding the determination.
- Inform the CCU if the subject of the determination asks questions of your role or knowledge as a staff member of the police service.
- Inform the CCU of any disclosures of a criminal nature by the subject of the determination.

**2.2.22** This policy provides the framework in which staff; their supervisors and the organisation itself can make sensible determinations based on the individual circumstances of each case.

**2.2.23** All prospective employees / volunteers will be required to disclose any relevant association as part of the Security and Vetting procedure. Failure to make a notification could lead to failure of the vetting process or misconduct proceedings being brought against the person should this be discovered after they have joined the organisation.

## 2.3 Monitoring and Compliance with this policy

2.3.1 The Head of CCU will ensure that:

- All reports of alleged notifiable associations are recorded and fully assessed
- That decisions made on reports are done with fairness, proportionality, adherence to policy and procedure and that no police business is compromised.
- Individuals are informed of the decision and advice / restrictions are appropriate to the circumstances
- Appeals are forwarded to the relevant Deputy Chief Constable
- Misconduct enquiries are commenced where appropriate
- Collate, analyse and disseminate intelligence where appropriate
- Keep the person who has made the report updated (where appropriate)

2.3.2 The Vetting Unit will:

- Ensure any reportable association is brought to the attention of the CCU
- Where appropriate, conduct a vetting interview, which may involve the service of an Association Agreement (in conjunction with the CCU).
- Advise the Individual of their entitlement to have trade union or staff association representation present at an integrity interview.
- Supply the individual notes/minutes of the interview if requested.
- Consider and decide whether the reportable association in any way affects the current vetting clearance of the individual.

## 3. Monitoring and Review

3.1 Review and amendments will be coordinated by the Policy Unit.

3.2 The document owner has overall responsibility for ensuring the content of the procedure is appropriate and up to date.

3.3 This procedure will be reviewed every year.

3.4 This procedure and its associated policy will be monitored by the Alliance Professional Standards Department.

3.5 Feedback relating to this policy can be made in writing or by e-mail to

[Professional Standards Department](#)

## 4. Associated Documents

- [Mission & Values](#) (D&C pages)
- [Values](#) (Dorset pages)
- [Human Rights Legislation](#)
- [Records Management](#) (D&C page)
- [Records Management](#) (Dorset)
- [FOIA](#)
- [GSC](#)
- [GDPR/DPA 2018](#)
- [National Decision Model](#)
- [Code of Ethics](#) (D&C page)
- [Code of Ethics](#) (Dorset Page)
- Police Staff Council Standards for Professional Behaviour
- [Authorised Professional Practice \(APP\)](#)
- Police (Conduct) Regulations 2020
- [The HMIC Integrity Inspection](#)
- [The Startegic Assessments on Corruption](#)
- [Police \(Conduct\) Regulations 2020](#)

<b>5. Document History</b>	
<b>Present portfolio holder</b>	Head of PSD
<b>Present document owner</b>	D/Inspector – CCU
<b>Present owning department</b>	Alliance Professional Standards
<b>Below details required for version 1.0 and major amendments only</b>	
<b>Name of board</b>	
<b>Date approved</b>	04.03.21
<b>Chief Officer approving</b>	DCC Chiltern

<b>6. Version History</b>			
<b>Version</b>	<b>Date</b>	<b>Reason for Amendments</b>	<b>Amended by</b>
1.0		Initial document following fit for purpose review resulting in significant changes requiring consultation. Transference to new Joint Template.	Supt PSD/The Legitimacy Team

Appendix A

OFFICIAL SENSITIVE WHEN COMPLETED



**Notifiable Association Form**

Email when completed to: [CounterCorruptionUnitDevon&Cornwall@devonandcornwall.pnn.police.uk](mailto:CounterCorruptionUnitDevon&Cornwall@devonandcornwall.pnn.police.uk)  
[CounterCorruptionUnit-Dorset@dorset.pnn.police.uk](mailto:CounterCorruptionUnit-Dorset@dorset.pnn.police.uk)

<b>Your details</b>	
Your name	
Your collar number	
Your division / department	

  

<b>Details of the association</b>	
Person / organisation name. (Give as much detail as possible)  Please include Person date of birth (if known) or give approximate age	
Person / organisation address	
Details of association (including frequency of contact)	
Perceived problems or risks – what is it about the association that might cause concerns?	
Additional considerations	
Person with knowledge of association, e.g. line manager	

## Appendix B

OFFICIAL SENSITIVE WHEN COMPLETED



### Counter Corruption Unit

### Association Agreement

(This will be completed by the Counter Corruption Unit)

<b>Staff Member's Name:</b>	<input type="text"/>
<b>Associate's Name:</b>	<input type="text"/>
<b>Date Of Issue:</b>	<input type="text"/>
<b>Summary:</b>	<input type="text"/>
<p><i>The following management plan has been agreed by the Counter-Corruption Unit, PSD in connection with the association reported in accordance with the Notifiable Association Policy and Procedure. These measures are considered appropriate and proportionate to mitigate any risk of individual or organisational compromise and to protect your integrity. There is an expectation that in order to maintain the highest standards of professional conduct, you will comply with the terms of the plan which will be reviewed periodically or when circumstances change. You are also reminded that unauthorised access and / or disclosure of Force held data may constitute a criminal offence and / or misconduct.</i></p> <input type="text"/>	
<b>Staff Member Signature:</b> _____	
<b>Date:</b> _____	

Please print and sign a copy of the agreement and return it to CCU, or email CCU to acknowledge receipt. Either action will be deemed to be your acceptance of the Association Agreement.