

**POLICE AND CRIME  
COMMISSIONER FOR  
LEICESTERSHIRE**

**ETHICS, INTEGRITY AND  
COMPLAINTS COMMITTEE**

PAPER MARKED

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Report of	CHIEF CONSTABLE
Subject	ETHICAL SCENARIOS
Date	FRIDAY 24 MARCH 2017 – 2:00 p.m.
Author	DCC BANNISTER

**Purpose of Report**

1. The purpose of this report is to seek members' views on three ethical scenarios outlined within Appendix 1.

**Recommendation**

2. It is recommended that members consider the ethical scenarios and provide their views.

**Commentary**

3. The Terms of Reference provide for the Committee to be a forum for debate concerning professional standards and make recommendations about ethical dilemmas facing the Force. As such a standing item of 'Ethical Scenarios' will be included on all future agenda for members to discuss and provide their views.
4. The first two scenarios are put forward by the Force for members' consideration. The third scenario is put before members at the request of the Police and Crime Commissioner who is seeking their views.

**Implications**

Financial :	None.
Legal :	None.
Equality Impact Assessment :	None.
Risks and Impact :	<ul style="list-style-type: none"><li>• The scenarios provided are anonymised in order that no individual can be identified. The views of the Committee will be taken into account on any future similar incidences.</li><li>• Public perception and reputational issues for the Force.</li></ul>

Link to Police and Crime Plan : Links to the Nolan Principles and Code of Ethics contained within the Plan.  
Communications : Communications Plan will be approved by the Committee at this meeting.

**List of Appendices**

Appendix 1 – Sale of Property Scenario  
Appendix 2 – Tattoos

**Background Papers**

None.

**Person to Contact**

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Scenario 1

SALE OF PROPERTY

Introduction

Within this scenario, I would invite the Ethics Committee to consider what can be done when Leicestershire Police recover firearms, not used in crime, but have considerable retail value.

Legislation / Guidance

Regulation 7 of the Police (Property) Regulations 1997 permits the retention of unclaimed property for use by Leicestershire Police for items of property that are of such specific use that it would be more efficient to keep them for use in the police service rather than having to sell/destroy them at an inadequate price on the second-hand market. The decision to retain any item of property must be authorised by the Force Property Manager.

The property must have remained in police possession:

- No less than eight weeks for found property or;
- For a continuous period of twelve months for evidential (crime) property or;  
Or one hundred and eighty days where it was subject to a forfeiture order under section 143 of the Criminal Courts (Sentencing) Act 2000.

Where an individual considers that an item of property in the possession of the police (as above) may be utilised for police purposes he/she will report the circumstances to their supervisor to endorse their support and submit for a decision by the Force Property Manager who will consider the matter, including any health and safety concerns.

The regulations allow property as described above to be to be utilised for Police purposes, for example, where it would be economically and practically unsound to sell an article on the one hand and then subsequently purchase a similar article at full market price; or sold at public auction.

Where the Force Property Manager considers that it is not in the public interest that an item of property should be sold or retained by police, subject to the restrictions below, the property may be disposed of by way of a charitable organisation or donated to a 'well deserving Department' as an alternative to destruction.

Certain types of property may not be disposed of to charitable organisations unless a disclaimer is signed by the charity.

The types of property which may **NOT** be donated include:

- Any item that may, if not examined by a suitably qualified person, be likely to represent a risk to a future user of the item if not repaired or refurbished e.g. children's toys
- Mobile phones and memory data devices or devices containing personal data
- Items that have the potential to be used in crime (e.g. weapons, hydroponics)

Property offices have local arrangements with charities and community causes for certain items of property. Property may not be disposed of via these means unless it has been established that the organisation routinely ensures that the items are safe prior to being supplied to the public. These include electrical items, cycles and children's toys.

The receiving organisation will sign a receipt, accepting responsibility for any health and safety considerations in respect of the donated items.

**Circumstances**

Following the death of her husband an elderly female hands to the Police two high value shotguns she now longer wishes to have on the premises. She is reluctant to sell them, least they fall into the wrong hands, and therefore calls the Police who take them into their lawful possession.

**Question:**

What should be done when Firearms have been handed to Police in good faith and have not been used in crime? Should they be destroyed or re sold and the money given to charity?

PS Glen Icton

Staff Officer

## **Scenario 2**

### **TATTOOS**

#### **Introduction**

Within this presentation, I would invite the Ethics Committee to consider the application of the appearance Standards laid down in relation to police officers and staff, particularly in relation to visible tattoos.

The standards are applied when recruiting warranted officers and staff and also as a measure to maintain standards for serving officers and staff. Recruitment for Leicestershire is managed by shared HR services with Derbyshire Police, however the forces apply their own individual standards.

Appearance standards currently vary from Force to Force and have been much debated. The Police Federation have lobbied for a more relaxed approach and commissioned an Ipsos Mori poll which found that

The College of Policing has also proposed a national set of appearance standards which has been shared with us by a Leicestershire officer who is a proponent of a greater acceptance of visible tattoos. Included are the relevant sections of both the current version of the policy and the proposed national standard.

When tattoos are declared they are currently reviewed by a manager within Professional Standards Department and assessed against the appearance standards. Tattoos are rarely seen which could be described as offensive, however it frequently involves consideration of tattoos which are visible on the hands, neck or face.

The ethics committee are invited to consider:

- 1) How Leicestershire Police should generally approach the reviewing of tattoos and application of the appearance standards.
- 2) A range of tattoos and indicate whether each should be acceptable.

## **Current Force appearance standards in relation to tattoos**

### **6. Tattoos**

The wearing of tattoos has become a more socially accepted practice, and this procedure does not seek to impinge upon the rights of the wearer. This procedure aims to balance individual rights against the need to present a professional image of Leicestershire Police. Tattoos are deemed unacceptable if they:

1. Undermine the dignity and authority of the officer and/or the organisation.
2. Could cause offence to members of the public or colleagues.
3. Are visible upon the hands, face or neck.
4. Indicate unacceptable attitudes towards women, minority groups or any other section of the community.
5. Indicate alignment with a particular group (political or otherwise) that could cause offence.
6. Are considered or could reasonably be interpreted as discriminatory, rude, lewd, crude, racist, sexist, sectarian, homophobic, violent, threatening or intimidating.

The Professional Standards Department will consider exceptions to (3) above on the grounds of religious belief, other cultural reasons, or application that the size, nature and prominence are such that it should be deemed acceptable.

All staff are required to cover tattoos on their upper and lower arms when at work.

Whilst unacceptable tattoos may prevent recruitment into Leicestershire Police, those currently working for the organisation that obtain an unacceptable tattoo, could breach of the Standards of Professional Behaviour and face misconduct proceedings. If in doubt, the advice of the Professional Standards Department should be sought.

## **Proposed National appearance standards in relation to tattoos**

Following some last minute feedback from unison and one final discussion with the Chief Constable these will be presented to the College of Policing professional committee and NPCC.

### **Tattoos**

Independent research conducted by Ipsos Mori on behalf of the Police Federation of England and Wales, in 2016 has found that members of the public are largely accepting of police officers and staff with visible tattoos, however visible tattoos are deemed unacceptable if they could reasonably be interpreted as discriminatory or offensive and /or indicate attitudes or views which are inconsistent with the College of Policing Code of Ethics and the Standards of Professional Behaviour.

Careful consideration will be given by the organisation to any tattoo located on the neck, face or hands in deciding if it is acceptable. This includes consideration of the size, nature and prominence of the tattoo. Officers and staff should keep this guidance in mind when deciding whether to have such a tattoo.

# Police Federation Article - Police tattoos

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## **Introduction**

One in five 18-29 year-olds has a tattoo. In 30-39 year-olds, it's one in four. However, many police forces are taking a tougher and less tolerant line on officers with tattoos, and tightening up the rules on what can and can't be displayed, requiring tattooed officers to wear long sleeves on hot summer days and under body armour. The Home Office national guidance relating to police and visible tattoos is currently being interpreted differently by each of the 43 forces, creating confusion and unequal treatment.

## **What are our concerns?**

We are concerned that if tougher policies on visible tattoos are adopted, the police service risks missing out on a generation of able, talented and committed officers just because they are inked. We are also concerned that existing officers are being treated unfairly, as different policies are enforced in different parts of the country. There have been cases in which different policies on visible tattoos have prevented officers from transferring between forces. We are concerned about the equality issues of age and sex discrimination. The new policies that are being rolled out across the country are having a derogatory impact on a significant number of our members (1 in 3 of young adults). Tattoos on hands and necks are also more common amongst young women. Additionally, we are concerned about the health and safety impact if officers are forced to wear long sleeved tops regardless of the weather conditions.

## **What is PFEW calling for?**

PFEW wants national standardisation, rather than local interpretation. We are calling for a modern, consistent national approach to tattoos to be adopted across the police service. PFEW believes that if the police service truly wants to embrace diversity and widen the talent pool it recruits from, then forces need to be more open-minded, so communities have a police service that reflects today's society.

## **What is PFEW doing about it?**

We have undertaken two pieces of research – one with [police officers](#) and one with [members of the public](#) – to find out how they feel about officers with tattoos. The results are very informative and positive, the key headline being that 81% of the public who were asked said that dealing with an officer with a tattoo had no effect on their confidence in the officer. There is also a summary of the [key findings](#) from each.

A small working group has now been set up with the intention of drafting some national guidance and all Chief Constables have been written to. Our research will contribute to this work and help to inform it.

## **How you can get involved**

Thanks to all who have contributed to the debate. We have had a great response on social media, with many people getting in touch with us about this issue.

You can still join the conversation on social media by tweeting your thoughts on the subject using [#FedINK](#) [@PFEW HQ](#).

Read the blog ['Why do many police forces have an old-fashioned attitude towards tattoos?'](#) by the PFEW's lead on tattoos, Victoria Martin.

Watch some of our [video discussion on the topic](#) via our YouTube channel.

## **Questions**

If you have any questions about this campaign, please email the Federation lead on this issue: [Victoria Martin](#).

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### **Scenario 3**

#### **Police Constable Degree Apprenticeships and a representative workforce**

##### Introduction

The Police and Crime Commissioner would like to personally invite the Ethics Committee to consider what can be done to ensure applications for Police Constable Roles attract candidates from a range of backgrounds, and values the Committees feedback on this matter.

##### The Establishment of a police constable apprenticeship entry route

Currently there is no set education level nationally for any policing role or rank. The newly established police constable apprenticeship entry route, will become available to the police service in 2018 and will be underpinned by the Police Education Qualifications Framework (PEQF) being developed by the College of Policing.

The government are introducing the apprenticeship levy on 6 April 2017. The levy requires all employers operating in the UK, with a pay bill over 33 million each year, to invest in apprenticeships.

##### Background information

- The College of Policing have mitigated concerns about a national framework of qualifications and the impact of achieving a representative workforce by developing the framework to include apprenticeships, it is hoped that the educational approach and funding mechanism will be more attractive to forces and individuals. Importantly the proposal for a minimum education level for each rank, has been revised to require minimum education (in this instance Police Constable Degree) to be required for confirmation in post.
- Thirty-eight per cent of all candidates coming into policing have a degree or postgraduate qualification.
- To encourage people with fresh talent and the right skills into policing, the College of Policing developed the Direct Entry and Fast Track programmes.

The ethics committee are invited to consider:

- 1) How Leicestershire Police should review police constable applications to ensure that those from disadvantaged or underrepresented groups who wish to join as a police constable are able to do so without difficulty.
- 2) How Leicestershire Police can ensure it is more representative of the communities they serve through future recruitment of Police Constables.