



Notifiable Associations Policy (Surrey and Sussex) (1176/2022)

Abstract

This policy details what constitutes a notifiable association and how Surrey Police and Sussex Police will determine whether it is appropriate to continue that association. It further outlines the course of action adopted for non-compliance of this policy and associated procedures.

Policy

1. Introduction

1.1 The 2019 Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) PEEL Spotlight report 'Shining a light on betrayal' highlighted the issue of police powers being abused for purposes of sexual exploitation, as this has a serious impact on the public's confidence in individual officers and the police service in general. It is essential that Forces ensure that systems are in place to prevent, monitor and deal swiftly with any individual who exploits that trust.

1.2 This policy will act as a reminder to staff and other relevant personnel about forming inappropriate relationships but it is recognised that those who are corrupt are unlikely to report such associations voluntarily. For this there are well established counter corruption enforcement and investigative frameworks in place.

1.3 The policy applies to all members of the Surrey Police and Sussex Police (hereafter referred to as the Forces) including Special Constables, agency staff, consultants / contractors / third parties undertaking work on behalf of the Forces and volunteers. This also includes partner agency staff working in police premises or having access to police information. Where 'staff ' are referred to, this relates to police officers and police staff.

2. Scope

2.1 This document and supporting procedures sets out the policy on notifiable associations and the associated guidance notes linked to it. It aims to:

- Lay out an ethical framework for all members of the Forces and third parties which clearly identifies inappropriate relationships and gives clear guidance and support
- Protect the most vulnerable people in society
- Prevent the compromise of individuals resulting from inappropriate associations

- Preserve the police service's operational effectiveness
- Maintain the reputation of the Forces and the confidence the public have in them
- Identify deliberate attempts by individuals or groups who are intent on improperly obtaining information or influencing a course of action
- Highlight to all employees and third parties the risks involved in becoming improperly beholden to those outside the organisation and the vulnerability such associations pose
- Provide management information in support of business decision making and the maintenance of professional standards of behaviour

3. Policy Statement

3.1 The Forces rely on the honesty and integrity of their staff and those third parties who work with them. As public servants, all staff are expected to observe the highest standards of conduct, in both their private lives and their employment. The public must have confidence in the police service to conduct its duties and execute its powers fairly and impartially without the pressures of external influence or bias and to protect the most vulnerable in our society.

3.2 This policy underpins the Forces commitment to the [Code of Ethics](#), the Standards of Professional Behaviour and the Police Staff Councils Standards of Professional Behaviour which clearly define the high standards expected by the public of the Forces. It does not support staff forming personal relationships with members of the public they met through the course of their duties, especially victims, suspects and those who are the most vulnerable in society, even when contact for a policing purpose has ended. It places an obligation on staff to consider the appropriateness and report any concerns so the risk to individuals and the service can be properly assessed.

Procedure

1. Notifiable Association

1.1 An association is deemed notifiable if a relationship or involvement, including those developed or conducted online, exists with any person who is known to be within the following categories:

- Member of the public with whom the individual / third party has developed a personal relationship because of contact in the course of their duties as a representative of the Forces either directly or indirectly
- Individuals with criminal convictions
- Individuals charged with a criminal offence where matters remain unresolved
- Individuals known to be under investigation for, but not yet charged with, a criminal offence

- Individuals who are subject of criminal intelligence
- Individuals dismissed or required to resign from a police service or other law enforcement agency
- Former police officers, law enforcement officers or staff now working in a related field in any investigative role with a potential conflict (e.g. private investigators and legal firms)
- A member of the media, television, print or online journalist
- Individuals who are members of or have association with extremist groups

1.2 It is recognised that staff may not know with certainty whether a person with whom they are having a relationship, or involvement with, falls within the above categories; but if they have any suspicion or doubt that they might, they should discuss this with a supervisor (see below) but in no circumstances make their own enquiries via the Force's systems.

This is not an exhaustive list and any association falling outside these categories but still meeting the criteria of an inappropriate association should be declared. A notifiable association is not by default inappropriate but all inappropriate associations are reportable.

1.3 It is recognised that relationships can and will form with other colleagues. This area is covered by Force Policy: Appropriate Personal Relationships, Conflicts of Personal Interests and Behaviours in the Workplace (Surrey and Sussex) (1207) and should be read separately.

2. Definitions

2.1 Relationship – Is a connection, association, or involvement between two or more people.

Personal Relationship – A close, intimate or emotional relationship which develops above and beyond what is necessary as part of the individual / third party's role as a representative of the Forces.

Association – is described as one or any combination of the following:

- An immediate family member – parents / siblings / children / married partner / civil partner / grandparent / grandchild / parent-in-law / children-in-law / step-parent / step-children / foster children / legal guardian / domestic partner / fiancé / fiancée
- The term 'family' includes partners, parents, siblings, children, guardians and others who you have a direct and close relationship with. It may also include 'chosen' family members reflecting the victim's culture and lifestyle. Family members can provide crucial lifestyle information
- Meeting or uniting for a common purpose

- Keeping company or being familiar
- Being an ally, partner or colleague
- Having friendship, intimacy or connection
- Being a member of a group, organisation or society, which is formed for the promotion of a common object or objects

The terms 'association' and 'personal relationship' are not intended to include a person whom a staff member knows casually. It is not a chance meeting with a passing acquaintance which may be repeated from time to time and it does not necessarily include merely being members of the same club or association. It also does not automatically include a social network "friend" unless it also falls into one of the above categories.

2.2 Inappropriate Association - Any association will be deemed inappropriate if the personal relationship or involvement with an individual, group or organisation has the potential or is likely to:

- Compromise the individual / third party member, or
- Compromise the operation of the Forces, or
- Compromise the reputation of the Forces, or
- Undermine public confidence in the Forces.

There is no definitive list of associations which will be deemed inappropriate, as this requires individual judgement, based on the content of this policy. Any association with persons with criminal convictions and/or where intelligence exists relating to current or recent criminal activities, is notifiable. There will be a greater emphasis on unspent convictions, and each will be considered on a case by case basis.

2.3 The National Police Chiefs Council (NPCC) defines abuse of position for a sexual purpose as;

"Any behaviour by a police officer or police staff member, whether on or off duty, that takes advantage of their position as a member of the police service to misuse their position, authority or powers in order to pursue a sexual or improper emotional relationship with any member of the public."

Refer to [NPCC's national strategy](#) for further information.

2.4 Group or Organisation - There is no definitive list of groups or organisations deemed inappropriate. They could include:

- Membership by a police officer of any political party where membership involves the officer playing an active part in politics in contravention of Police Regulations

- Association with groups or organisations involved in law breaking or criminal activity such as certain animal rights groups, football hooligans, etc
- Association with groups or organisations which would bring the Forces into disrepute. This could include, but is not limited to, racist groups, activist groups or extremist groups with aims which contravene the statement of common purpose and values of the police service or the intent or effect of any relevant legislation or policies governing the Forces
- Association with groups or organisations which advocate active non-compliance with the law

The Forces Security and Information Assurance team can provide advice about access to certain websites if staff have any cause for concern. For additional guidance refer to the Surrey Police and Sussex Police Information Security Policy (722).

2.5 Compromise – is 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. In the context of this procedure compromise includes the likelihood or potential of both actual and/or perceived risk to the individual staff member, operations or reputation of the Forces.

3. Reporting Process

3.1 It is the responsibility of every person covered by this policy to declare notifiable associations to their line manager and the Joint Force Vetting Unit (JFVU) at the earliest opportunity.

3.2 Where an individual has concerns that such an association may be inappropriate in that it carries these risks, or is unsure of the background of an individual, group, or organisation, they have a duty to bring it to the attention of their supervisor.

3.3 The individual should cease any unnecessary contact until they receive the outcome of the assessment. This applies irrespective of whether these associations have been declared as part of any security clearance or vetting procedures.

3.4 The person concerned will submit a 'change in personal circumstances' form via their line manager to the JFVU. All Notifiable Association Notifications received by the JFVU will be considered and an assessment made, including the necessity for conditions or workplace restrictions.

3.5 The JFVU will inform the Anti-Corruption Unit (ACU) and Department Heads of the outcome together with any restrictions and the appeal arrangements.

3.6 The outcome will be recorded by the JFVU and a copy retained by the relevant Force's Professional Standards Department (PSD) - ACU. The JFVU will arrange for the staff member's vetting file to be flagged accordingly.

4. Third Party Declarations

4.1 Where a member of staff becomes aware of, or suspects, an association or relationship between another staff member and an individual, group or organisation, which may be inappropriate, they should report this to the JFVU or their Head of

Department. Alternatively advice can be sought anonymously via 'Anonymous' (Surrey) or 'Break the Silence' (Sussex) intranet sites.

4.2 They may also consult with a staff association / trade union. If it is the trade union, there is no onus upon that organisation to take the issue directly to the respective Force without the member's agreement.

5. Assessment

5.1 A declaration of a notifiable association will not necessarily prohibit any associations but will require an assessment regarding the threat and suitability of such an association.

5.2 The responsibility for making the assessment of an identified or declared association lies with the Deputy Head of the respective PSD.

5.3 The assessment must be proportionate to the nature and circumstances of the association. This may include recommendations with regard to any conditions or workplace restrictions.

6. Notification of Assessment

6.1 The notification of any assessment will be given in person.

6.2 A record that the individual has been informed will be made including the time and date. The assessment will be signed by all persons present including the member of staff connected to the assessment.

6.3 The individual is to be provided with a signed copy of the assessment document and will set out the limitations, if any, applied to the relevant association.

6.4 Where an assessment is made on an identified or declared association and it is judged to be inappropriate because it carries an unacceptable risk, steps will be agreed for the individual to cease the association or to establish necessary restrictions / conditions attached to any existing vetting clearance.

7. Restrictions and Conditions

7.1 Conditions and restrictions attached to an assessment should be realistic and proportionate and consider the rights of the individual. They must always be considered in relation to the specific circumstances and balanced against the aims of this policy and associated supporting procedure.

8. Appeals against Assessment

8.1 An individual subject of an assessment will have the right to appeal that assessment.

8.2 Appeals against an assessment decision must be submitted in writing within 14 days of notification to the Head of PSD along with the reason and grounds for appeal. They will consider the appeal and make their decision based on the appeal report and the findings of any additional enquiries conducted.

9. Change in Circumstances

9.1 It is the responsibility of the individual to notify their line manager and the JFVU of any changes to a notifiable association. This could include the notifiable association ceasing or any changes and updates, such as but not limited to, when the individual becomes aware of any arrest, any new intelligence, any change of circumstances or level or type of contact.

10. Assessment Reviews

10.1 There must be an annual review of the assessments in addition to reviews based upon changes in circumstances. The reviews will be undertaken by the JFVU.

11. Non-Compliance

11.1 All non-compliance matters must be referred to the respective Force's PSD.

11.2 Where advice has been given that such an association must cease yet it persists or the restrictions are not observed, then the conduct will be considered under the Police (Conduct) Regulations 2020 or as a disciplinary matter in respect of police staff in accordance with the respective Force Staff Discipline Procedures.

11.3 Where an individual intentionally or wilfully fails to notify the Force of any notifiable association the conduct will be considered under the Police (Conduct) Regulations 2020 or as a disciplinary matter in respect of police staff in accordance with the respective Force Staff Discipline Procedures.

12. Data and Information Management

12.1 All reported associations and the related assessment documentation should be forwarded to the JFVU and respective Force's PSD - ACUs for retention.

12.2 The data obtained will be held centrally in a secure database controlled and managed by the JFVU with copies held by the respective Force's Intelligence and Anti-Corruption Teams. The databases will be subject to a robust security and data handling regime. To provide assurance to the organisation and the individual that sensitive data is managed appropriately and in accordance with legislative requirements, the system will be fully auditable and subject to independent oversight.

12.3 An acknowledgement of the existence of a notification will be placed on the individual's vetting file.

12.4 Any information referred to in Section 12 will be retained in accordance with the Surrey and Sussex Retention Schedule.

13. Communications Strategy

13.1 All staff will be advised to read the policies detailed in this document which are available on the Force's Intranet. The Notifiable Association Policy (Surrey and Sussex) will be disseminated to senior management teams and department heads in conjunction with a communications strategy.

14. Responsibility

14.1 It is the responsibility of the policy owner to ensure that any revisions, amendments or alterations to this policy are referred through the corporate decision-making process for agreement. The policy will become effective upon subsequent ratification by the relevant PSD Head of Department.

14.2 Changes to this policy will only be made after consultation with the respective associated policy owners.

14.3 It is the responsibility of the system owner to ensure compliance with aspects of the UK General Data Protection Regulations (GDPR) and Data Protection Act (DPA) 2018. The requirements for data review, retention and disposal will be applied in accordance with the provisions of the UK GDPR, DPA 2018, the Management of Police Information (MoPI) Codes of Practice 2005 and the Force's Retention Policy. Refer to the Information Management Policy (Surrey and Sussex) (1187).

Team: Professional Standards Department