

## FOI Disclosures June 2023

### Index

This month we have responded to questions relating to the following topics:

- [Non fatal RTIs following police contact](#)
- [HMRC referrals](#)
- [IOPC referrals to CPS and CPS charging decisions](#)
- [IOPC investigation – Royalty and Specialist Protection Command collision](#)
- [PCA Report regarding Leon Patterson](#)
- [IOPC staff recruitment and conflicts of interest](#)
- [IOPC workforce](#)

If you require a full copy of any of the embedded attachments, please contact [Requestinfo@policeconduct.gov.uk](mailto:Requestinfo@policeconduct.gov.uk) quoting the reference number from the relevant response.

<b>Ref</b> <b>5024218</b> <a href="#">Back to top</a>	<b><u>Non fatal RTIs following police contact</u></b>
<b><u>Request</u></b>	<i>I would like records of NON-FATAL road traffic incidents (RTIs) following police contact – by force, year and outcome.</i>
<b><u>Response</u></b>	<p>We hold data about non-fatal road traffic incidents during or following police contact only in respect of the matters that are brought to our attention as required by the Police Reform Act 2002. The majority of police-related road traffic incidents are investigated by the police, rather than the IOPC, and many such incidents may not fall for consideration under the police complaints and misconduct system because they do not involve a complaint, death or serious injury matter, or recordable conduct matter.</p> <p>As you may know, we receive information about the more serious police road traffic incidents by way of referrals from the police. As the majority of these referrals are either determined as suitable for investigation by the force without IOPC involvement, or returned to the force to handle the matter in whatever reasonable and proportionate manner it determines, we do not hold information about what happens to these cases subsequently.</p> <p>The IOPC has not carried out any research of its own into non-fatal police road traffic incidents and there is no straightforward way of identifying incidents of this type from our cases. The work we carry out annually to extract and verify data before it can be published on our website (e.g. under our investigation outcomes or deaths reports) confirms we cannot identify IOPC cases that fall within a certain category without extensive manual searches, other than where we have already</p>

	<p>carried out relevant research or completed a data verification exercise that captures a specific case type.</p> <p>If, therefore, you required this information from IOPC cases, which would account for very few of the non-fatal police road traffic incidents that occur each year, the work involved in producing it would be highly likely to exceed the FOIA cost limit for the IOPC of £450 or 18 hours work. As we cannot find cases in this category by automated means, we would have to manually search a large number of cases to find a significant number that involved an incident that may be relevant to your request. Therefore, we could avoid the cost limit only by searching a smaller sample of cases that would be very unlikely to yield sufficient data to support your research.</p> <p>It may help you to know that in 2007, while operating as the Independent Police Complaints Commission, we published a <a href="#">study that examined cases of serious injury and death resulting from road traffic incidents</a></p>
<p><b><u>Ref</u></b> <b><u>5024185</u></b> <a href="#">Back to top</a></p>	<p><b><u>HMRC referrals</u></b></p>
<p><b><u>Request</u></b></p>	<p><i>I would like to know the full names of the 10 people/cases referred to the IOPC by HMRC where a person has taken their life and used a disguised remuneration scheme. These are referred to on page 3 of this document, correspondence between HMRC CEO Jim Harra and the Treasury Select Committee made public in January: <a href="https://committees.parliament.uk/publications/33540/documents/182481/default/">https://committees.parliament.uk/publications/33540/documents/182481/default/</a></i></p> <p><i>The deaths of 10 people have been referred to the IOPC since March 2019 (as of January 2023)</i></p> <p><i>As these 10 individuals are deceased I do not see any privacy reason for not releasing their names in a freedom of information request (as they no longer have data protection rights if they are dead).</i></p> <p><i>I would also like to know how many referrals have been made to the IOPC by HMRC regarding people who have taken their own life and used a disguised remuneration scheme since March 2019 (is it now more than 10)?</i></p> <p><i>And what was the result of each of these referrals?</i></p> <p><i>If the IOPC has any information on where any inquests were opened into these deaths I would like this information as well.</i></p>
<p><b><u>Response</u></b></p>	<p>We have decided that we are not obliged to disclose this information because it engages section 44(1)(a) of the FOIA, which applies when disclosure is prohibited under an enactment. In this case the relevant legislation prohibiting disclosure is the <a href="#">Commissioners for Revenue and Customs Act 2005 (CRCA)</a> and associated Regulations.</p>

	<p>Section 29(3) of the CRCA sets out the position between HMRC and the IOPC where HMRC has provided information in connection with our complaints and misconduct functions, which include our duties in relation to the referral of a death or serious injury matter. It aims to preserve the confidentiality of information relating to HMRC functions and prescribes that the IOPC shall not disclose information provided to it by HMRC where it is prohibited by Regulations. The relevant Regulations are the <a href="#">Revenue and Customs (Complaints and Misconduct) Regulations 2010</a>. The Regulations do not permit disclosure under FOIA and it is not otherwise prescribed by law.</p> <p>Therefore, the effect of section 29(3) of the CRCA is to make the requested information exempt from disclosure under section 44(1)(a) of the FOIA.</p> <p>Aside from our formal reply to your FOI request as set out above, we are in a position to confirm that between March 2019 and March 2023, we have received ten referrals relating to the deaths of individuals who had been subject to HMRC action in relation to disguised remuneration schemes. None were referred following a public complaint. After careful assessment, in three cases we decided HMRC should investigate to determine if its contact with an individual as a vulnerable customer was appropriate. We returned the seven other referrals to HMRC to proceed with as they felt was necessary.</p> <p>As we have not investigated, any information about the cases or investigations would need to be requested of HMRC.</p>
<p><b><u>Ref</u></b> <b><u>5024190</u></b> <a href="#">Back to top</a></p>	<p><b><u>IOPC referrals to CPS and CPS charging decisions</u></b></p>
<p><b><u>Request</u></b></p>	<p><i>As of the 30th of April 2023</i></p> <p><i>1. How many officers are currently waiting for charging decisions by the CPS, having had a file sent to them by the IOPC Please provide the total number for each force.</i></p> <p><i>2. How many police officers currently has it been decided by the CPS that they will be criminally prosecuted, and criminal proceedings are yet to end? Following an IOPC Investigation?</i></p>
<p><b><u>Response</u></b></p>	<p>The IOPC publishes <a href="#">independent investigation outcomes</a> on its website. For each year from 2018/19 to 2021/22 we have published data about our completed investigations, including the number of referrals we have made to the CPS. We do not, however, report on or extract the data that would be needed to confirm the number of pending CPS decisions and ongoing prosecutions on any specific day. This means that nearly all of the data required to confirm the position on 30 April 2023 or any other day would have to be sourced separately from the documents in the relevant investigation files.</p>

	<p>It is relevant to the time that would have to be committed to this task that not all CPS referrals are determined within a year of receipt from the IOPC, meaning we would have to identify and check the data we hold about the CPS referrals we made over a period of more than one previous year to confirm their current status. The same would apply to decisions to prosecute because the time between the commencement and completion of a prosecution can be well over a year.</p> <p>We would therefore have to carry out a very significant amount of work to produce the data required by your request. We estimate that it would take a minimum of 75 hours of work to identify, retrieve and extract the data you require. This takes into consideration the time it takes us to extract and verify the similar data we publish in our outcomes reports and the issues identified above in regard to the accessibility of some of the data we would have to find.</p> <p>We estimate, therefore, that the work involved in compiling the data you require would exceed the £450 / 18 hour cost limit under section 12 of the FOIA. This means that our FOIA duties do not apply to your request. The data we hold for IOPC investigation decisions and prosecution outcomes for 2022/23 and April 2023 has yet to be verified and is known to be incomplete. We are in the process of collecting and verifying the outcomes data for the year to 31 March 2023 with a view to publication later this year. We will begin assessing the data for the current year, which includes 30 April, around this time next year.</p> <p>We would have to carry out manual searches of fewer investigation files if the day for which you wanted this information was within a year for which our outcomes data had already been published. Whether we would then be able to source the necessary data within the cost limit would depend upon our estimate of the number of cases we would have to search. You may wish to consider contacting the CPS to ask whether they hold data about their pending decisions and prosecutions in respect of referrals from the IOPC.</p>
<p><b><u>Ref</u></b> <b><u>5024197</u></b> <a href="#">Back to top</a></p>	<p><b><u>IOPC investigation – Royalty and Specialist Protection Command collision</u></b></p>
<p><b><u>Request</u></b></p>	<p><i>Please provide a summary of the outcome of your investigation into the incident referred to in the press release shown below:</i></p> <p><i>“We are investigating the circumstances surrounding a collision involving a marked police motorcycle attached to the Royalty and Specialist Protection Command and a pedestrian on Upper Richmond Road, Richmond, south west London at 12.50pm on Monday 17 June.</i></p> <p><i>“The woman, in her 80s, suffered serious injuries and was taken to a London hospital where she remains in a serious but stable condition.</i></p> <p><i>“In line with procedure, the Metropolitan Police Service referred the collision to the IOPC. Our staff attended the scene of the incident and after careful consideration, we have launched an independent investigation. The investigation</i></p>

	<p><i>is in its very early stages and the officer involved is assisting our enquiries as a witness.</i></p> <p><i>“Our immediate thoughts are with the injured woman and her family and those affected by the incident. The woman’s family has asked that its privacy be respected at this time.”</i></p>
<b><u>Response</u></b>	<p>The summary of this investigation has now been published on our website and can be found here: <a href="#">Collision between police motorcyclist and pedestrian - Metropolitan Police Service, June 2019   Independent Office for Police Conduct (IOPC)</a></p>
<b><u>Ref</u></b> <b><u>5024251</u></b> <a href="#">Back to top</a>	<b><u>PCA Report regarding Leon Patterson</u></b>
<b><u>Request</u></b>	<i>I wanted to request a copy of the IOPC report for Leon Patterson (1992).</i>
<b><u>Response</u></b>	The police complaints body at the time of this investigation was the Police Complaints Authority (PCA). We have checked our archive, which includes some information we received from the PCA, and can confirm that we do not hold this information. We can only suggest that you contact the relevant police force to find out whether they hold this report.
<b><u>Ref</u></b> <b><u>5024206</u></b> <a href="#">Back to top</a>	<b><u>IOPC staff recruitment and conflicts of interest</u></b>
<b><u>Request</u></b>	<i>You asked a number of questions about staff recruitment and conflicts of interest</i>
<b><u>Response</u></b>	<ol style="list-style-type: none"> <li><i>1. What are the consequences for casework-related staff NOT revealing a conflict of interests, if any, according to your current Conflict of Interests policy?</i></li> </ol> <p>Point 4.5 of the Conflict of Interest Policy states the following: <i>“A conflict of interest arising is not a negative reflection on the parties involved. However failure to raise that conflict as and when it is identified prevents the IOPC taking swift action to manage against the suggestion of bias and may be damaging to confidence in the IOPC. It could also be dealt with as a misconduct matter. It is the professional responsibility of all staff to raise a conflict as soon as it has been identified.”</i></p> <ol style="list-style-type: none"> <li><i>2. Operationally, why does a conflict of interest not preclude a person from working for the IOPC, if it is truly independent of police?</i></li> </ol> <p>We do not operate a blanket policy of automatically excluding somebody from working for the IOPC because they have a conflict of interest. However independence is fundamental to the IOPC’s credibility and we must ensure that we deliver our public duties and make decisions free from any bias. Declared conflicts of interest are considered carefully in the context of the individual circumstances and where a risk is identified relevant action is taken to mitigate or remove it. Where the risk cannot be removed or mitigated the individual would not be allowed to work for the IOPC. The Conflict of Interest Policy provides guidance to IOPC staff on the approach we take to avoid a matter arising where,</p>

in the course of delivering our duties, we could be perceived to be biased by registering private interests when staff join the organisation and declaring a conflict of interest as and when one might occur.

3. *In indicating a conflict of interests, does an applicant tick a check box then enter the specifics in the free field you mention? If they do not have a conflict of interests, is that specific free field left blank?*

At the pre-employment stage we ask candidates to complete a register of interests form where they would declare any conflicts. A copy is attached below. We provide candidates with a copy of the Conflict of Interest Policy before joining the IOPC and ask that they sign a declaration stating that they have read and understood the policy. Once a person starts working for the IOPC we ask them to declare any conflicts of interest via our electronic personnel system using a free type field to explain the nature of the conflict.

**RESTRICTED (when completed)**  
**IOPC EMPLOYEE REGISTER OF INTERESTS FORM**  
**DECLARATION OF EMPLOYEES' PERSONAL, FINANCIAL,  
BUSINESS, AND OTHER INTERESTS**

This form is intended to assist you to register your interests in accordance with the IOPC's Code of Conduct for Employees.

You should discuss any potential conflict of interest with your line manager and complete this form for inclusion on your personal file. This information on it will not be available publicly. The form states where all staff **MUST** make a declaration.

Staff who through the nature of their job have a direct influence on the IOPC's decisions should declare all direct or indirect pecuniary and non-pecuniary interests (see note below) in accordance with the Code of Conduct for Employees. Staff who have access to sensitive information should also make a declaration.

**Name:**

**Position:**

1. Directorships of companies or organisations, whether remunerated directly or indirectly. Please provide a brief description of the business activities of the company or organisation:
2. Any other remunerated employment or activity (i.e. other than your post at the IOPC). If you have other employment you **MUST** declare it. Please provide the name of the organisations, trusts or other bodies of which you are a paid employee, partner or proprietor. You should also include fees from freelance work and appointments to any public body.

Indirect pecuniary interests arise from connections with bodies/organisations, which have a direct pecuniary interest, or from being a business partner of, or being employed, by a person with such an interest.  
Non-pecuniary interests include those arising from membership of clubs and other organisations.  
A 'relative' or 'close family member' is a partner, someone you are married to or live with as if you were married, a parent, a parent-in-law, a son or daughter, a stepson or stepdaughter, the child of a partner, a brother or sister, a grandparent, a grandchild, an uncle or aunt, a nephew or niece, or the husband, wife or partner of any of these people.

3. Details of any appointment to an office(s), whether paid or not, and/or membership of any club or other organisation of which you are a member. You should include any organisation associated with or affiliated to UKBA, HMRC, SOCA or a police force in the UK. If you are a freemason or a member of a similar society, you **MUST** declare it here.
4. Details of each fixed term interest shareholding with a nominal value greater than £25,000 or 1% of the share capital held in:
  - The sole name of employee
  - Joint name, with spouse or close family member
  - Sole name of spouse or partner
  - A representative capacity, for example, as a trustee
5. Details of any relative or close family member who is a serving police officer, employed by either UKBA, HMRC, SOCA or a Chief Constable or a member of employee of any organisation which is affiliated to or which is seeking to influence UKBA, HMRC, SOCA or police services in England and Wales? Please provide brief details (i.e. relationship to you/ the position your relative holds). If this applies to you, you **MUST** declare it here.
6. Any other business, financial or personal interest relevant to the activities of the IOPC

Signed:

Date:

Indirect pecuniary interests arise from connections with bodies/organisations, which have a direct pecuniary interest, or from being a business partner of, or being employed, by a person with such an interest.  
Non-pecuniary interests include those arising from membership of clubs and other organisations.  
A 'relative' or 'close family member' is a partner, someone you are married to or live with as if you were married, a parent, a parent-in-law, a son or daughter, a stepson or stepdaughter, the child of a partner, a brother or sister, a grandparent, a grandchild, an uncle or aunt, a nephew or niece, or the husband, wife or partner of any of these people.

You further requested:

4. *Full disclosure of your current Conflict of Interests policy.*

Please find a copy attached.

**CONFLICTS OF INTEREST POLICY****1. Introduction**

- 1.1. The Independent Office for Police Complaints (IOPC) oversees the police complaints system in England and Wales and sets the standards by which the police should handle complaints. It is independent, making its decisions entirely independently of the police, government and complainants.
- 1.2. Independence is, therefore, fundamental to the IOPC's credibility. As IOPC staff, we must deliver and be seen to deliver our public duties and make decisions free from any bias.
- 1.3. This policy provides guidance to IOPC staff on the approach we take to avoid a matter arising where, in the course of delivering our duties, we could be perceived to be biased. The two main components to this are:
  - Registering private interests when you join the organisation.
  - Declaring a conflict of interest as and when one might occur.
- 1.4. The policy should be provided to all new starters and read in conjunction with the Staff Code of Conduct.
- 1.5. The policy will be reviewed on an annual basis.

**2. What is a register of interest?**

- 2.1. The register of interest is a document that contains declarations made by staff in a number of areas seen to be relevant to the delivery of their IOPC roles. The register can then be consulted when, or before, an issue arises, and enables consideration to be given as to whether or not you may have an interest in a matter that could be perceived to give you a bias.
- 2.2. Doing this minimises the likelihood that you would be asked to become involved in a matter where you could be conflicted and provides a protection to both yourself and the organisation.

**3. Registering Private Interests**

- 3.1. On joining the organisation all IOPC staff are expected to complete an individual register of private interests making declarations in a number of areas relevant to delivering your IOPC duties.
- 3.2. The types of interest you are required to register are determined by the nature of your role and your degree of influence over IOPC decision making.

Page 1 of 10

Additional Declarations made by, the DG, DDC and Directors only:

- 3.6. As a senior member of the IOPC the profile and influence of your role will attract additional scrutiny. In demonstrating that your decision making is free from any bias, you are also expected to register interests in a number of additional areas as follows:
  - To declare membership or position of general control or management in:
    - o Other public authorities or organisations which deliver public services.
    - o Companies who may be involved in tendering for work with the IOPC.
    - o Organisations associated with or affiliated to any police force in the UK.
    - o Companies, industrial and provident societies, charities or charitable organisations.
    - o Organisations with a main purpose which includes influencing public opinion or policy where a leadership or management position is held.
    - o Trade unions or professional associations.
    - o Membership of any society, including a secret society, where there could be a conflict or perception of a conflict of interests.
    - o A political party where in a public position, or acting as a public spokesperson (please also refer to the para 3.7 on political activity).
  - The name of any 'corporate interest' must be declared. This means, any corporate body which has a place of business or land in any geographic area of your work, over which you have direct control and a 'beneficial interest' in a type of share with a face value, as shown on the share certificate, of more than £25,000 or 1% of the total amount invested in that corporate body by shareholders. You have a beneficial interest in a type of share if, for example, you own, you are entitled to the proceeds of, or you may, as a beneficiary under a trust, become entitled to the proceeds of that type of share. You do not need to give the value of any shareholdings or land that you register.

Page 3 of 10

The Director General (DG), Deputy Director Generals (DDG) and Directors are expected to make declarations in additional areas. The requirements are set out below.

Declarations made by everybody:

- 3.3. All staff are expected to declare, where you are aware:
  - if you, any family member or close personal friend currently is or has at any time:
    - o Served with the police under the jurisdiction of the Police Reform Act (as amended by the Police Reform and Social Responsibility Act) as a police officer, police community support officer, member of police staff, special constable or anyone otherwise employed under the direction of a Chief Constable.
    - o Held a position with any body affiliated to or associated with overseeing the management of police forces in England and Wales or seeking to influence the provision of police services in England and Wales.
    - o Been an employee of the National Crime Agency (NCA); the Home Office immigration and enforcement staff; or HM Revenue & Customs (HMRC).
  - Any other private interest you consider relevant to the delivery of your duties or your personal circumstances.

Family members include personal partners, parents, children/step-children (adult and minor), brothers, sisters and the personal partners of any of these.

For close personal friends this may also include connections made through clubs or societies.

- 3.4. On joining the organisation all staff are expected to complete a register of interest in Empower (see section 7), and from then on, complete an annual review and update as appropriate in April. A notice will be issued reminding staff and completion will be monitored.
- 3.5. Registers may be updated during the year and you should consider doing so if you have a relevant change in circumstance. You should make your line manager aware of any updates made.

Page 2 of 10

- You must provide a description of any contracts, for goods, services or work, between the IOPC and you, any company you are a partner of, any company you are a paid director of, or any of your corporate interests.
- You must also declare any close personal relationship with another IOPC member of staff, contractor or anyone seeking work with the IOPC to the DG, DDC or Directors.

- 3.7. The DG, DDC and Directors are expected to complete a register of interest prior to their first day on site.
- 3.8. The Commission Secretariat will then prompt the DG, DDC, and Directors to review and update their registers on a six monthly basis. These will be reviewed by the Chair and CEO and reported to the Commission prior to publication on the IOPC website.
- 3.9. The form and content of the published register will be subject to the agreement of the Commission and Executive. Private interests relating to family members or friends who are employed by the police service, National Crime Agency (NCA); the Home Office immigration and enforcement staff; or HM Revenue & Customs (HMRC) or other areas where a conflict may arise, will not be published externally, but a version will be made available on request.  
NB: Staff registers of interest will not be published or disclosed.
4. **What is a Conflict of Interest?**
  - 4.1. The test the IOPC applies as to whether a conflict of interest may exist is whether a *fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the member of staff could be biased*<sup>1</sup>.

<sup>1</sup> based upon the well established test for bias "The question is whether the fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the tribunal was biased." *Porter v Magill; Weeks v Magill* [2002] 2 AC 357.

Page 4 of 10

- 4.2. Actual or potential conflicts of interest typically arise where an individual has a private interest that might influence, or be perceived to influence the delivery of their public duties.
- 4.3. As the guardian of the police complaints system, our independence from the police service is subject to considerable external scrutiny and is vital to the public's confidence in our ability to hold the police to account. Therefore, any previous employment and other significant connections to the police service are areas that could be perceived as a conflict and should be considered.
- 4.4. Equally links to any other stakeholders in the police complaints system should be considered.
- 4.5. A conflict of interest arising is not a negative reflection on the parties involved. However failure to raise that conflict as and when it is identified prevents the IOPC taking swift action to manage against the suggestion of bias and may be damaging to confidence in the IOPC. It could also be dealt with as a misconduct matter. It is the professional responsibility of all staff to raise a conflict as soon as it has been identified.
- 5. Reporting and considering a conflict of interest**
- 5.1. Timely and robust management of conflicts of interest is inherently reliant upon individual members of staff considering the delivery of their IOPC duties in the context of their personal circumstances and identifying matters where there exists the potential for a conflict to arise, or be perceived to arise.
- 5.2. In determining whether to report a matter staff are expected to consider whether *'it is arguable that a fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the member of staff could be biased.'*<sup>2</sup>
- 5.3. By adding the criteria 'it is arguable' this lowers the threshold as to whether a matter should be reported to the line manager for consideration, and avoids the individual who holds the conflict from applying the full test (see 5.6).
- 5.4. Prior disclosure of an interest i.e. through the register of interest does not mitigate the need to report a possible conflict as and when it may occur.
- 5.5. Where the possibility of a potential conflict has been identified you should avoid making decisions or becoming further involved in the matter and raise this to your line manager (or next available line manager) immediately, and swiftly raise a conflict of interest record within Empower, recording:

<sup>2</sup> Initial test for reporting a potential conflict of interest

record of the business through which it arose i.e. investigations policy file, Perito file or procurement decision record.

- 6. Identifying a conflict of interest**
- 6.1. It is the responsibility of all IOPC staff to remain vigilant to the possibility of a conflict between their private interests and public duties arising and you are expected to declare any conflict or perceived conflict as soon as you become aware of it.
- 6.2. It is not just the IOPC's decision maker on a matter who must consider a conflict of interest, but also any other member of staff who could be perceived as influencing or informing the decision. Given the breadth of the IOPC's business it is not possible to provide an exhaustive list but below are some scenarios where a potential conflict could occur and should be reported.
- 6.3. All IOPC staff are expected to alert their line manager in the event of a complaint, referral, appeal or IOPC investigation that either yourself, a family member or close personal friend has a significant connection to, for example
- Your brother-in-law who works for a police force is the subject of a complaint.
  - A referral is made to the IOPC for an incident that you were witness to.
  - Your partner works for a legal firm representing a party connected with an IOPC investigation.
  - A police superintendent whom you worked with 30 years ago has become significant to an IOPC investigation you are working on.
  - Your flat-mate appeals to the IOPC about the non-recording of their complaint.
  - A close personal friend is the partner of a police officer who is currently subject to an IOPC investigation.

- The matter you are conflicted on including case reference or other identifier as appropriate.
  - The nature of your private interest. Where appropriate this should include the names of relevant parties and your relationship to them.
  - Any relevant context or details that will assist in the understanding of the conflict, including the timeframes involved.
  - The scope of your IOPC duties that may be impacted.
  - Any immediate actions or workload you need to handover pending a decision.
- 5.6. In considering this material, your line manager must then apply the full test *'that a fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility that the member of staff could be biased.'* They will need to determine if your interest is significant enough for any further steps to be necessary and/ or separate you from the matter. In doing so the areas they will need to consider would include:
- If there are specific sensitivities that have been raised in relation to this matter i.e. a family member or complainant has previously expressed concerns in this area.
  - The proximity of your interest i.e. is it held directly by yourself or by a family member.
  - Whether the interest relates to current or previous circumstances i.e. does it relate to an acquaintance you currently hold or one you held 10 years ago.
  - Any other IOPC policy or guidance relevant to this matter.
  - Whether any conflicts or perceived conflict could be mitigated by changes to the nature of your involvement on a matter.
- 5.7. Each possible conflict of interest will be considered on a case by case basis and it may be necessary for your line manager to seek further guidance or advice in making a decision.
- 5.8. Once a decision has been reached, your line manager will discuss the outcome with you. Where it is necessary to separate you from a matter your line manager will discuss the reasons for this and the next steps.
- 5.9. It is important that, irrespective of the decision reached, any consideration of a conflict of interest is accurately and formally recorded, should we be challenged at a later date. Your line manager will ensure that any decision taken is appropriately captured in Empower and cross referenced in the
- Page 6 of 10  
OFFICIAL
- NB: On managed or independent investigations, all staff are required to identify any actual or perceived conflicts of interest relating to the investigation at the outset and during the life of the investigations. Declaration of interests will be a standing agenda item at investigation meetings and where a conflict is identified it should be reported in the usual manner (see section 5).
- 6.4. You should raise a potential conflict with your line manager if you are asked to consider or have involvement in a new matter or case which you have had previous knowledge or contact with, either through your IOPC or a previous role, for example:
- You are allocated an appeal and recognise that you have previously advised a colleague on an appeal connected to the same incident 9 months ago.
  - You are being asked to lead or support an investigation into a force in which you used to work.
  - You are asked to become involved in a case which you have previously commented on in a public forum or report.
  - You are asked to work on an investigation that considers the involvement of the local ambulance service where you previously worked.
  - You are asked to work on an investigation on which a campaign group that you used to work for has been publically vocal about;
  - You used to work closely with a police officer currently under investigation by the IOPC.
  - You are to become involved in a matter where you have had previous contact with an individual i.e. a witness on a previous investigation
- 6.5. You should also bring the following matters to your line manager's attention:
- You have a close personal relationship with another employee of the IOPC where you may be jointly involved in decision making or have influence over decision making that may affect the other person.
  - You have a connection with someone either seeking employment with the IOPC or to provide the IOPC with goods or services, for example:
    - o Your father-in-law is employed by a company seeking to provide office supplies to the IOPC.
    - o A close friend of your son has applied for an administrative job and you are a member of the interview panel.



- o A consultant who is tendering for work is a close friend you have regular contact with.
  - You become aware of any other aspects of IOPC business in which you have a private outside interest.
  - If you or a family member living at the same address is arrested, charged with a criminal act, receives a summons or has other significant contact with the police as part of an investigation, for example providing a witness statement or voluntarily attending a police station to help with enquiries. Staff are not expected to raise incidental contact such as asking for directions.
  - Outside of working hours or while not on IOPC duties, you have needed to identify yourself as an employee of the IOPC to a police officer or member of police staff.
- NB:** In encounters with the Police outside of work, staff are advised not to disclose their IOPC role unless asked to do so, to avoid the perception of exerting any influence.
- 6.6. You should also be alert to and advise colleagues in the event you believe they may have a conflict of interest. Identifying and assessing a potential conflict can benefit from considering a variety of perspectives and you may have knowledge or experience that can assist a colleague in doing so. If you remain concerned about a colleague's potential or actual conflict of interest in a matter you should raise this with your line manager.
- 6.7. Should you feel unable to raise a matter with your line manager, please refer to the IOPC Raising Concerns Policy.
- 7. Recording of interests**
- 7.1. All material disclosed by staff, either through registering interests or reporting a conflict of interest will be recorded within Empower as part of your individual record. This will ensure that both members of staff and their line managers have direct access to their previous disclosures and the material is held securely in a central location.
- DG, DDG and Director registers of interest will be published on the external IOPC website (see para 3.9).
- Information will be held in keeping with the guidance set out in the GDPR and Data Protection Act 2018
- 8. Further guidance**
- 8.1. If you are unsure of any aspect of this policy or need advice as to whether a matter should be registered or treated as a private or conflict of interest, you

should consult with your line manager. In addition, you may also wish to consult with your staff/ trade union representative.

**5. Full disclosure of the written application questions an applicant must complete – does this application use a form, be it in hard copy or electronically, if so, a copy of that application form (the most recent one).**

We attach two tables below. The first contains the questions that are asked when a candidate registers on the system. Those with an asterisk are mandatory.

The second tab contains the standard questions asked of all candidates when applying for any role. Our application form covers an individual's personal information. Dependent on the vacancy, we may also ask questions around the specific skills, behaviours, experience and values needed for the particular role. As such application forms will differ according to the role. Applications are made electronically via the recruitment portal. Details of how to apply for roles including access to application forms are found on the following pages of our website: [Working for the IOPC | Independent Office for Police Conduct](#).

<b>To register</b>		No	
Email*		Yes	
Password*		Candidate Status (drop down)	
Confirm Password*		Actively looking for work	
Title*		Open to new opportunities	
First Name*		Looking for part time work	
Last Name*		Looking for full time work	
Mobile No*		Looking for contract work	
Alternative Telephone Number		Not looking for another job just yet	
Alternative Email Address*		Career Level (drop down)	
Building name/Number*		Entry level	
Street address*		Executive (Director, Department Head)	
City*		Experienced (Non-Manager)	
Postcode*		Manager (Mnager/Supervisor of Staff)	
Country*		Senior Executive (Chairman, MD, CEO)	
State		Student (Higher Education/Graduate)	
Salary		Industry Sector (Drop down)	
Amount		Director General and Private Office	
Annual		Directorate for Major Investigations	
GBP		Estates and Facilities	
Are you employed by the IOPC?*		Finance	
If yes – please state your employee number		Hillsborough	
Please add your career history (optional)		ICT	
Current Employer	Optional	Legal	
Start Date*	Optional	National Functions	
	If current employer populated, the following fields become mandatory	People	
End Date*		Regional Investigations	
Job Title*		Risk and Audit	
Employer*		Strategy and Impact	
Job Description*			
Educational history (optional) If selected, then		Do you wish to declare a disability?* (drop down)	
Educational Level*		Yes	
Currently studying here (select)		No	
Start Date*		Opt in and communication settings (all tick boxes)	
End Date*		Check All	
School/College/Uki*		Check all recommended	
Qualifications		I want to be automatically alerted when vacancies are posted by the IOPC that I might be interested	
Summary		I want IOPC to contact me about other suitable opportunities that may arise	
Skills - free text		I want to receive information about IOPC news and events	
Distance willing to travel/relocate (drop down)		I want to be kept informed of my application progress my IOPC, by SMS	
5 miles		I want to be informed by IOPC of other company news by SMS	
10 miles			
20 miles			
50 miles			
100 miles			
200 miles			
1000 miles			
Notice period (drop down)			
1 week			
2 weeks			
4 weeks			
More than 4 weeks			
Willing to relocate (drop down)			
<b>Pre-screen question</b>			
Do you have the right to work in the UK?			
<b>Standard application questions</b>			
Have you previously been employed or undertaken work at IOPC?			
Have you participated or are you participating in any of the following IOPC programmes - Aspiring Professionals, AMP, Apprenticeship?			
If yes, which IOPC Programme have you or are you most recently involved with?			
Where is your preferred 1st choice location of work?			
Location: If you would like to be considered for further locations, please select: Second preference		If applicable, please select your 2nd choice location of work. Please ensure you only select a location that is listed in the job advert.	
Location: If you would like to be considered for further locations, please select: Third preference		If applicable, please select your 3rd choice location of work. Please ensure you only select a location that is listed in the job advert.	
Location: If you would like to be considered for further locations, please select: Fourth preference		If applicable, please select your 4th choice location of work. Please ensure you only select a location that is listed in the job advert.	
Location: If you would like to be considered for further locations, please select: Fifth preference		If applicable, please select your 5th choice location of work. Please ensure you only select a location that is listed in the job advert.	
Location: If you would like to be considered for further locations, please select: Sixth preference		If applicable, please select your 6th choice location of work. Please ensure you only select a location that is listed in the job advert.	
Location: If you would like to be considered for further locations, please select: Seventh preference		If applicable, please select your 7th choice location of work. Please ensure you only select a location that is listed in the job advert.	
Do you have any special requirements if you are invited to attend interview?			
Upon successful security clearance when would you be available to start work?			
Have you ever worked as a Police Officer?			
Have you ever worked as a Police Civilian Staff?			
I have reviewed and understand the national security vetting requirements for this post and I am happy to proceed with my application			
<b>Equal Opportunities Monitoring</b>			
Do you consider yourself to have a disability?		Options include 'Prefer not to answer'	
What is the nature of your disability?		Free text / can be left blank	
What sex were you assigned at birth?		Options include 'Prefer not to answer'	
How do you identify your gender?		Options include 'Prefer not to disclose' and 'Prefer to self-describe'	
If 'prefer to self-describe' is selected above, please describe here.		Free text / can be left blank	
What are your preferred pronouns?		Options include 'Prefer not to answer' and 'Prefer to self-disclose'	
If 'prefer to self-describe' is selected, describe here.		Free text / can be left blank	
Age		Options include 'prefer not to disclose' (please note you must be a minimum of 18 years old)	
Religion or Belief		Options include 'Prefer not to answer'	
How do you identify your sexual orientation?		Options include 'Prefer not to disclose' and 'Prefer to self-describe'	
What is your ethnic origin?		Options include 'Prefer not to answer'	

	<p>6. <i>According to your current policies, and application process, what would constitute an unsuitable applicant, for example criminal record, length of service as a police officer, or some other factor that according to your current policies would make them undesirable?</i></p> <p>Applications are considered on their own merits and undergo a rigorous sifting, interview, assessment and vetting process to ensure the best candidate is chosen. Each position will have a person specification outlining the required skills and experience for the role. All successful applicants will be required to undergo a series of pre-employment checks including security clearance, references, health declaration, right to work, pension, code of conduct, conflict of interest and work conduct declaration. Only once these checks or documents are returned satisfactorily will an offer of employment be given. Concerns that arise on application or as part of pre-employment checks will be dealt with appropriately depending on the particular circumstances.</p>
<p><b><u>Ref</u></b> <b><u>5024207</u></b> <a href="#">Back to top</a></p>	<p><b><u>IOPC workforce</u></b></p>
<p><b><u>Request</u></b></p>	<p><i>You asked a number of questions about the IOPC workforce</i></p>
<p><b><u>Response</u></b></p>	<p>1. <i>How many staff at the so called 'independent' office for police conduct previously worked for any police force?</i></p> <p>This information is available to you on our website here: <a href="#">Staff Diversity data 2022/23   Independent Office for Police Conduct (IOPC)</a></p> <p>2. <i>How many staff at the so called 'independent' office for police conduct currently work for any police force?</i></p> <p>None.</p> <p>3. <i>How many staff at the so called 'independent' office for police conduct have been accused of professional misconduct?</i></p> <p>4. <i>Of this amount in Question 3, how many staff at the so called 'independent' office for police conduct have had disciplinary action taken against them.</i></p> <p>5. <i>How many complaints about the impartiality of the so called 'independent' office for police conduct have been made for each of the past 5 years.</i></p> <p>6. <i>How many complaints in the answer to question 5 were upheld?</i></p> <p>In regard to part 5, complaints against members of our staff are not categorised according to whether they allege a lack of impartiality or other form of bias. This means that we would have to assess each of the complaints we have received over the past five to ascertain whether they contain an allegation of this type. The IOPC receives between three and four hundred complaints about members of staff each year.</p> <p>Section 12 of the FOIA and the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 allow the IOPC to refuse a request when the estimated cost of carrying out certain activities exceeds £450, or 18 hours at £25 per hour.</p>

Given the number of complaints we would have to manually assess, we have estimated that the work involved in carrying out these activities under part 5 of your request would exceed the cost limit by a significant margin.

Multiple requests within a single item of correspondence are considered to be separate requests for the purpose of section 12. If they relate to the same overarching theme, public authorities can aggregate two or more separate requests, in accordance with the conditions laid out in the FOIA Fees Regulations. We find that parts 3 to 6 are connected by a single overarching theme, namely complaints against IOPC staff members.

Accordingly, the cost limit under section 12 FOIA applies to parts 3 to 6 of your request no less than it does to parts 1 and 2, meaning that we are not under a duty to comply with any part of your request.

#### Advice and assistance

Even though we are not obliged to comply with your request, we have decided to respond to parts 3 and 4 because this particular data can be extracted without the commitment of significant staff time. We would emphasise that we are providing this data to you voluntarily outside of our FOIA duties.

Complaints about staff misconduct are categorised separately from other complaints because they must be considered under [The Independent Police Complaints Commission \(Staff Conduct\) Regulations 2004 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukdsi/2004/01/13/1305001000000001). The number of these complaints we recorded in each of the last three years is as follows

2023/24 – no complaints recorded under the Regulations to date

2022/23 – 3 complaints recorded under the Regulations

2021/22 – 4 complaints recorded under the Regulations

In regard to part 4, no persons have been subject to a formal disciplinary procedure in connection with these complaints.

Further information about complaints against the IOPC is published in our annual reports which are available on [this page of our website](#). Please see for example page 66 of our [2021/22 report](#).