

# Bullying and Harassment

## Statement

North Yorkshire Police (NYP) recognise that everyone should be treated with dignity and respect at work. Bullying and harassment of any kind can have a serious impact upon an individual's personal as well as professional well-being. NYP will not tolerate bullying, harassment or any form of intimidation in the workplace and such conduct may be treated as a disciplinary offence. This applies to staff and officers on and off the premises, including those working away from base. Bullying or harassment of staff by third parties, e.g. visitors, contractors, temporary staff will also not be tolerated.

There are many definitions of bullying and harassment. Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

In the Equality Act 2010, harassment is defined as unwanted conduct related to a protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

Examples of unacceptable behaviour may include, but are not limited to:

- Spreading malicious rumours, or insulting someone (particularly on the grounds of age, race, sex, disability, sexual orientation and religion or belief, marriage and civil partnerships, gender reassignment and pregnancy and maternity)
- Ridiculing or demeaning someone - picking on them or setting them up to fail
- Exclusion or victimisation
- Overbearing supervision or other misuse of power or position
- Unwelcome sexual advances – touching, standing too close, display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- Deliberately undermining a competent worker by overloading and constant criticism
- Preventing individuals progressing by intentionally blocking promotion or training opportunities.

Bullying and harassment may be against one or more individuals and may involve a single or repeated incidents. It is not necessarily always face to face, it may be by written communications, visual images (for example pictures of a sexual nature), email or via telephone.

Bullying and harassment is unwanted behaviour that makes someone feel intimidated, degraded, humiliated or offended. North Yorkshire Police will aim to investigate whether the behaviour is perceived to be unwanted and therefore the bullying and harassment unreasonable or deem the behaviour to be acceptable and therefore not constitute bullying or harassment.

Complaints of bullying and harassment will usually be dealt with through NYP's grievance and/or disciplinary procedures and will be treated fairly, confidentially and sensitively. The force workplace mediation scheme is also available to all individuals if required.

Standards of behaviour expected are set out in both the Police Officer and Police Staff Standards of Professional Behaviour.

## **Subsidiary Linked Procedures:**

[Grievance Procedure](#)

[Staff Disciplinary Procedure](#)

[Equality Diversity and Human Rights Policy](#)

## **Other Documents:**

[Code of Ethics - College of Policing](#)

[Police Staff Standards of Professional Behaviour](#)

[Police \(Conduct\) Regulations 2012](#)

[Mediation Guidance](#)

[Stress Management Guidance](#)

[Acas Bullying and Harassment at Work: A Guide for Employees](#)

[Acas Bullying and Harassment at Work: A Guide for Managers and Employers](#)



## Response to complaint about the PCC

This report follows the receipt of a complaint to the Panel from [REDACTED]. This report will respond to both the general basis of the complaint [REDACTED] against the Commissioner, as well as some of the specifics.

The supporting statements, [REDACTED] will be addressed as far as is possible via appendices, but the substantive response relates to [REDACTED] specific complaint and the examples and evidence provided. [REDACTED]

All emails within this document have been selected for example purposes (within Appendices C and F). Whilst selecting these we have not found any evidence or correspondence to support the allegations made.

It is crucial to remember this is an employment matter within the Office of Police and Crime Commissioner.

### Background

[REDACTED] When this goes wrong, it has a significant impact on the wider office, as well as the Commissioner herself, as very often she is personally 'blamed' for any shortfalls. This is rightly challenging, as the Commissioner sets very high standards for public service.

In assessing the allegations made, it is important to understand the nature of the role, [REDACTED]. The impact of [REDACTED] work [REDACTED] directly and personally felt by the Commissioner.

However, as time with the Commissioner is practically limited, [REDACTED]

All emails [REDACTED] have been retained and none demonstrate the behaviour on the part of the Commissioner, alleged [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED] For a number of reasons this arrangement has not worked well, despite the best efforts of those involved, and at times the Chief Executive Officer (CEO) has provided formal support [REDACTED]

In the months prior to the complaint being made, [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] This is demonstrated within Appendix A, which is the statement from the CEO regarding this matter. [REDACTED]  
[REDACTED]  
[REDACTED]

In addition, [REDACTED], the Commissioner consistently and personally pressed staff in the OPCC to ensure she was provided with appropriate support. Frustrated by the situation, the Commissioner [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

The OPCC was therefore not aware, [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Having said all this, in her personal statement, the Commissioner herself accepts that her behaviour was challenging and difficult at times, but that this was borne out of frustration with [REDACTED] and the OPCC's inability to deal with it, the circumstances at the time and [REDACTED]. None of which however amount to a deliberate campaign of 'bullying', the evidence for which is tenuous at best, untrue or here-say.

[REDACTED]

## **APPENDIX A**

### Statement of Interim Chief Executive Officer Fraser Sampson in response to complaint about the PCC

1 I am the Interim Chief Executive & Monitoring Officer for the PCC. In this role I am also, by virtue of the Police Reform and Social Responsibility Act 2011, the head of paid staff for the PCC.

2 I am aware of the complaint by [REDACTED] (the Complainant) as notified to the Police and Crime Panel and make this statement in order to assist the Panel in determining that complaint. In doing so I have focused on the background, context and relevant chronology of events so far as I have been involved in them and, in most instances, the content can be supported by my contemporaneous notes (which, for brevity, I have not included).

3 [REDACTED]

4 [REDACTED] From the PCC's perspective it was clear the PCC did not believe that she was getting the appropriate level of support [REDACTED] and that she was becoming concerned that [REDACTED] [REDACTED] I was assured that there were [REDACTED], team and individual development options being explored and discussed. As a result of the ongoing [REDACTED] concerns however, I became involved briefly towards the end of 2017, [REDACTED] [REDACTED]. In order to ensure that I had understood the relevant issues [REDACTED] [REDACTED] I made a note of relevant conversations [REDACTED] [REDACTED] and which I lodged with the HR team.





6.2 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] I said I would speak to the PCC further. THIS IS DOCUMENTED AT ATTACHMENT A.

6.3 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] I have a contemporaneous note of this meeting if it is required.

7 The following day, **23 January 2018**, I met with the PCC and provided an update on my meeting [REDACTED] I advised the PCC of [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

7.1 [REDACTED]  
[REDACTED] I updated the PCC on the meeting [REDACTED] and the agreed actions, [REDACTED].

7.2 The PCC said that the fundamental problem was that [REDACTED]  
[REDACTED]  
[REDACTED] We had a discussion about the [REDACTED]  
[REDACTED] and that I had offered help from [REDACTED]. The PCC queried [REDACTED] - I advised her of the [REDACTED]

7.3 The PCC said that [REDACTED]  
[REDACTED]  
[REDACTED] I further advised the PCC of the support that the DPCC was providing [REDACTED] I have a contemporaneous note of this meeting if it is required.

8 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] THIS IS DOCUMENTED AT ATTACHMENT B.

8.1 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

9 On **13 February 2018** I had a scheduled 1-1 call with [REDACTED], [REDACTED]  
[REDACTED] and caught up on the situation. [REDACTED]  
[REDACTED]  
[REDACTED]

10 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

11 On **8 March 2018** I had a scheduled 1-1 with [REDACTED] and discussed [REDACTED] and  
new structure for the team.

12 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

12.1 [REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

12.2 [REDACTED]  
[REDACTED]

13 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

13.1 I said that I would speak to [REDACTED] line manager in any event and that Tom Thorp had mentioned something the previous day [REDACTED] but had not seen it as significant. [REDACTED]

13.2 I undertook to speak to the PCC [REDACTED] I said that this needed to be addressed across the team to ensure that the OPCC was a supportive and productive environment.

13.3 [REDACTED] I have a contemporaneous note of this meeting if it is required

14 [REDACTED]

14.1 [REDACTED]

15 On Thurs 22 March 2018 [REDACTED]

[REDACTED]  
[REDACTED] We also discussed support for the PCC. I have a contemporaneous note of this meeting if it is required

16

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

16.1 I spoke to the PCC in the presence of the DPCC and Tom Thorp and made her aware [REDACTED], the allegations made [REDACTED] and the process being followed within NYP. We discussed issues of HR support, confidentiality for the Complainant and proper line management. [REDACTED]  
[REDACTED] The PCC said that she had continued to be concerned [REDACTED]. We discussed [REDACTED] and the relevant chronology. The DPCC said that [REDACTED]  
[REDACTED] Both he and Tom Thorp said that they had held a meeting [REDACTED]  
[REDACTED] and Tom Thorp said that [REDACTED]  
[REDACTED] Tom Thorp advised that there was a difference in the morale in the OPCC team [REDACTED]

16.2 [REDACTED]. The PCC said that there were performance issues around the whole area in different directions [REDACTED]  
[REDACTED] this was a very demanding month.

16.3 At this point, even though the matter was an internal issue [REDACTED]  
[REDACTED] I raised the issue of the Police and Crime Panel's jurisdiction and the need to consider notifying the Police and Crime Panel [REDACTED]  
[REDACTED]  
[REDACTED] It was agreed to consult the national guidance.

16.4 I also raised the welfare support for the PCC and we discussed the APCC arrangements now in place.  
[REDACTED]  
[REDACTED] agreeing that the DPCC would pick these up. We also considered wider office support.

16.5 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] The PCC said she would take up responsibility for directly briefing and directing the team. It was noted that the

arrangements for step 2 of the OPCC team building plan had been notified to the office at that morning's team meeting and that the review of the structure of the OPCC was ongoing. Tom Thorp provided a staffing update and health check and there followed a discussion [REDACTED]  
[REDACTED] I have a contemporaneous note of this meeting if it is required.

17

[REDACTED]  
[REDACTED]

18

On **29 March 2018** [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] I outlined my recent conversation with the PCC, agreed the need for an appropriate person to be appointed [REDACTED] I advised that I would notify the PCC formally [REDACTED] and discuss the implications and further actions the following day. I asked [REDACTED] to give the OPCC teambuilding plans a further 'nudge'. I have a contemporaneous note of this meeting if it is required.

19

On **29 March 2018** I spoke to the PCC and advised her [REDACTED], the actions of HR and the risks and issues [REDACTED] and effect on other areas of business. I advised the PCC that I had arranged to meet that day with HR and the Head of Legal Services to consider the proper role of the Police and Crime Panel. I have a contemporaneous note of this call if it is required.

20

[REDACTED]

21

On my return I met with [REDACTED] and the Head of Legal Services, Jane Wintermeyer, to receive advice on the effect of the relevant regulations (the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 (SI 2012/62) (the Regulations) and the role of the Police and Crime Panel. While it was noted that [REDACTED] arising solely within the course of the Complainant's employment, the existence of reg 15 which makes express provision for such circumstances meant that the legislators had clearly envisaged a situation in which such matters would nevertheless be caught by the regulatory framework and treated a 'complaint'. It was also clear that the Panel were able, should they so wish, to leave such complaints to be dealt with under the internal processes of the employer. On this basis I felt that we should notify [REDACTED] at NYCC in any event and then consider the obligations of a relevant officer to make a formal referral.

22

On **Friday 6 April 2018** I also met with the Complainant's line manager [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

- 22.1 Later that afternoon I resumed my meeting with the Head of Legal Services and she advised that in her view the conduct alleged by the Complainant fell within the statutory regulations. I considered the wording of the regulations with her and agreed that, not only did it apply to the conduct raised within [REDACTED] about the PCC, [REDACTED]. There was a discussion in relation to the [REDACTED] and the statutory complaints framework – and I was very clear that it was not open to the Complainant to avoid the statutory process (and thereby the Panel’s involvement) if [REDACTED] was making a complaint about the PCC [REDACTED] conduct. [REDACTED]

[REDACTED] I have a contemporaneous note of this meeting if it is required.

- 23 On **Monday 9 April 2018** I spoke with the PCC and advised her that I believed the conduct alleged by the Complainant was a matter that must be referred to the Police and Crime Panel and that *prima facie* it fell to be considered under the provisions set out in reg 15 of the Regulations [REDACTED]. I further advised her of the allegations made by the Complainant [REDACTED]. I advised that a letter of notification should preferably be sent to the Panel within the next two working days [REDACTED]

[REDACTED] We agreed that a letter would be sent to the Panel notifying them of the complaints and inviting them to treat them under the provisions of reg 15. [REDACTED]

- 24 On **Tues 10 April 2018** I received numerous calls from [REDACTED], line manager and HR staff [REDACTED]

[REDACTED] I pointed out that that the Regulations themselves made provision for [REDACTED] and that this did not follow. I was concerned at this stage that there was the risk of actual or perceived [REDACTED] with the complaints about the PCC [REDACTED]. In my view this was not acceptable and, while they might well be relevant to the manner in which the Panel decided to determine the issues in the complaint(s), [REDACTED] were not relevant to the question of notification itself. I have a contemporaneous note of these discussions if it is required.

- 25 On **Weds 11 April 2018**, as a result of my concerns, I called Barry Khan, Assistant Director, Legal Services at NYCC in his capacity as legal advisor to the Police and Crime Panel, first to provide a verbal notification of the complaints and second to seek his view on the interplay between the internal [REDACTED] process and the proper statutory framework for complaints under the Regulations. We discussed the Regulations and their applicability to the situation and agreed that the most appropriate course of action was for the PCC to notify the Panel of the complaints, inviting them if she so wished to address them under the provisions of reg 15.
- 25.1 Later that day I notified HR and [REDACTED] that the matter would be referred to the Panel [REDACTED]  
[REDACTED]  
[REDACTED] I advised that my role as Monitoring Officer meant that I had to be sure that all relevant matters had been addressed, both for the Complainant and the organisation/PCC. [REDACTED]  
[REDACTED]  
[REDACTED] I then held a conference call with the HR managers, outlining what must be done in terms of referral to the Panel in sufficient detail to allow them both to understand and address the issues and the applicability of reg 15; that the reference should be made by the PCC (rather than the Chief Constable who also has a duty to notify under the Regulations); that the matter should be treated as a protected disclosure with all relevant protections but understanding the external element given the Panel's role; [REDACTED]  
[REDACTED] and support for the PCC too. I have a contemporaneous note of these discussions if it is required.
- 25.2 I then called the PCC, updated her on the issues and advised on the need for formal notification to the Panel, the relevant duties and considerations. The PCC was concerned that there were a number of examples [REDACTED]  
[REDACTED]. I advised the PCC on the issues that had been discussed, on my call with Barry Khan, and the PCC instructed me to draft a letter of notification to the Police and Crime Panel for her signature. In light of the applicability of the Regulations to the Chief Constable I later notify T/CC Winward of the formal complaint and the fact that the PCC was making the notification to the Panel. I have a contemporaneous note of these discussions if it is required.
- 25.3 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] I then had calls with the HR [REDACTED] and another call with Barry Khan to confirm the proper addressee of the letter and various procedural and legal aspects of the process.

26 On **12 April 2018** I received a call from the Complainant's line manager, [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

26.1 Later that day my SSO sent a letter of notification of qualifying complaints to Barry Khan on behalf of JM notifying the Panel that a complaint which related to her own alleged conduct [REDACTED] [REDACTED] had been made. Within this letter it was noted that further details would be provided under separate cover.  
**THIS IS DOCUMENTED AT ATTACHMENT C**

27 On **18 April 2018** I sent a letter to Barry Khan enclosing a summary of the relevant information leading to the decision of notifying the Panel under the Regulations. **THIS IS DOCUMENTED AT ATTACHMENT D & Di**

28 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

29 On **25 April 2018** reply was received from Neil Irving in relation to Attachment D and referenced an email sent on 20<sup>th</sup> April which is at **Attachment E**. The letter was to acknowledge the letter of 18<sup>th</sup> April [REDACTED]  
[REDACTED]  
[REDACTED] **THIS IS DOCUMENTED AT ATTACHMENT F**

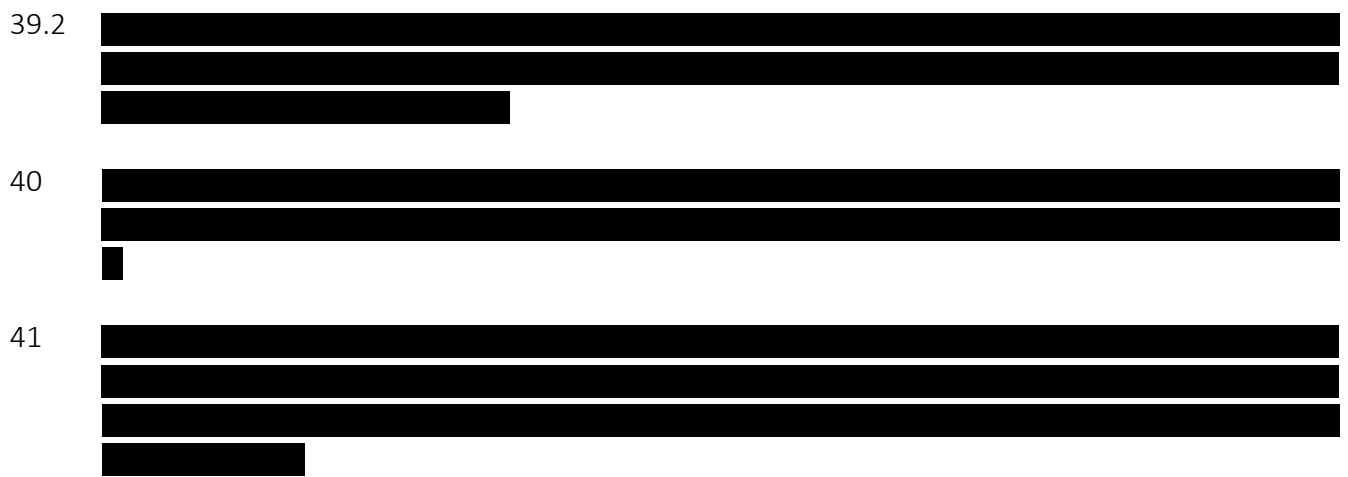
30 On **27 April 2018** I replied to Neil Irving's letter updating him [REDACTED]  
[REDACTED]  
[REDACTED] I also notified Neil Irving that as this was to be potentially treated as a protected disclosure the Complainant's identity would not be disclosed at this stage, [REDACTED]  
**THIS IS DOCUMENTED AT ATTACHMENT G**

31 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

32 [REDACTED]  
[REDACTED]. Neil Irving was notified via letter to this effect. **THIS IS DOCUMENTED AT ATTACHMENT I**



- 33 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]
- 34 On 13 June 2018 [REDACTED] I was also informed that NI [REDACTED] and so he had formally delegated the role of Lead Officer to Barry Khan in his absence. **THIS IS DOCUMENTED AT ATTACHMENT K**
- 35 [REDACTED]
- 36 On 26 June 2018 an email from Barry Khan was received by my office [REDACTED]  
[REDACTED] My SSO contacted me [REDACTED] seeking advice and further instructions. I advised my SSO to seek an extension in light of [REDACTED] in order to allow suitable time to prepare a meaningful response to the statements and to pass all the statements immediately to the PCC. **THIS IS DOCUMENTED AT ATTACHMENT L**
- 37 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]
- 38 On Monday 2 July 2018 [REDACTED] I read the statements served by the Panel. Having done so I noted that one of them raised a serious allegation that needed, in my view, to be the subject of a discrete notification and consideration, probably requiring referral to the Independent Office for Police Conduct (IOPC).
- 38.1 I contacted Barry Khan notifying him of my views and inviting him to consider the statement. I also advised the PCC to this effect.
- 38.2 Barry Khan called me back and said that, having considered the issues, he shared my view that the matter needed to be considered and, if appropriate, referred to the IOPC.
- 39 On 5 July 2018 I received an email with letter attached from Neil Irving notifying of a potential issue which will require further independent review from IOPCC. **THIS IS DOCUMENTED AT ATTACHMENT N**
- 39.1 Further correspondence was exchanged with Neil Irving regarding the statements and deadlines for submission.



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]  
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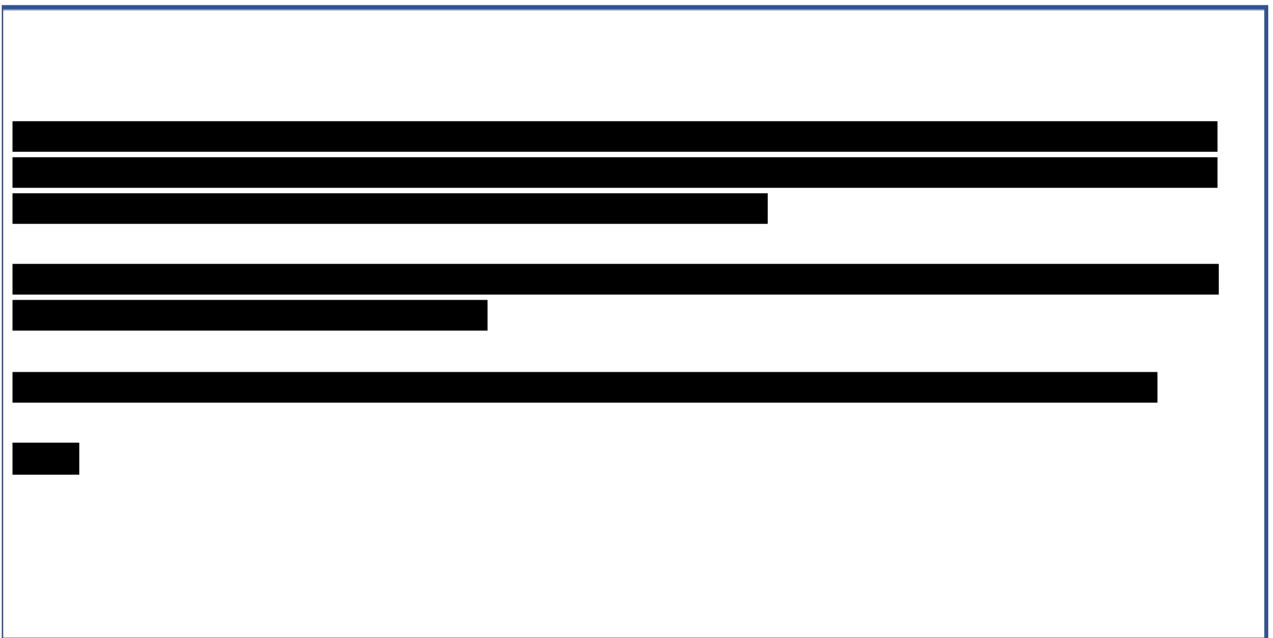
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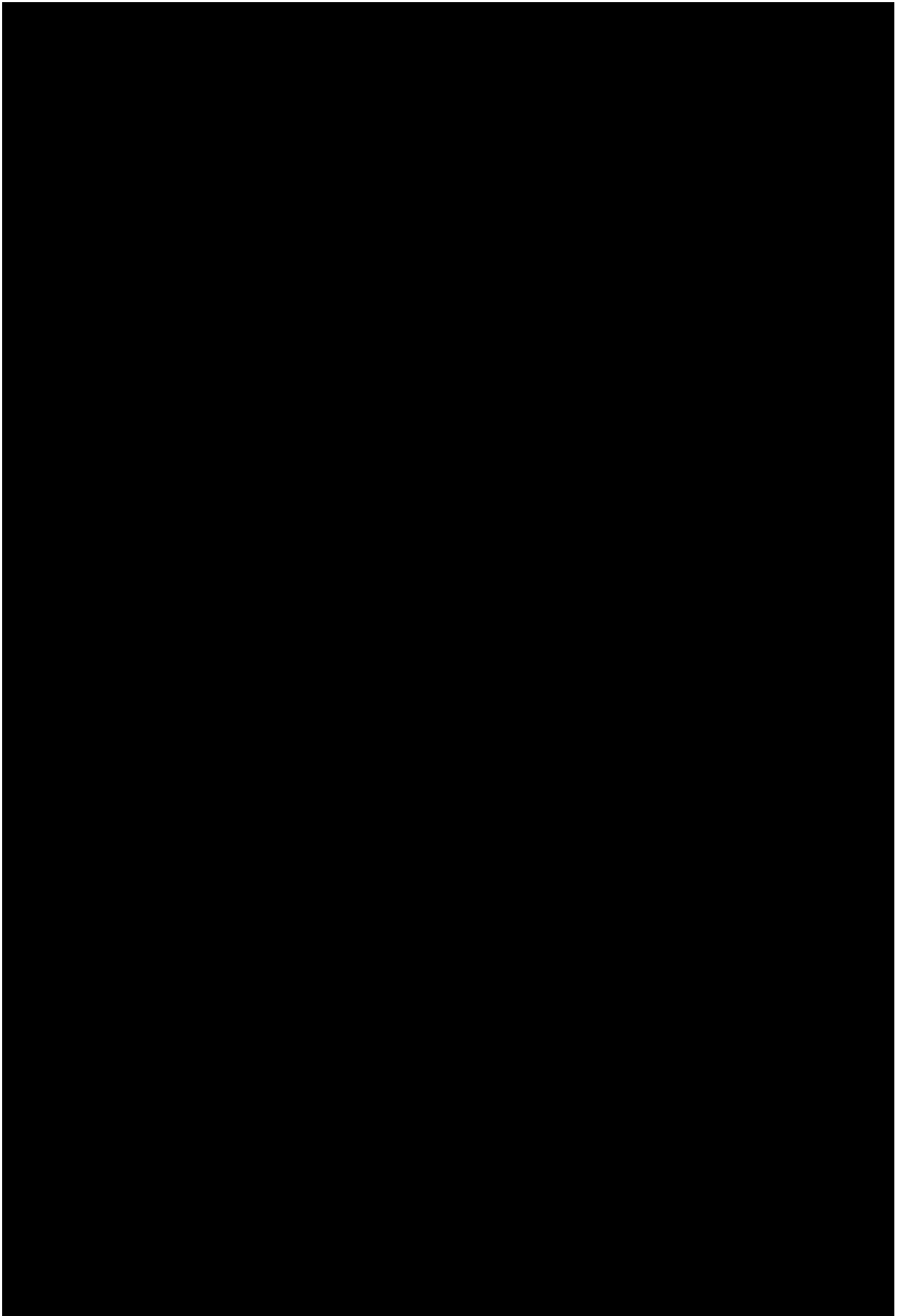
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## **Personal statement from Julia Mulligan**

On receiving [REDACTED] complaint, I was distressed and upset. I am highly self-critical and was and am, very concerned that my actions may have been felt to cause hurt to others. [REDACTED]

I have studied [REDACTED] statement very carefully, along with [REDACTED] allegations. [REDACTED]  
[REDACTED] However, this does not mean that I bullied [REDACTED], nor set out on a course of behaviour to intimidate or harass [REDACTED]. Whilst it remains [REDACTED] perception, it does not make it fact.

I fully accept that I have a strong personality and candidly, as a female in the world I inhabit, it's a pre-requisite of the job. What's more, since entering the world of politics in 2007, I have regularly encountered hostility and prejudice. As a consequence, I will come out fighting when I feel it necessary. The Panel will be only too aware of this.

The summer of 2017 was also extremely difficult as I was subjected to repeated personal attacks on my integrity and motivations over a sustained period of time. The most difficult period was July, with a series of very challenging meetings. These changed the tone of the debate and, following feedback from my Chief Finance Officer who was with me at most of them, led me to make an informal complaint to council officers. This, combined with serious failings over correspondence in the OPCC, real issues with 101 and very little time indeed, meant that I was rarely in the office and when I was, it was to deal with very difficult issues with which staff were also clearly struggling.

It is entirely possible therefore that people felt pressured, and that I was not always 'nice'. I was particularly concerned about the issues with correspondence, as I have an extremely strong belief in providing an excellent service to the public and it was becoming increasingly clear that the OPCC was providing an inadequate service in my name. This is particularly pertinent as my focus for the police is sharply on 'exemplary' customer service, and the OPCC had been leading by example. [REDACTED]  
[REDACTED]

There were then some frank discussions between myself and all my staff, as indeed there are between staff members themselves. This did cause occasional tension in the office and some upset as the issues were serious and staff were concerned as they want to do a good job too. However, the OPCC more widely is a positive place to work, undertaking a huge amount of high quality work for the public of North Yorkshire.

With regard to [REDACTED] specifically, I have tried to support [REDACTED], and have had many discussions with the OPCC team to find ways to do so. I have provided regular and constructive feedback [REDACTED], which is clear to see in many emails over time. [REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
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[REDACTED] But this doesn't constitute bullying, rather frustration and a need to get the job done to a high standard, in a timely manner.

I am also very sorry that [REDACTED] feel such motivations to be overly demanding and that they feel this has adversely impacted them. As I said at the outset, I am a highly self-critical individual and will seriously reflect on what people have said. It is also important for us to review our support systems and to ensure people feel confident enough to talk about any work-related concern, regardless of its origin, including ensuring staff know of our existing 'whistleblower' mechanisms.

Police and Crime Plan	The majority of individual and team objectives will directly relate to the Police and Crime Plan and therefore the overall aims of the organisation.
Other	May be role specific, project specific or individual specific.
Personal	This objective type can be used by individuals to show their personal objective which would usually be focused on career development. This should not be overly influenced by line management.
Skills	This is a developing area and should be used where there are specific skills requirements of the role (as detailed in the 'Associated Qualifications, Accreditation and Learning Programmes' section of their PPF role profile). These can be in addition to standard objectives. For example, where an individual is required to maintain their PIP level 2 accreditation then this should be set as an objective and evidence attached to demonstrate continued competence.
Supportive	To be used in addition to standard objectives. Either can address a specific area of poor performance or reference the requirement to achieve objectives in a support plan.
Developmental	To be used where the individual is performing in role but where development is required into a new area. For example 'to achieve level 5 of your career progression plan' or where new technology requires further development in role.
Probation (police staff only)	Where an individual is new to force. For police staff this should be used to highlight objectives which are required to be evidenced by the end of the probation period.

# Performance Management

## 1 Introduction

This document provides guidance to individuals and line managers on how to undertake performance management within North Yorkshire Police. It provides guidance on:

- Undertaking performance reviews
- Managing unsatisfactory performance
- Probation (police staff)
- Promotion (police officers)

All elements of performance management are intended to be positive and supportive with the aim of encouraging good performance and supporting improvement and development where necessary.

The force is committed to encouraging continuing professional development (CPD).

Formal procedures to deal with unsatisfactory performance are set out in the Police (Performance) Regulations 2012 and the Police Staff Capability Procedure. Formal procedures will not be pursued unless management action has been taken under the supportive elements of this framework.

## 2 Performance Reviews

All staff and officers should participate in the performance review scheme. This is the principle method by which an individual's performance is monitored and assessed. Every individual has personal responsibility for ensuring that their line manager can conduct the necessary assessment of their performance in role by providing sufficient evidence. This framework provides detailed guidance to assist line managers and individuals in participating in the scheme and includes minimum expectations. The scheme however can be used flexibly and advice can be sought from HR at any stage as to how it can be adapted to meet the needs of departments, groups of staff and individuals.

Origin PDR is the tool used to record all elements of the performance review scheme.

### 2.1 Aims of the Performance Review Scheme

The overall aim of the performance review scheme is to give individuals and their managers an opportunity to review performance and personal contribution. This involves agreeing personal objectives and development requirements, which will help to achieve those objectives. Further aims include:

- Deliver the alignment of individual objectives to organisational objectives and encourage individuals to uphold core organisational values and the code of ethics.

- Enable expectations to be defined and agreed in terms of role responsibilities and accountabilities (expected to do), skills (expected to have) and behaviours (expected to be)
- Provide opportunities for individuals to identify and discuss their own goals and develop their skills and competencies  
Motivate people by providing them with recognition and the opportunity to use and develop their skills and abilities
- To maximise the effectiveness and potential of each individual
- Support the development of talent management within NYP

## 2.2 Core Principles

The following core principles apply to performance reviews in NYP.

Individuals can expect:

- A personal performance review every year
- Regular and continuous feedback both on objectives and general work activities with concerns raised immediately and support/development provided
- Objectives based on organisational, departmental and individual needs set in conjunction with line management
- Clear and accessible guidance on participating in the performance review process including information about the implications of the outcomes
- Flexibility to use the system as they want to use it – the more you put in, the more you get out
- The opportunity to discuss aspirations and have the discussion recorded in Origin PDR as part of their performance review. A personal development objective can be set where relevant and achievable
- In the longer term, the organisation to take the performance review into account in internal recruitment and promotion processes and for this to be written into procedure.

Individuals are expected to:

- Undertake the role to the best of their ability and seek advice and support as required
- Take personal responsibility for evidencing performance and demonstrating commitment and participation in the process when seeking development/promotion.
- Reference sufficient evidence within Origin PDR to allow their manager to make an assessment of their performance and contribution in role. Line managers will be able to guide individuals in this aspect.

Line Managers will, in addition to the above:

- Support the efforts of individuals in achieving the required level of contribution and continuing professional development
- Provide regular and continuous feedback both informally and formally via performance reviews

- Receive support from the organisation and their management to undertake the supervisory elements of their role profile including performance reviews and therefore developing staff and managing unsatisfactory performance
- Be able to access a line manager toolkit including assessor training, having difficult conversations and psychologically safe and responsible manager training where appropriate
- Have access to clear organisational/departmental objectives
- Have clear guidance/advice on the parameters of assessment and the possible outcomes including advice on how to manage aspirations and development opportunities available
- An easy to use system where progress is easy to record and update.

Second Line Managers, will in addition to the above:

- Monitor the impact of delivery of agreed objectives on local priorities
- Undertake a quality assurance role in the performance review process by
  - Monitoring the completion of the performance review process by ensuring that mid-year and end of year reviews have been completed by the specified time
  - Ensuring ratings are consistently applied and that evidence is available to support the assessments made by line managers
  - By participating in the sign-off process by considering whether the performance review is balanced and accurate and that the objectives are valid and achievable.

Head of Department will:

- Ensure that departmental objectives are defined and in line with organisational priorities as specified in the Police and Crime Plan
- Ensure that all line managers and second line managers are fulfilling the leadership elements of PPF role profiles including those relating to performance management
- Support the efforts of the individuals in achieving the required level of contribution and continuing professional development.

Command Team will:

- Provide the strategic direction for the organisation
- Encourage and support active and continuous performance management at all levels of the organisation

A quality assurance system will ensure these outcomes are being achieved and that the quality of assessment is sufficient to improve the credibility of the scheme.

## 2.3 Key Dates

The performance review assessment period runs from 1 April to 31 March.

From approximately 15 February each year, line managers will be asked to complete the assessment process by signing off the existing Origin PDR record and commencing discussions with individuals over objectives for the following year. On 15 February the Origin PDR record status will move to 'due' which allows for the sign off process to commence. At the same time a new 'live' Origin PDR will be created and can be populated with new objectives.

For police staff eligible for an increment subject to satisfactory performance, the Origin PDR record should be completed by 10 March in order to allow an increment to be processed and paid from 1 April.

## 2.4 Key Elements of the Performance Review Scheme

NYP use Origin PDR as the tool to record performance reviews. Each of the following sections indicates where within Origin PDR information should be recorded.

### 2.4.1 Meetings

#### Initial Meeting

The initial meeting should take place in the period immediately before the performance review cycle begins (1 April to 31 March). At this meeting it is recommended that the line manager and individual discuss the expectations of the role and the evidence expected to allow the assessments to take place over the year (see section 2.4.5 below). This meeting can also be used to close down the previous years' performance review (end of year meeting – see below).

The initial meeting should also include discussions over SMART objectives (see section 2.4.2) which can be set over the short, medium and long term. These should be recorded in the 'objective' section of Origin PDR.

Line managers are encouraged to use the PPF role profile and NYP job description as the basis for this discussion.

#### Mid-year meetings

These should take place at the end of September and should include an element of assessment of performance and contribution as laid out in the objectives and personal qualities. The evidence submitted should be considered by line management and appropriate feedback given and recorded in the 'interim assessment' section of Origin PDR. Mid-year meetings should be used to assess formal training needs with the outcome of discussions recorded in the 'interim assessment' section of Origin PDR and submitted for consideration in the Costed Training Plan (CTP).

#### Interim Meetings

Interim meetings can take place at any time during the performance review period and these are strongly recommended. Up to 11 (including the mid-year meeting) can be recorded in the 'interim assessment' section of Origin PDR but line managers and individuals can agree the number required. These can include general discussions on how the individual is progressing, review of short and medium term objectives, amendment of objectives (where appropriate), and the setting of developmental/supportive objectives where relevant. Line managers and individuals should also consider the evidence recorded and whether it is sufficient for the purposes of assessment. If sufficient evidence is available, a line manager is encouraged to undertake assessments regularly; this will reduce the input required at the end of year meeting – all assessments should be recorded in the 'interim assessment' section within Origin PDR.

Further ad hoc meetings can be arranged if necessary to address issues that the line manager or the individual wish to discuss. These meetings can be undertaken outside of the performance review process during regular 121s or when working alongside an individual. However where performance concerns or development needs are identified, supportive objectives should be considered and recorded in Origin PDR.

Individuals should prepare for all review meetings by reflecting on the evidence they have added to the Origin PDR record and they are encouraged to record a self-evaluation of the evidence in the 'interim assessment' section.

### End of Year Meeting

The end of year meeting covers two separate areas:

- The end of that period of assessment and
- The overall end of year assessment of contribution (see section 2.4.8 below)

If considered appropriate, this meeting can take place at the same time as objectives are discussed and set for the following year (the initial meeting).

In determining the end of year assessment of overall contribution, line managers will look at the recorded evidence and any interim assessments undertaken and recorded in Origin PDR. They will consider achievements against role requirements, objectives, personal qualities and where appropriate, response to support plans. Line managers will also consider their own personal observations as to how the individual performed in their role.

### 2.4.2 Objectives

At any given time in the performance review year an individual should have at least one relevant and appropriate SMART objective. Guidance on setting objectives is available on the Performance Review page of the Managing our People subsite.

The **attached table** explains the types of objectives that can be agreed and recorded in Origin PDR. Stating an objective type will ensure that individuals understand why an objective is required and therefore how they will contribute to the overall aims of the organisation as laid out in the Police and Crime Plan. The Origin PDR record should always



reflect the current expectations of an individual in their role and therefore should also be used to record probation (police staff only), supportive and developmental objectives.

### **2.4.3 Personal Qualities**

All individuals will be assessed against the personal qualities specific to the level of their role. These personal qualities will be taken directly from the PPF role profile. All individuals will be required to provide evidence against their role specific personal qualities within Origin PDR.

### **2.4.4 Assessment Against Personal Qualities and Objectives**

Assessments by the line manager can take place at a time during the performance review year with all assessments recorded on Origin PDR. Individuals should be assessed against their objectives at an appropriate time either at the target date or at any point if they become no longer relevant. If an objective is concluded during the performance review year, the line manager and individual should consider whether it is appropriate to set a new objective. Whilst assessment against personal qualities can be undertaken as soon as there is sufficient and satisfactory evidence, it is recommended that this is reviewed as part of the end of year meeting in order to ensure that expectations are maintained over the whole performance review year. Appendix 1 details the ratings available following assessment.

### **2.4.5 Evidence**

It is an individual's responsibility to evidence their competence in their role by referencing their achievement against objectives and the personal qualities in Origin PDR. Line managers can also add evidence to an individual's Origin PDR record and are encouraged to check that individuals are providing sufficient evidence to enable their assessments during the year.

Individuals are strongly encouraged to reference evidence in Origin PDR on an ongoing basis throughout the year. It is recommended that individuals save their evidence in an electronic folder which will become an evidence portfolio of your achievements. This should be accessible to line managers for assessment purposes when required.

Prior to any assessment period, line managers should agree with the individual, the evidence to be used in the assessment. The quantity or source material will vary according to the individual being appraised, but must be sufficient to allow a line manager to openly and ethically come to a decision as to whether the required standard has been met or not.

Where individuals are required to record evidence as part of a career progression plan (CPP) or continuing professional development (CPD) record, there is no requirement for double entry of evidence. The individual should ensure that Origin PDR highlights where the evidence is recorded and ensure that the line manager has access to the evidence for assessment purposes.

Lack of evidence, unless outside the individual's control or reasonable explanation, is likely to lead to a 'not meeting expectations' assessment at the end of year meeting. This may affect payment of increments.

A higher level of evidence will be required to support an end of year assessment of 'outstanding.'

#### **2.4.6 Career Aspirations/Development**

Individuals are encouraged to consider and record career aspirations within their Origin PDR record. These aspirations can be discussed with line managers as part of performance review meetings and where possible support and advice will be provided. Line managers must manage the expectations of individuals taking into account personal ability, development needs and likely opportunities within their role or another role. This section is primarily for individuals to use to assist with managing their development and express commitment to either promotion or lateral moves. It can also be used by individuals to record how they would like to develop within their current role. It is important, however, that aspirations are appropriate and achievable within the scope of their current responsibilities.

Where individuals are seeking to access development opportunities, the line manager should consider agreeing to additional developmental objectives. This will enable the individual to evidence their progress towards the anticipated role alongside their core role or work based objectives. Alternatively an individual can add their own personal objective to their Origin PDR record which reflects their aspirations. Where such objectives are not achieved this should not affect the overall assessment of the individuals contribution at the end of the year.

#### **2.4.7 Training Needs**

Training needs can be recorded within Origin PDR by the individual and the line manager at any point during the performance review year. Line managers are encouraged to conduct a formal review of training needs as part of the mid-year review (see section 2.4.1). All parties are encouraged to consider options other than formal training courses; these include coaching and mentoring, self-managed learning and shadowing.

#### **2.4.8 Sign off process**

The line manager is responsible for conducting the final assessment taking into account all the elements highlighted above. This can be conducted when the Origin PDR record moves to 'due' on 15 February. Origin PDR will highlight attendance over the previous 12 months and will require the line manager to comment on this in the context of the individual's performance.

#### **Annual assessment of contribution**

NYP is committed to ensuring that individuals understand how they, in their role, contribute to the organisation. Therefore the assessment is based on an individual's overall contribution. The following table details the assessment criteria and the consequences of each grading level.

### 3 Managing Unsatisfactory Performance

The line manager should try to discuss any issues or concern(s) with the individual at the earliest possible opportunity. The reasons for the concerns should be outlined together with specific examples.

The line manager will need to establish whether there are any underlying reasons for the unsatisfactory performance. If, for example, an individual states they have a medical condition which may be affecting their performance, the manager should seek advice from the relevant HR team in the first instance.

If the line manager considers during the discussion that the matter may be more serious than previously thought, the line manager can adjourn the meeting and seek advice from the relevant HR team.

Where improvement is necessary the manager will make sure the individual understands what needs to be done, how their performance will be reviewed and over what period. If the line manager considers as a result of the meeting that there is no issue of unsatisfactory performance this should be made clear to the individual.

A brief record of the discussion can be made in Origin PDR. Any agreed actions should be recorded either by adding specific supportive objectives to Origin PDR or by including an objective to complete a supportive plan. The supportive plan can also be recorded on the template and should include actions required by the line manager and the individual and when progress will be reviewed. Supportive objectives are normally in place for no longer than three months duration, but may be extended upon review.

If it is agreed at a review that satisfactory improvement is achieved, the individual will be informed verbally that the required level of performance or attendance has been reached, and Origin PDR will be updated to reflect the achievement of supportive objectives.

There is no single formula for determining the point at which progression to the formal procedure under the Police Staff Capability Procedure or Police (Performance) Regulations should be instigated. Each case must be considered on its merits and it is recommended that HR advice is sought at this stage. However, the following points need to be emphasised:

- i. Occasional lapses below acceptable standards should be dealt with in the course of normal management activity and should not involve the application of the Police Staff Capability Procedure or Police (Performance) Regulations 2012, which are designed to cover either repeated failures to meet such standards or more serious cases of unsatisfactory performance;
- ii. Line managers must be able to demonstrate that they have instigated informal management action prior to progression to formal procedures. This should be reflected in the Origin PDR record by way of supportive objectives. Line managers must ensure the unsatisfactory performance is evidenced in Origin PDR.

iii. If the end of year assessment of contribution is rated as 'not meeting expectations' then consideration must be given to progression of the individual to formal procedures (subject to i and ii above).

## **4 Police Staff Probation**

Origin PDR should be used to record objectives set during the probation period. The objective type should be 'probation' and should reflect the expectations from an individual developing into a role. Discussions about progress and assessments should be recorded in the 'interim assessment' section of Origin PDR.

Please read the Police Staff Probation Procedure for further information.

## **5 Police Officer Promotion**

The new performance review scheme is a key element of the National Police Promotion Framework (NPPF). How the NPPF operates in NYP is currently under development. This guidance and associated FAQs will be updated prior to the next promotion process.

# **Responsibilities**

The responsibilities are as laid out in section 2.2 above.

## Performance Review Rating Descriptors

<b>Objective Rating – objective ratings can be assigned at any point during the performance review cycle. An interim assessment of the evidence should be recorded at the time of rating.</b>		<b>Personal Quality Rating – assessing against the role specific personal qualities on Origin PDR</b>	
<b>Achieved</b>	For use when the objective is completed in its entirety to a satisfactory standard, within the specified timeframe	<b>Exceeds most expectations</b>	Consistently demonstrates exceptional behaviours above those expected of the individual in their role
<b>Partially achieved</b>	For use when the objective is partially completed within the specified timeframe	<b>Exceeds some expectations</b>	Consistently demonstrates effective behaviours and often demonstrates exceptional behaviours above those expected of the individual in their role
<b>Not achieved</b>	For use when the objective is not achieved due to performance falling short of what is expected	<b>Meets all expectations</b>	Consistently demonstrates effective behaviours as required in their role
<b>Not achieved – no longer relevant</b>	For use when the organisational/ departmental/individual priorities have changed and where new objectives are required. By rating as not achieved because the objective is no longer relevant, the individuals progress can be recognised and assessed	<b>Meets some expectations</b>	Often demonstrates effective behaviours as required in their role. Some development areas clearly identifiable.
<b>Not achieved – not enough time in post</b>	For use when the individual has not had enough time to complete the objective. Consideration should be given to increasing the timeframe or carrying over the objective to the next performance review year depending on the purpose of the objective.	<b>Does not meet sufficient expectations</b>	Rarely demonstrates effective behaviours as required in their role. Significant development is required.



Assessment of Overall Contribution	Individuals	Supervisors/leaders	Action Required
<b>Outstanding</b>	<p>Consistently delivers outstanding results.</p> <p>Objectives exceeded and personal qualities <b>more</b> than fully demonstrated.</p> <p>Sets an example to others in behaviour, confidence and professionalism. Must demonstrate force values.</p> <p>Actively coaches others and is recognised by their peers as an outstanding achiever.</p> <p>Takes personal responsibility for demonstrating evidence against personal qualities and achievement of objectives. Develops self through continuing professional development (CPD).</p> <p><b>Makes a significant contribution to departmental/command performance.</b></p>	<p>Is inspirational to others and promotes and embeds a coaching ethos within their teams.</p> <p>Demonstrates the Force values in the leadership of others.</p> <p>Promotes and encourages team members to engage in CPD activities</p> <p>Uses the performance review process (recorded on Origin PDR) to provide clarity over departmental and organisational focus therefore empowering individuals and driving performance.</p> <p>Challenges and manages performance and attendance.</p> <p><b>Actively develops their team and manages their resources well to drive confidence and performance.</b></p>	<p>Line managers are encouraged to consider supporting development opportunities.</p> <p>Aspirations and training needs should be recorded and managed via Origin PDR.</p> <p>The Source subsites have information about CPD and developing individual leadership styles</p> <p>Increments will be awarded where applicable.</p>
<b>Successful</b>	<p>Achieves objectives and personal qualities are fully demonstrated at the required level.</p> <p>Consistent and thorough level of performance.</p> <p>Displays high standards of behaviour and professionalism.</p> <p>Takes personal responsibility for demonstrating evidence against personal qualities and achievement of objectives. Develops self through continuing professional development (CPD).</p> <p><b>Makes the required contribution to departmental/command performance.</b></p>	<p>Leads the way in personal standards of integrity and behaviour.</p> <p>Promotes coaching within the team and encourages development.</p> <p>Demonstrates the Force values and uses the performance review process (recorded on Origin PDR) to encourage high performance and recognise achievements and challenge poor performance and attendance.</p>	<p>Continuing good levels of performance should be encouraged and monitored via Origin PDR</p> <p>Increments will be awarded where applicable.</p>
<b>Developing</b>	<p>New in role.</p> <p>Working towards full competence and is meeting all development needs <b>without</b> the requirement of a support plan. Most objectives are met but development is required to fully meet all objectives.</p> <p>May be working towards completion of a career progression plan or probation period.</p>		<p>Due Origin PDR should already reflect this rating with development objectives set.</p> <p>New PDR should include development objectives.</p> <p>Increments will be awarded where applicable</p>
<b>Not meeting expectations</b>	<p>Unsatisfactory performance. Performance is below the standard required; objectives are not met and the personal qualities have not been fully demonstrated.</p> <p>Improved performance and development required.</p> <p>Active support plan in place and reflected through objectives on ORIGIN PDR.</p>	<p>Supervisory skills incomplete or weak</p> <p>Does not display highest standards of behaviour</p> <p>Is not using the performance review (on Origin PDR) to drive performance and recognise achievements. Does not challenge poor performance or attendance.</p>	<p>'Due' ORIGIN PDR should already reflect this rating with supportive objectives or support plan referenced.</p> <p>New PDR should continue to reflect supportive objectives or reference a support plan. Where no improvement is made formal performance management should be instigated</p>