



Policy Title: Intelligence Led Integrity Testing

Date Published/Reviewed: August 2021

Thames Valley Police ensures that all policies have been assessed and comply with MoPI Guidance, and the Data Protection Act 2018. In addition, this Policy has been reviewed by The Force Head of Health, Safety and Environment and has undergone an Equality Impact Assessment.

1.0 About this Policy

1.1 Rationale

This policy sets out the rationale behind integrity testing and defines parameters and conditions for its use.

1.2 Legislation/National Standards

- Investigatory Powers Act 2016
- Recommendation 10 of the HMIC report on Police Integrity (June 1999)
- National Counter-Corruption Advisory Group (NCCAG)

1.3 Intention

This policy provides the option of 'testing' an individual's integrity, in accordance with the principles of the Human Rights Act 1998. The policy also aims to provide an equitable, consistent and proportionate response to intelligence, in accordance with existing criminal legislation, Police Conduct Regulations and employment law.

1.4 General Principles

Thames Valley Police (TVP) is committed to maintaining the highest standards of integrity. This policy is related to the investigation of corruption and applies to all staff including temporary or contract staff, volunteers, specials and employees of TVP. The policy also extends to include any person associated with any of the above, in any capacity regardless of whether or not those persons are employed by the Force or have any legitimate association with the organisation.

2.0 Statement of Policy

2.1 This policy supports the National NCCAG Control Strategy by providing an acceptable means of addressing allegations of corruption in the form of an intelligence led integrity testing (ILIT). The purpose is to 'Engender trust in the integrity of all members of Thames Valley Police'.

2.2 Corruption must be sought out and guarded against because it often involves mutually beneficial and secretive relationships between corruptor and corrupted. Any investigation should always seek to include the removal of the corruptor as this individual will merely turn their attention elsewhere once a corrupted officer or individual is removed.

2.3 An Integrity Test creates a realistic condition or situation designed to generate a reaction by an individual or individuals so that their conduct, behaviour and professional standards can be assessed.

2.4 Thames Valley Police does not undertake random integrity testing on any of its staff. Random integrity testing has not and does not take place. It is not anticipated that this position will alter. It therefore follows that any such testing of a member of staff will only be intelligence led and subject to full compliance with relevant legislation such as:

- a) Human Rights Act
- b) Investigatory Powers Act.
- c) Police and Criminal Evidence Act
- d) Criminal Procedures and Investigations Act
- e) Police Conduct Regulations

2.5 The responsibility for integrity within the Thames Valley Police rests with each and every member of the organisation. However, it will be driven by the Professional Standards Department's Counter Corruption Unit, which will be responsible for the implementation of any intelligence led integrity test, either as the lead investigators or as fully briefed tactical advisors.

Executive Authorities

2.6 The Force must comply with the requirements of the Investigatory Powers Act 2016 (IPA) during relevant criminal investigations. Occasions may arise whereby a surveillance technique usually associated with **Investigatory Powers Act 2016** would be the most appropriate method of progressing an alleged breach of a non-crime matter.

2.7 In such circumstances, application may be made for an Executive Authority to undertake an integrity test or surveillance in order to prove or disprove the suspected activity. Authorisation for an Executive Authority rests with the Deputy Chief Constable or in his absence a member of the CCMT. The application will follow the same considerations as given in criminal investigations, particularly in relation to privacy, collateral intrusion, proportionality and necessity.

Lawful business monitoring

2.8 Section 46 of the Investigatory Powers Act 2016 allows businesses, which includes public authorities, to intercept communications on services and equipment provided to conduct that business in order to monitor and record activity on those systems. See staff statement at 2.3 of the Lawful Business Monitoring Policy.

2.9 Staff may be liable to monitoring in all aspects of their work. This form of lawful business monitoring is independent of the integrity testing policy, and is in addition to those powers conferred on law enforcement agencies in the investigation of crime, specifically where the owner or controller of a telecommunications system provides the investigators with their permission to intercept the communications.

2.10 It is essential that any intervention so undertaken be recorded in accordance with the principles of The Human Rights Act. Each case must be judged on individual circumstances.

Data retention

2.11 Records generated as a result of this policy will be retained for a period of seven years, unless they relate to alleged criminal activity or gross misconduct, in which case, the records will be retained for the duration the individual is employed by Thames Valley Police, plus three years.

2.12 A decision whether to disclose the results of an Integrity test to the member of staff subject of that test will be made by the Head of the Professional Standards Department on a case by case basis and in accordance with the provisions of the Data Protection Act 2018 and the associated UK GDPR.

3.0 Human Rights Articles Engaged

Human Rights Act 1998: Article 8 – Right to a private life

4.0 Health and Safety at Work

No impact.

5.0 Communications, Challenges and Representations

5.1 Communication

This policy shall be made available on the Intranet and the public TVP website

5.2 Challenges and representation

Any challenges or representations in respect of this policy should be directed to:

Head of Professional Standards Department

OFFICIAL

Thames Valley Police Headquarters

Kidlington

Oxfordfordshire

OX5 2NX

6.0 Review Date

This policy shall be reviewed and revised on an annual basis. The next review deadline is August 2022.

7.0 Freedom of information

Suitable for publication.

8.0 Government Security Classification Policy

This policy document shall be marked as Official.

9.0 Relevant Supporting information

Lawful Business Monitoring Policy