



Unmanageable Debt Policy



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Section 1 – Policy Intentions

This policy sets out the force’s view on unmanageable debt as far as it applies to all Police Officers, including Special Constables, Police Staff and OPCC staff already working for Gloucestershire Constabulary.

Gloucestershire Constabulary recognises that it is inevitable that some police officers and staff are likely to face financial hardship particularly during difficult economic times. It is accepted that an individual may be burdened with unmanageable debt through little or no fault of their own.

The National Crime Agency (NCA) identifies that money is one of the common motives for corruption and that unmanageable debt can place Police personnel in a vulnerable position and more likely to become engaged in corrupt activities in order to try and relieve their debt. NCA has also stated that those who identify themselves as having problems with debt are more likely to seek to deal with their indebtedness by lawful means than those who attempt to conceal the issue. The emphasis of this policy therefore is on encouraging staff to disclose their debt problems at the earliest opportunity, in order that we may provide help, welfare and advice before any individual's financial difficulties deteriorate to such a level that formal court proceedings become likely or inevitable.

The purpose of this policy is to provide guidelines to individuals whilst also ensuring that the integrity, reputations and security of the Office of the Police and Crime Commissioner (OPCC) and Gloucestershire Constabulary are protected. Officers and employees are expected to discharge all lawful debts in accordance with the terms and conditions directed by the lender. If the level of debt owed by an individual becomes unmanageable, then he or she is to be encouraged to seek advice, help and guidance at the earliest opportunity.

It is recognised that those who seek to disclose and deal appropriately with debt problems at an early stage are doing so in a lawful and ethical manner in accordance with current legislation.

Section 2 – Definition of ‘Unmanageable Debt’

Personal debt can be considered to be unmanageable when the level of required repayments cannot be met through normal income streams. This would usually occur over a sustained period of time, causing overall debt levels to increase to a level beyond which somebody is able to pay.

Police Officers must be aware that any unmanageable debt problem may amount to a breach of the Code of Ethics (and thus Standards of Professional Behaviour), particularly where any court or other formal proceedings are necessary to deal with their debts, such as bankruptcy, County Court Judgements and Debt Relief Orders, and will generally cause a misconduct investigation to be considered. It must be borne in mind that neither bankruptcy nor a Debt Relief Order amounts to the discharge of a debt; they merely discharge



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(release or free) the debtor from their liability or responsibility. In order to discharge a debt, the debt must actually be paid.

In some circumstances, the OPCC or Police Staff with unmanageable debt could be considered to be in breach of the Code of Ethics and, subject to consideration of their role and responsibilities, may become subject to a misconduct investigation. Welfare of the individual is paramount and proceedings although an option will only be taken if deemed absolutely necessary and appropriate.

Section 3 – Aims and objectives

- To encourage individuals who are carrying unmanageable levels of debt to disclose their circumstances in order that they can be offered appropriate help, welfare and guidance.
- To assist those who disclose their circumstances by ensuring that they deal with their debt in accordance with current legislation and procedures.
- To allow the Police to conduct a risk assessment in relation to each individual case, therefore protecting the integrity and reputation of both the individual and the organisation.
- To prevent individuals from suffering unnecessary stress and health problems associated with carrying unmanageable debt.
- To raise awareness amongst all staff of the vulnerable position they may be in if they carry unmanageable levels of debt.
- To prevent individuals from attempting to deal with debt issues by corrupt, unlawful or unethical means.
- To identify and deal appropriately with any breaches of Police Regulations, the Standards of Professional Behaviour for Police Officers or the Police Staff Council Standards of Professional Behaviour.

Section 4 – Reporting

Where a member of staff is responsible for a level of debt that either is or is likely to become unmanageable, then he or she should:

- Disclose the situation in writing to the Force Vetting Manager and provide relevant updates, particularly in relation to any court or other formal proceedings. In any case, Police Officers must report any conditions imposed by any court, as required by the Standards of Professional Behaviour.
- Consider seeking the advice and guidance of the Occupational Health department, appropriate staff association or welfare representative.
- Ensure that all methods employed to resolve the situation are lawful and in accordance with current recognised procedures.

Exploitation of those with unmanageable levels of debt is a recognised tactic employed by criminal groups to coerce employees into providing them with access to force systems, data and operational information. Any such approaches must be reported immediately to the line manager or PSD. Extreme care should be taken when entering into any financial management plan to ensure that the service provider is legitimate.



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Section 5 – Professional Standards

The Vetting Manager must be notified in writing by any member of staff responsible for a level of debt that is unmanageable. This information should be shared with the individual's Line Manager/Head of Department. In respect of Police Staff it is recommended that the information is also shared with the Human Resources Manager. As part of the individual risk assessment, consideration will be given to disclosing information to senior management subject to the level of risk identified.

Each case will be assessed and treated on its merits in relation to whether there has been any alleged criminal conduct or breach of Police Regulations, the Standards of Professional Behaviour or the Police Staff Council Standards of Professional Behaviour.

In general, unmanageable debt issues will be considered in purely welfare terms unless the debt is linked to criminality or there is wilful neglect in the discharge of it. Therefore, any member of staff subject to an Individual Voluntary Arrangement or any other agreement with their creditors, or otherwise experiencing difficulty in managing their finances, will not normally be subjected to a misconduct enquiry.

In circumstances where the case involves , bankruptcy, a County Court Judgement, Debt Relief Order or any other similar Orders of the Court, or after further investigation, potential criminality then:

- Where any of these factors apply to a Police Officer, a misconduct enquiry should be commenced. If that enquiry reveals any allegation of a criminal nature than a criminal investigation should be considered where appropriate.
- Where the matter relates to a member of Police Staff, a misconduct enquiry may be considered. If there is any allegation of a criminal nature then a criminal investigation should be considered where appropriate.

Section 6 – Business Interests

The permission to hold an outside business interest granted to an individual suffering from unmanageable debt will be subject of an immediate review. This will be instigated by the Head of Professional Standards Department who will decide whether that permission should continue.

Section 7 – Vetting

Where a member of staff is identified as having excessive or unmanageable debt, a risk assessment and vetting review will be undertaken by the Force Vetting Manager, who with consultation with the Head of Department, where a risk assessment can be considered and whether control measures can be introduced that will allow continuation of employment in the current role in the form of Aftercare.

If the member of staff concerned occupies a post which is the subject of Developed Vetting, Security Cleared or Security Cleared Enhanced Vetting and has become unable to meet the requirements of an enhanced vetting status, a less sensitive and alternative posting must be considered for that person.

Employees who have been identified as carrying unmanageable levels of debt may be unable to meet vetting requirements and this could disadvantage them in applying for roles requiring an enhanced level of vetting. Where a member of staff who is or has been the subject of unmanageable debt applies for an identified



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'vulnerable' post/role or a post/role requiring management vetting clearance or above, they will be processed in accordance with the Vetting Policy.

Section 8 – Appeals

Where Police Officers, OPCC staff or Police Staff feel that they have been unfairly treated as a result of decisions taken under this policy, they will have the opportunity to make representations to the Head of Professional Standards and will also have access to the Grievance Procedure as identified in the [Fairness at Work Policy](#).

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