# POLICY DEVELOPMENT AND GOVERNANCE

## 1. Executive Summary:

The aim of this policy is to provide clear instructions and guidance for policy development in West Midlands Police. Please read in conjunction with associated procedural guidance.

Overarching approach:

- A consistent, corporate approach to policy management and reviews
- Clarity of roles and responsibilities to ensure accountability
- Compliance with the relevant legislation, APP, Code of Ethics and WMP values
- Minimise bureaucracy
- Promote trust and confidence from the public

Force policy is a crucial element of our governance and is put in place to comply with law and safeguard the legal position and organisational reputation of WMP. The policy does not negate statutory rights of Trade Unions or Staff Associations. Main terms and conditions for Police Officers are established nationally in Police Regulations and determined through the Police Staff Council Handbook for Police Staff.

## 2. Authorised Professional Practice (APP):

This policy has been checked against APP and there is none in relation to the subject matter of this policy.

## 3. Applicable Parties:

This policy applies to anyone who is involved in drafting, reviewing, screening or approving Force policy.

## 4. Policy Statements:

- The Chief Constable has overall direction and control of WMP and is ultimately accountable for all policies and supporting documents of the organisation and its actions.

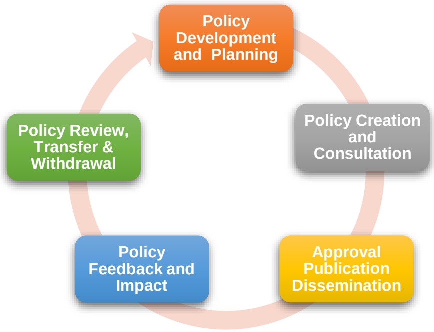
- Adherence to applicable force policies will be expected from all employees and representatives of WMP.

- WMP places trust in their employees to comply with force policies and to work in accordance with and in support of:

    - Force Vision & Values
    - Diversity & Inclusion
    - Citizens Charter
    - Code of Ethics
    - Equality Act 2010
    - Authorised Professional Practice (APP)
    - WMP Branding & Identity

- To ensure a corporate approach, accountability and legitimacy are maintained, all policies must follow the policy process as set out in the attached procedural guidance documents.
- Policy and procedure content must be evidence-based, to ensure that our policies are both philosophically (ethical and impartial) and practically (effective and efficient) fit for purpose.
- Individuals will be held accountable for their actions; non-compliance to force policy without justification may result in disciplinary action.
- The law will always take precedence over force policies.
- WMP will adopt the College of Policing APP within its policies unless stated otherwise. Hyperlinks to relevant College of Policing APP will be included on the policy - not copying and pasting the APP.
- All policies must not be downloaded, stored locally or be published anywhere outside of the WMP Policy Portal. This will minimise issues relating to version control and protect individuals and the force.
- All policies must not be replicated on department websites. To include a policy on a department intranet page, a link must be made to the central Policy Portal to ensure the correct version of the policy is displayed.
- All policy archive versions will be kept within Corporate Development to support any future Freedom of Information (FOI) requests.
- Polices that are for internal communication only may require a redacted version to be completed for FOI requests, if this is required a member of the Policy Team will request this as and when necessary.
- Draft, live and archived policies may be disclosed (publication instructions will be considered) under FOI, for Professional Standards Department (PSD) purposes or for public inquiry.
- All policies must be marked with the Government Security Classification of Official unless otherwise advised.
- No other documents apart from corporate force policy documents will be referred to as a policy.
- Policy documents must not be altered or tampered with, unless you are acting as a Strategic Lead or form part of the Policy and Business Planning Team.
- The associated procedural guidance documents must be read and adhered to in conjunction with this policy.

- All force policies will follow the below cycle:




- All requests for new policy must be approved by the relevant FET (Force Executive Team) Lead prior to any work being instigated.

- All policies must have a Strategic Lead (at Senior Leader level) appointed by the relevant FET Lead.

- The responsibility of the Strategic Lead will remain with the rank/role and not the individual named, unless specified otherwise.

- The Strategic Lead may be the Policy Author or they may appoint a separate Policy Author.

- The Strategic Lead has overall ownership and responsibility for the specific policy.

- The Strategic Lead must ensure the policy is created and reviewed within a timely manner and the Policy and Business Planning Team are kept up-to-date on progress. The Policy and Business Planning Team will provide appropriate support to the Strategic Lead.

- The Strategic Lead must inform the Policy and Business Planning Team of any policies in development and provide an appropriate completion date.

- Strategic Leads must consider all available evidence (e.g. benchmarking, best practice, APP, research, available data, literature, feedback from consultation) and are responsible for ensuring that policy content is accurate and up-to date.

- Strategic Leads must ensure policy content is consistent with national guidance and any deviation is to be articulated within the policy accordingly.

- All new policies require written approval from the relevant FET Lead before being classified as a 'live' policy. Live policies will be published on the WMP Policy Portal which is managed by the Policy and Business Planning Team.

- The version date will be set by the Policy and Business Planning Manager once policy approval has been received from the FET Lead.

- A draft policy that has not been approved by the FET Lead must not be published on the intranet, utilised as policy or advertised as a policy.

- A suitable review period of two, three, four or five years is allocated to each policy prior to publication. The review period starts from the version date/date the policy is published.

- The review periods will be allocated based on:

    - **Two years –** New policies, policies with high risk associated with them, policies covering poor performing areas;
    - **Three years –** Policies covering medium risk subjects where change could be expected;
    - **Four years** – Policies covering medium risk subjects where there are sufficient measures in place to mitigate risk, policies where no change is anticipated; or
    - **Five years –** Policies that are low risk and where there is minimal change in the subject matter.

- The Strategic Lead must use the National Decision Model (NDM) to determine an appropriate review period based on information available to them, including but not limited to:

    - Professional judgement;
    - Force performance or associated risk; and
    - Likelihood of change.

- Where there is a significant impact on equality and the policy is new or high impact, this will need to be reviewed more frequently.

- Review periods can be changed at any point at direction of Strategic Leads or FET.

- All policies must be considered as a 'living document'. Any changes, good practice, legislative changes, updated or new APP or organisational learning must trigger a policy review.

- Minor amendments that occur prior to the review date such as hyperlink changes or typographic errors that do not affect the application of the policy, can be completed by the Policy and Business Planning Manager, without consultation or FET approval, unless deemed necessary.

- Major amendments to policy that do affect the application of the policy, including the adoption of APP, change in legislation, financial or procedural implications, must be consulted on and referred to FET for approval.

- A Policy Review Form must be completed for all new/reviewed policies by the Strategic Lead.

- The Policy Review Form must clearly document the rationale as to why a new policy is required, or what content has changed if a current policy has been reviewed. This must include the relevant APP or policy links.

- If a policy is no longer required, the Strategic Lead must complete the Policy Review Form documenting the rationale for removal. The Policy Team will then seek approval from the relevant FET Lead prior to removing the policy from the Policy Portal.

- An Equality Assessment (EA) must be considered at the beginning of the policy process and must be completed for all new or reviewed policies.

- Consultation with stakeholders must take place for every new policy, unless not for exceptional reasons from Chief Constable/Deputy Chief Constable.
- Consultation must be completed as part of a policy review or if an amendment is made (which materially changes the policy) outside the review period.
- The consultation process will last 3 weeks, unless specified otherwise.
- All consultation comments will be recorded on a Record of Consultation and sent to the Strategic Lead for consideration. Documentation will be retained within Corporate Development for auditing purposes.
- The Strategic Lead must respond to any consultation comments included on the Record of Consultation.
- The Policy and Business Planning Team must ensure all stakeholders are sent a final copy of the policy and the Record of Consultation (detailing consultation comments and a response from the Strategic Lead).
- If no response is received within the 3-week consultation period, a nil response will be recorded unless specified otherwise.

**Policy Records**

- All policy and associated documentation (live and archived) will be available on the Policy Portal.
- The Policy Portal will be maintained by the Policy and Business Planning Manager/s or a member of Corporate Development.
- The Policy and Business Planning Manager/s will maintain a force record of all policies (draft, live, superseded and withdrawn). This will ensure a corporate policy memory.

## 5. Procedures/ Process/Any Relevant Legislation:

Policy Development and Governance – Procedural Guidance

## 6. Definitions/Acronyms:

**Policy:**

- A high-level statement that establishes the organisation’s position on an issue, describing what the force aims to achieve and why.
- A policy outlines how the organisation intends to conduct services, actions or business and provides a set of guiding principles to help with decision making.
- Where we are defining expected behaviours, standards, actions or processes we must be utilising a policy to do so.
- A policy does not detail the ‘how’.

**Procedure:**

- A procedure outlines a specific set of principles, requirements, measures or steps that are to be followed in order to achieve the aims of a policy – the ‘how’.

**Local Directives/Standard Operating Procedures (SOPs):**

- Written guidance used to clarify specific issues unique to that business area or location.
- Local directives/SOPs will not amend, contravene or duplicate policy and must not use the term ‘policy’.
- Local directives must not be used if the content affects more than one department or location, a policy must be created instead.

**Equality Assessment (EA):**

- Undertaking an EA is a mandatory part of WMP’s decision-making process.
- It aims to determine the impact a project, policy, practice, function or service has on groups who share protected characteristics within WMP and/or the wider community and enable action to be taken if this impact could be negative or discriminatory.
- It also identifies good practice and enables the organisation to retain knowledge and learning of that good practice.
- Equality Assessment must be commenced at the same time as the review or commencement of the writing of the policy as it will inform how that policy is reviewed and written.
- It is more difficult to change a policy after the Equality Assessment is completed if there are unintended impacts discovered that would affect the policy.
- Local Directives/SOPs must be able to demonstrate due regard to the Public Sector Equality Duty, but do not require a full Equality Assessment.

**Version Control:**

- is an auditable record of the history of the policy and its supporting documents. All amendments must be recorded by date, reason for change and authorisation details.

**Authorised Professional Practice (APP):**

- APP is the body of consolidated guidance for policing.
- APP significantly reduces the amount of national guidance in circulation and encourages the use of professional discretion.
- APP streamlines existing knowledge products and guidance into a consolidated online format.

## 7. Related Policies:

N/A

## 8. Publication Instructions:

Suitable for publication to public.

## 9. Policy Information:

**Version:** 1.2

**Initial Policy Implementation Date:** 22/06/2021

**Version Date:** 20/01/2025

**Review Date:** 20/01/2027

**Strategic Lead:** C/Insp [redacted] (Senior Service Improvement Lead)

**Policy Author:** [redacted] (Policy Development Lead)

**Force Executive Approval:** Deputy Chief Constable Scott Green

Any enquiries in relation to this policy should be made directly with the Strategic Lead.

All policies are subject to a formal consultation process which encompasses Legal, Professional Standards, Faith Groups, Trade Unions, Independent Advisory Groups and wider force groups and any other relevant parties. A record of consultation can be found on the Policy Portal.

It is responsibility of the Strategic Lead to ensure that all links within the policy are correct and accessible.

## 10. Monitoring and Review:

| Version | Date Reviewed | No change / Minor Changes / Major Changes (detail) | Amended / Agreed by |
|---|---|---|---|
| 1.2 | 21.10.24 | Changes to process and additional information as a result of policy review. | [redacted] |