

# Victoria Police Manual – Procedures and Guidelines

## Integrity testing

### Source Policy

These Procedures and Guidelines support and must be read in conjunction with the following:

- *Victoria Police Act 2013*
- *Public Administration Act 2004*
- VPMP Complaints and discipline

### Application

Procedures and Guidelines are provided to support the interpretation and application of rules and responsibilities. They include recommended good practices and assessment tools to help employees make lawful, ethical and professional decisions. Employees should use the **Professional and ethical standards** to inform the decisions they make to support interpretation of Procedures and Guidelines.

Procedures and Guidelines are not mandatory requirements on their own. However, where rules and responsibilities state that employees must have regard to Procedures and Guidelines, the Procedures and Guidelines must be used to help make decisions in support of the rules.

### Procedures and Guidelines

## 1. Objectives

Objectives of integrity testing undertaken by Professional Standards Command (PSC) are to:

- test the integrity of employees reasonably suspected of misconduct or corruption
- identify misconduct and corruption involving employees
- enable allegations to be investigated promptly and efficiently
- deter misconduct and corruption
- analyse the appropriateness of systems, processes and procedures to reduce the potential for misconduct and corruption
- increase employee awareness of required ethical standards
- indicate to employees and the community that Victoria Police is actively identifying and preventing misconduct and corruption.

Integrity testing is not intended to identify minor misbehaviour, which would be better addressed by management. Only targeted integrity tests on an employee(s) or workplaces are to be conducted. Random integrity tests will not be undertaken.

## 2. Identification of suspect person or area

An employee or workplace that could be the subject of an integrity test may be identified by:

- information received from any person
- information intelligence reported direct to PSC
- intelligence gathered
- previous suspect conduct of involved employees
- an ongoing investigation.

## 3. Integrity Testing Targeting Committee

The responsibility for the overall governance of the integrity testing process is held by the Integrity Testing Targeting Committee (ITTC). The ITTC is composed of:

- the Superintendent, Support Services Division (SSD) (Chair)
- the PSC Tasking & Co-ordination Inspector (Secretariat)
- the Superintendent Investigations Division
- one of either the Superintendent, Intelligence, Innovation and Risk Division, Taskforce Salus, or the Conduct and Professional Standards Division.

## 4. Planning and approving an integrity test

### 4.1 *Approval*

- Applications to conduct or vary an integrity test must be approved by the ITTC. A number of matters will be considered before approval, including whether the test is lawful, justified, appropriate, not out of proportion to the seriousness of the misconduct or corruption being investigated, and conforms to the principles of natural justice.
- In urgent circumstances, the Assistant Commissioner, PSC may give approval on application by the Superintendent, SSD. Formal approval by the ITTC must follow.

### 4.2 *Planning*

- SSD in consultation with investigators must plan the integrity test and prepare an Operation Order according to **VPMG Operation orders**. Consult relevant experts when preparing the plan.
- The Superintendent, SSD must oversee the operational planning of the test.

## 5. Conducting the integrity test

### 5.1 *Responsibilities*

- The SSD will be responsible for the planning and execution of the integrity test. The Investigation Division will be responsible for the ongoing investigation and any subsequent preparation of briefs resulting from an employee 'failing' an integrity test.
- PSC undertakes approved integrity tests with any required support. PSC also undertake any subsequent arrests and further investigations as required. The integrity test will be completed as per the approved Operation Order with advice and direction being provided by the Superintendent, SSD.
- Consider advising the Regional Assistant Commissioner where any covert operation is likely to conclude in their Region on a particular day.

### 5.2 *Debriefing and post-operation analysis*

- The Superintendent, SSD, or delegate will conduct a debriefing after the conclusion of the integrity test.
- The result of the test will be categorised as follows:
  - Pass – where the employee has acted properly, ethically and has complied with Victoria Police policy and procedures
  - Failed – where an employee, whether the subject of the integrity test or not, has not acted properly or ethically and by their actions has committed a criminal offence or misconduct
  - Inconclusive – where on the evidence available, it cannot be effectively determined whether the employee has passed or failed the test.
- Any identified non-compliance with Victoria Police policy and procedure or other breach of discipline by an employee during the test will be referred to the ITTC for direction unless immediate action is required.

### 5.3 *Final report*

A post operation report must be submitted by SSD to the ITTC for attention.

### 5.4 *Non disclosure of test results*

- An employee who is the subject of an integrity test must not be notified of this fact, unless:
  - they become the subject of a criminal or discipline investigation as a result of that test and the disclosure is a necessary part of the investigation, or
  - by direction of the ITTC.
- No correspondence or reference to a completed Integrity Test is to be supplied to any person including the chairman of any selection panel without the consent of the ITTC.

## 6. Information security and access

### 6.1 *Document security*

Any material, document or thing, electronic or otherwise related to the conduct, method of operation, or recording of an integrity test must be assessed on the merit of the information contained within the document classified in accordance with **VPMP Information categorisation, collection and recording**. This includes the application and the Operation Order for any proposed integrity test.

### 6.2 *Disclosure*

Employees must not disclose any detail, methodology or information in relation to a specific integrity test without authorisation. The Assistant Commissioner, PSC or delegate must authorise the disclosure of information in regard to a specific integrity test.

### 6.3 *Freedom of Information considerations*

Disclosure of the individual methodology utilised in integrity tests would be denied under the exemption provisions of ss.31(1)(d) and 31(1)(e) of the *Freedom of Information Act 1982*. Any application under the Act to access any document is to be referred to the Victoria Police Freedom of Information Office. The Superintendent, SSD must be notified to oversight the application and to provide any necessary advice.

## Further Advice and Information

For further advice and assistance regarding these Procedures and Guidelines, contact your supervisor or your local Ethics and Professional Standards Officer (EPSO).

## Update history

|                            |                                                                                                  |                          |
|----------------------------|--------------------------------------------------------------------------------------------------|--------------------------|
| <b>Date of first issue</b> | 22/02/10                                                                                         |                          |
| <b>Date updated</b>        | <b>Summary of change</b>                                                                         | <b>Force File number</b> |
| 18/01/13                   | Updated to reflect organisational governance and structural changes.                             | FF - 074790              |
| 01/07/14                   | Legislative references updated due to commencement of <i>Victoria Police Act 2013</i> .          | FF - 083217              |
| 02/02/15                   | Changes to include Integrity Testing Targeting Committee and align policy with current practice. | FF – 083217              |
| 07/11/16                   | Minor amendments to references to Support Services Division in Integrity Testing section.        | FF – 083217              |
| 23/09/19                   | Minor administrative amendments                                                                  | FF – 147047              |
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