

**Protocol Between Dover District Council and South East Kent
Police for the Management of Conflict between Authority
Enforcement Staff and the Public.**

Date:

The resources available to the Local Authority and Kent Police are both finite and valuable. It is therefore important that they are used effectively within a system that does not cause them to be abused or used in an inappropriate manner. The enforcement responsibilities of the Local Authority place many of its employees in situations of potential conflict. It is essential that these individuals are properly trained and competent to avoid such conflict and have an understanding of the Police response and judicial processes that will apply when they are involved.

In the event of an employee of Dover District Council being assaulted, abused, or otherwise subjected to crime whilst undertaking their official duties, Dover District Council will further the proper investigation and prosecution of offenders, with the full support of Kent Police. There will always be a presumption to refer cases to the Crown Prosecution Service where sufficient evidence is available.

As employers, Dover District Council has a responsibility for the health and safety of their employees whilst at work. They will provide "conflict resolution" training for vulnerable staff, which is in line with that given to Officers of Kent Police. Through this provision employees will have a greater understanding of the options available and restrictions imposed upon Police Officers and can therefore adopt similar approaches when dealing with potentially threatening situations.

Dover District Council agrees to keep relevant employees informed of the obligations placed upon them by this protocol.

Kent Police agrees to keep all operational Police Officers informed of the obligations placed upon them by this protocol.

Kent Police will respond to calls for assistance by Local Authority employees in the course of their duties for Dover District Council upon whom an attack is being made or to whom serious threats are made. An investigation will be undertaken with a view to seeking a prosecution against the offender.

Kent Police will provide the Council employee with a reference number relating to the call for assistance.

Appropriate Local Authority employees will be trained to make written statements and to collect appropriate evidence in accordance with current legislation to support the Police investigation. Where trained employees have completed written statements in the absence of the Investigating Officer they will be forwarded to Kent Police together with photocopies of any relevant personal notebook entries without delay.

Employees will also be available to attend court in any subsequent hearing. The Police will operate under their normal evidential burden of proof i.e. "beyond all reasonable doubt". If a successful prosecution is brought against the offender, the Crown Prosecution Service will be asked to apply for a Compensation Order in favour of the victim.

Where conflict has occurred, but the Police/Crown Prosecution Service decide not to take the matter further, the Local Authority may consider a civil remedy. This remedy may include the following courses of action.

- A binding over for breach of the peace
- Breach of tenancy agreement
- Injunction relief

In very minor incidents this may amount to a written warning to the offender with records of the incident being retained on file. An offender may also be placed on the Council's Risk Register.

The Local Authority may only consider its own civil action for damages where the Council has suffered some foreseeable injury or loss arising out of the incident.

Kent Police will assist the Local Authority to pursue an appropriate alternative action by disclosing all relevant evidence it has collected during its investigation providing it has the legal authority to do so.

An agreement will also exist for the exchange of information of mutual benefit (in accordance with agreed protocols under the Crime and Disorder Act 1998). From Kent Police perspective, details of stolen vehicles, excise licenses etc. will be passed to the Local Authority for the information of patrolling employees. The Local Authority will highlight to Kent Police, persistent individuals who fail to respond to the parking control procedures for specific targeted activity.

The Kent Police point of contact for all operational matters relating to incidents subject to this protocol will be: The Citizen Focus Inspector, Dover Police Station.

The Local Authority point of contact for matters reported to Kent Police by the Local Authority will be: The Community Safety and Anti-Social Behaviour Manager for Dover District Council.

This protocol provides for a clear understanding between the two organisations for the benefit of all staff involved.

Chief Executive
Dover District Council

Superintendent
South East Kent Police