

# Informal Resolution Process

## Frequently Asked Questions

**Can a matter involving bullying, harassment / discrimination be dealt with via the Informal Resolution Process?**

- A No. These types of allegations should be registered on IPro (the Misconduct Matters Information System) and should be referred to the Assessment & Advisory Unit, Professional Standards Command for advice and guidance.

**What if the misconduct information matter did NOT fit the assessment criteria for Informal Resolution, but after enquiries it now fits. Can I use the process?**

- A No, as resolution/investigation has commenced it must continue until completion.

**What documents are required for the Informal Resolution Process?**

- A Misconduct information document, triage form and Informal Resolution Process Form.

**What documents are uploaded to IPro?**

- A The misconduct information document, triage form and the Informal Resolution Process Form only. Do NOT include/upload any notes taken during the process, as this information is confidential. IPro will only show that misconduct information was received, triaged and declined due to ADR being undertaken.

- N.B. Any statements made by police officers during Informal Resolution are confidential and are inadmissible in civil or criminal proceedings. They may also NOT be used for taking reviewable or non-reviewable action ([s211D Police Act 1990](#)). As such they should not be uploaded to IPro.

**Can a complainant or involved officer get a copy of the Informal Resolution Process form?**

- A Yes, they can have a copy if they specifically request it. However, ensure you comply with [NSWPF Handbook - Records](#).

**Should I document verbal misconduct information that I can resolve using the Informal Resolution process?**

- A No. There is no requirement to document verbal misconduct information unless it involves serious misconduct. Informal Resolution principles can however be used to resolve the matter.

**If I speak with the involved officer, isn't that going outside of triage, meaning that the misconduct information can no longer be declined?**

- A For the purpose of informal resolution only, the involved officer may be spoken to in order to gain their consent to undertake the Informal Resolution process, this is considered to be within the triage process.

**If the triage officer speaks to the involved officer regarding the misconduct information, to gain consent, and the Informal Resolution process is refused by either party, can the triage officer investigate that misconduct information?**

- A Yes. If Informal Resolution is unsuccessful then the matter continues in accordance with legislation and guidelines.

**If the triage officer speaks to the involved officer regarding the misconduct information and the Informal Resolution process is unsuccessful, can the triage officer investigate that misconduct information?**

- A No. Anything said during the process is confidential and cannot be used as part of any management action ([s211D Police Act 1990](#)). For that reason, the misconduct information matters will need to be allocated to a new officer to investigate. That new officer will not be provided any information as to what took place during the unsuccessful Informal Resolution Process.

**If the Informal Resolution Process is unsuccessful, can I use what is said in the process as part of the resolution outcome report?**

- A No. Whatever is said in the Informal Resolution process attempt must remain confidential. ([S211D Police Act 1990](#))

**If the Informal Resolution Process is unsuccessful, and I then allocate it to a different officer for resolution, can I, as the PSDO/triage officer, conduct a quality review of the completed investigation?**

- A Yes.

**What if the involved officer discloses a serious allegation or new misconduct information during the Informal Resolution Process?**

- A Cease the process and end the session. Under [s211D of the Police Act 1990](#) statements made by police officers during ADR procedures cannot be used to take civil or criminal action or as a basis for taking reviewable or non-reviewable action.
- However, under section [211F of the Police Act 1990](#) a police officer is required to report misconduct to a senior officer. In this case, the allegation must be reported and Informal Resolution is no longer appropriate.

**What if they just don't want to sign the Informal Resolution Process form?**

- A Explain the process, and attempt to alleviate their concerns. Otherwise, the process will be considered unsuccessful, and must be reallocated to another officer for other forms of misconduct information handling. Anything said during the process must remain confidential and not be disclosed to the new resolution officer.

**Can Informal Resolution be used for misconduct information with multiple allegations where some fit the assessment criteria and some are more serious?**

- A No. Misconduct information with multiple allegations (which are NOT all suitable for Informal Resolution) cannot be dealt with by this process. For instance, misconduct information that is notifiable and includes an allegation of rudeness.

**Can misconduct information with multiple allegations and involving multiple officers be dealt with under the Informal Resolution Process?**

- A Yes. Only if all allegations fit the criteria to be dealt with under the process eg. customer service matters and rudeness, and the individual officer agrees to participate.

**I need help!**

- A Contact PSC HELP DESK Ph 9355 8370 / EN 48370 or [#PSCHELP](#)