

Police integrity and corruption

Inspection of the British Transport Police

June 2015

© HMIC 2015

ISBN: 978-1-78246-814-1

www.justiceinspectrates.gov.uk/hmic

Contents

To what extent has the force put in place arrangements to ensure its workforce acts with integrity?.....	3
Summary	3
Introduction	6
What progress has the force made in managing professional and personal relationships with integrity and transparency since HMIC’s December 2012 report?	7
What progress has the force made in communicating and embedding ethical and professional behaviour to all staff, including the new Code of Ethics?.....	7
How well does the force proactively look for, and effectively challenge and investigate, misconduct and unprofessional behaviour?.....	10
How well does the force prevent, identify and investigate corruption?.....	13
Summary of Recommendations.....	15

To what extent has the force put in place arrangements to ensure its workforce acts with integrity?

The British Transport Police (BTP) has responsibility for policing Britain's railways across England, Wales and Scotland. It also polices the London Underground, Docklands Light Railway, Midland Metro tram system, Croydon Tramlink, Sunderland Metro, Glasgow Subway and the Emirates Air Line.

There is clear chief officer leadership with good structures, processes and policies in place across BTP to oversee, manage and respond to misconduct and corruption issues. Police officers and staff understand their personal responsibilities and what is expected of them. The force has limited capacity to address proactively or respond to hidden corruption risks and vulnerabilities within the force.

Summary

The chief constable, along with the chief officer team, has undertaken work to promote standards and the Code of Ethics. The chief officer team promotes ethical and professional behaviour across the force using the message 'do the right thing when nobody is looking'. This has helped police officers and staff to understand their personal responsibilities and what the force expects from them.

The force has a number of relevant policies that are clear and understood by individuals. There was, however, a need to improve the way the force monitored gifts and hospitality to reduce the risk of misconduct. The force monitors both social media and force systems to identify misuse and inappropriate behaviour.

The professional standards department (PSD) investigates all public complaints except those of a minor nature. However, through this inspection HMIC identified a significant level of under-reporting of these complaints; this needs to be addressed.

Staff had confidence in the confidential reporting mechanisms in place for them to report wrongdoing. The results of misconduct hearings were not published and the force needed to be more effective in the way it disseminated learning about misconduct and integrity issues.

The force has a clear plan to deal with identified corruption issues and has developed a variety of indicators to profile staff who are at risk of being vulnerable to corruption. The force has undertaken a re-vetting of all staff working for the force resulting in some being identified as vulnerable. Intelligence-led substance testing and integrity testing were used but random substance testing was not undertaken.

While the PSD and counter-corruption unit (CCU) have access to specialist assets if required, they have limited capacity proactively to identify and to respond to possible hidden risks and vulnerabilities within the organisation. There was more that needed to be done to protect investigations of organised crime groups (OCGs) from the risk of being compromised because of corruption.

<p>What progress has the force made on managing professional and personal relationships with integrity and transparency since HMIC's December 2012 report?</p>	<p>What progress has the force made in communicating and embedding ethical and professional behaviour to all staff including the new Code of Ethics?</p>	<p>How well does the force proactively look for, and effectively challenge and investigate, misconduct and unprofessional behaviour?</p>	<p>How well does the force prevent, identify and investigate corruption?</p>
<p>Only one area for improvement had been identified in the 2012 report: this was the business interest and additional occupations policy.</p> <p>This had been reviewed, was up to date and was well understood by staff spoken to as part of the inspection.</p>	<p>The chief officer team ethos of 'do the right thing when nobody is looking' was well promoted throughout the force.</p> <p>The expected standards of ethical and professional behaviour were well understood by all staff who were aware of their personal responsibilities.</p> <p>Initial training on integrity issues is thorough and well understood by staff.</p> <p>There is a structured programme in place to manage integrity issues and a communications strategy was being developed to help embed the Code of Ethics.</p>	<p>The force has a confidential reporting system in which staff have confidence.</p> <p>There was more the force needed to do to improve the way it monitored gifts and hospitality in general to minimise the risk of misconduct.</p> <p>Some processes in place within the force had led to a significant under-reporting of complaints.</p> <p>The force does not publish findings from misconduct hearings</p> <p>The force needs to disseminate learning about misconduct and integrity issues across the force.</p>	<p>The force has good processes in place to manage and react to intelligence on corruption issues.</p> <p>There were good vetting procedures in place and through this vulnerable staff had been identified, particularly those with financial difficulties.</p> <p>The force has limited proactive capacity to identify and respond to possible hidden threats and risks in the force.</p> <p>No random substance testing is undertaken.</p> <p>There is a need to do more to protect organised crime investigations from the risk of corruption.</p>

Introduction

During HMIC's review of police relationships, *Without Fear or Favour*¹, published in 2011, we found no evidence to support the concerns previously raised that inappropriate police relationships represented endemic failings in police integrity. However, HMIC did not give the police service a clean bill of health. We found that few forces were actively aware of, or were managing, issues of police integrity. We also found a wide variation of views across the service about how the police should properly manage their relationships with the media and other organisations. Similarly, we found wide variation across the service in the use of checking mechanisms, and governance and oversight of police relationships.

In HMIC's 2012 progress report, *Revisiting Police Relationships*² we found that, while forces had made some progress, particularly with regard to the implementation of processes and policies to manage threats to integrity, more needed to be done. The pace of change also needed to increase, not least to demonstrate to the public that the police service was serious about managing integrity issues.

This 2014 inspection focuses on the arrangements in place to ensure those working in police forces act with integrity. Specifically, we looked at four principal areas:

1. What progress has been made on managing professional and personal relationships since our revisit in 2012?
2. What progress has the force made in communicating and embedding ethical and professional behaviour to all staff?
3. How well does the force proactively look for and effectively challenge and investigate misconduct and unprofessional behaviour?
4. How well does the force prevent, identify and investigate corruption?

We suggest that this force report is read alongside our national report on integrity and corruption in the police service, *Integrity matters*.

¹ *Without fear or favour: A review of police relationships*, HMIC, 13 December 2011. Available at www.justiceinspectorates.gov.uk/hmic/media/a-review-of-police-relationships-20111213.pdf

² *Revisiting Police Relationships: A progress report* HMIC, published 18 December 2012. Available at www.justiceinspectorates.gov.uk/hmic/media/revising-police-relationships.pdf

What progress has the force made in managing professional and personal relationships with integrity and transparency since HMIC's December 2012 report?

HMIC highlighted one area for improvement (AFI) for the force in the *Revisiting Police Relationships* inspection report in 2012.

The force had not updated its second job policy since 2011 and this remained a point of confusion for staff.

In relation to this AFI, the inspection established that good progress had been made. The force had a current and reviewed policy for business interests and additional occupations which complied with Association of Chief Police Officers (ACPO) guidelines. The policy was readily available and understood by the workforce.

What progress has the force made in communicating and embedding ethical and professional behaviour to all staff, including the new Code of Ethics?

Leadership and governance

The inspection identified that there was clear leadership from the chief constable, who had previously been the deputy chief constable, which addressed the issues of ethical and professional behaviour. Since April 2014, the chief constable has embarked on a series of roadshows, attendance at which is mandatory for all police staff and officers. High standards, acting with integrity and the requirement for a high degree of professionalism were the messages from the chief constable and the chief officer team.

Interviewees stated that the presentations explained the values of the force and the expectation that officers and staff should 'do the right thing when nobody is looking'.

HMIC established that officers and staff were aware of the boundaries of professional behaviour and understood how it affected both the public and their colleagues. Interviewees stated that the force had invested heavily in training, with new police officer recruits undergoing a 19 week induction course, police community liaison officers an 8 week course and special constables, a 2 week course. Throughout the induction courses, standards of behaviour and conduct on and off duty were reinforced. The heads of the PSD and CCU had an input to all the courses.

On its intranet, the force has a policy portal through which all policies can easily be accessed. HMIC was provided with hard copies of a number of the policies owned by the PSD. In particular, there was a single policy on employee conduct and standards of behaviour.

This was current, had been reviewed, and set out further policies on: confidential reporting; business interests and additional occupations; notifiable associations; gifts; gratuities and hospitality; service confidence; and social media.

BTP has a national responsibility for the policing of the rail network and, following a restructure, now has three divisions, each headed by a chief superintendent. Given the size of the force, the visibility of supervision is an issue. The force recognises that there are some weaknesses in frontline supervision and the re-emphasis of ethics and standards. It is in the process of designing a management toolkit in conjunction with other police forces (expected to be ready for dissemination later in 2014) to provide support to supervisors with what is expected from them. The force appreciates the importance of first line supervisors in setting and maintaining standards, and had ensured that numbers had been preserved following the restructure.

The force has an 'integrity through engagement' programme and a linked 'integrity progress plan' to manage ethical issues including the introduction of the Code of Ethics within the force. This plan was provided to HMIC. It was comprehensive and set out the objectives, timescales, updates on actions and who was required to ensure the action was undertaken.

HMIC found that individuals were aware of their responsibility to challenge and report misconduct and unprofessional behaviour. Interviewees explained the options and how, if their supervisor was not available, they would go to a different line manager or use the confidential anonymous reporting system (CARS).

The force uses a variety of data and information from a range of sources including complaints and misconduct, sickness record and vetting to assess whether intervention with an officer or member of staff may be required. This data was weighted according to certain factors and a profile provided to identify risk of vulnerability and corruption. The subject then received a score and was graded (categories A, B and C) to determine the appropriate response. HMIC was shown a hard copy of the matrix relating to notifiable associations which revealed that information provided regarding associations was risk assessed against criteria, and consideration given to whether necessary work was commissioned for intervention at an early stage.

Integrity issues (including misconduct and unprofessional behaviour) are actively monitored by chief officers at governance meetings through the force's integrity and compliance board, which is chaired by the acting deputy chief constable. This allows the board to understand fully the issues and identify the need for action. A representative from the British Transport Police Authority (BTPA) also chairs an audit and risk assurance committee, and a separate people and standards committee. Interviewees stated that the people and standards committee was very intrusive. This committee meets every quarter and is proactive in holding the force to account.

It made unannounced visits to custody suites, and every six months dip-sampled complaint and conduct cases looking at the quality and timeliness of files. This committee provides effective oversight for the BTPA.

Understanding integrity

The force has a policy on gifts and hospitality with a default position that they should not be accepted. If gifts and hospitality are accepted, they are initially recorded in the local policing area gifts and hospitality register, and then forwarded (every quarter) to the PSD which holds and manages the central register. The PSD then presents the register to the integrity and compliance board where auditing takes place. The force publicises the details of gifts and hospitality for chief officers.

HMIC reviewed one local policing area register which showed 21 entries made since May 2014. Of these, 12 were shown as 'nil-value' despite relating to things such as first class train travel vouchers or dinners. The majority of entries related to senior officers; gifts and hospitality received by junior officers and members of staff rarely featured in the register. There were only two entries that were shown as 'declined' and it was not clear if this meant they were refused at the time of offer or not approved following the submission of a report. Furthermore, there was confusion among staff over what gifts should be accepted or declined, and about the process for the recording of gifts and hospitality. The reality checks confirmed this when staff stated they would even decline a cup of tea from local businesses.

Recommendation 1

By the 31 August 2015, the force should ensure that it has a policy which informs staff of the gifts and hospitality that are appropriate to accept, and why. The policy should include the requirement to register the value and description of all gifts and hospitality offered, including those declined. This should be communicated to all staff.

The force had an up to date business interest and additional occupation policy. All applications were submitted to the relevant line manager and then forwarded to the head of PSD. The business interest register is held centrally, overseen by the PSD and a redacted version is available for the public to see on the force website.

Appeals against refused applications are made to the chief constable. The inspection established that rejected business interest applications were not followed up to ensure compliance.

How well does the force proactively look for, and effectively challenge and investigate, misconduct and unprofessional behaviour?

Misconduct and professional behaviour

Misconduct and unprofessional behaviour are considered when making decisions about individuals applying to transfer to specialist roles and for promotion. It was not clear if misconduct and unprofessional behaviour were considered when assessing candidates for the 'fast track' development scheme and Police National Assessment Centre (PNAC) and there was confusion about this among interviewees. HMIC found that the force had recently re-vetted its entire workforce.

HMIC found a close and effective working relationship between the command team and senior leaders within the PSD. The PSD investigates all public complaints and misconduct apart from those assessed as suitable for local resolution, or a minor enquiry that could be handled locally. All complaints were assessed by the appropriate authority (AA) who was the detective chief inspector of the reactive team in the PSD. It was his role, together with the head of the PSD, to ensure that the force treated all staff fairly and equally in terms of how investigations were assessed, recorded, investigated and sanctions imposed. The head of the PSD met every month with his counterpart from human resources (HR) where they discussed individual cases and any issues arising.

HMIC found that the force also operated a 'service recovery procedure' where minor public complaints of dissatisfaction reported directly to officers and not the PSD were dealt with locally. If the public complaint could be resolved within 48 hours to the satisfaction of the complainant, there was no need to record a complaint, but a service recovery email message had to be sent to PSD which recorded it on the Centurion complaint-recording software. As these matters were recorded as miscellaneous files rather than complaint files, they were not recorded as formal complaints under the Police Reform Act 2002. HMIC found that the service recovery procedure was introduced to reduce time spent dealing with low-level public complaints, reduce bureaucracy, and improve public satisfaction. Unfortunately the effect of the service recovery procedure was that a very significant number of public complaints were not recorded and were not accurately represented in the statistical returns to the Independent Police Complaints Commission (IPCC). In 2013/14 the force recorded approximately 410 public complaints. Data provided to HMIC indicated that approximately 320 additional cases should have been recorded.

Recommendation 2

With immediate effect, the force should ensure it records, resolves and investigates public complaints in accordance with the statutory guidance to the police service on the handling of complaints.

The force has a confidential anonymous reporting system (CARS) for staff to report wrongdoing, which is administered by a third party. Interviews established that staff had confidence in the system and that it was being used. The inspection established staff felt confident to report misconduct and unprofessional behaviour by individuals or groups and that they would receive the necessary support.

The force responded to reports of wrongdoing by staff in an effective and timely manner, particularly when it came to public complaints.

HMIC found that the force no longer published the outcomes of misconduct hearings, missing the opportunity to highlight what is unacceptable behaviour and how it will be dealt with.

Recommendation 3

With immediate effect, the force should publish to all staff the outcomes of misconduct hearings. This should include sufficient circumstances of the conduct to allow staff to understand the boundaries of unprofessional behaviour and the sanctions it is likely to attract.

Professional standards training and resourcing

The head of PSD is a detective superintendent who is supported by two detective chief inspectors, one of whom has the responsibility for the proactive teams and the other, the reactive investigative teams. The PSD organisational chart showed a blend of police officers and police staff, and numbers that were adequate to enable an investigative capability. Staffing levels meant the team was able to respond to reports of misconduct, but had limited proactive capacity to seek out actively hidden areas of vulnerability and risk within the force. The police staff were appropriately designated and trained, but there was no national accreditation. The force has written agreements with the Metropolitan Police and certain other forces to obtain additional staff if required.

The force PSD and CCU staff did not receive regular training specifically for their roles, but the inspection established that the CCU staff were very skilled, trained and experienced in general detective work. Apart from the detective inspector head of CCU, they had not received specific training in anti-corruption matters or intelligence-led investigative procedures. They relied instead on the knowledge of the detective inspector and their collective experience, plus the links to experts in other neighbouring police forces.

HMIC was concerned that there was an over-reliance on this one member of staff, and on other forces. HMIC believes that the force should send investigators on the College of Policing bronze anti-corruption course and ensure there is succession planning in place to identify the right staff for the future.

The force makes sure that misconduct hearings are conducted to ensure transparency, effectiveness, efficiency and legitimacy. Each hearing has an appropriately experienced presiding officer. This is achieved by appointing a single assistant chief constable as chair of misconduct hearings to provide consistency. The force makes sure the chair is independent of the person investigated. Misconduct hearing panels also have a lay member and there was appropriate advice and guidance for the presiding officer and the panel. All decisions were reviewed by the acting deputy chief constable, including those concerning suspension, resignation and retirement. The force has made appropriate use of fast-track dismissal of officers and staff.

Quality assurance

The people and standards committee and the force integrity and compliance board ensured that, at a strategic level, investigations were justifiable and dealt with at the right level. In relation to the day to day operational perspective, governance was provided through senior management team meetings where cases could be escalated or de-escalated.

There was a process to capture and record learning and disseminate it to the force, but this was not effective. This communication included bulletins from the PSD and the force intranet being used to communicate some learning. Interviewees stated that investigations were debriefed, but there were issues with the dissemination of learning to officers and staff as this was not considered effective. At the time of the inspection, a detective sergeant had been tasked with this and the force had confirmed in its business plan for 2014/15 that it would specifically recruit an additional member of staff within PSD to fill this role.

How well does the force prevent, identify and investigate corruption?

Corruption investigation

The force regularly, proactively and effectively identified and managed threat, risk and harm from corruption as part of a governance structure which included the assessment of risk, proactive action to mitigate risk, and monitoring procedures in which actions were tracked and action owners held to account. The inspection found that the force had a strategic assessment from which a control strategy had been developed. The control strategy was managed through a regular tasking and co-ordination meeting previously held every eight weeks but recently changed to every four weeks.

HMIC found that the force proactively identifies individuals or groups vulnerable to corruption using a number of means including the subject intervention matrix. The criteria for inclusion of an individual on this matrix were 2 complaints in 12 months, or through ad hoc referrals that indicated a need for a person to be included. To protect the integrity of intelligence received, the CCU had a stand-alone secure intelligence system.

The PSD organisational chart showed that vetting was line managed by the proactive investigation team detective chief inspector. HMIC found a close working relationship with good information sharing taking place between the CCU and the vetting unit. The force complied with national vetting arrangements and identified corruption risks at the recruitment stage for officers and staff. It also undertook checks of candidates for promotion to senior ranks or postings to sensitive roles. The force has re-vetted all staff; this included a self-declaration concerning notifiable associations and this is now reviewed annually.

Interviews identified that the force did have software to monitor the use of force computer systems. There were issues about the reliability of the system and these were being addressed. The media and marketing department was responsible for monitoring social networking sites and had software where all contact with media outlets is also recorded.

The force has a current and up to date substance misuse policy but, while the force used with-cause substance testing and intelligence-led integrity testing to identify corruption, it did not carry out random drug testing. This is a preventative opportunity that the force is not taking to identify vulnerability and corruption and safeguard its workforce.

HMIC found that the head of the CCU had meetings with the force organised crime team, but the force lacked a structured approach to ensure organised crime investigations were safeguarded from corruption.

There was a lack of understanding by those spoken to of the role of an operational security officer (OpSy). This, in turn, identified the need for the force to satisfy itself that it has in place effective processes to reduce the risk of corruption from serious and organised crime.

Recommendation 4

With immediate effect, the force should ensure it has effective processes to minimise the risk of compromise to investigations into serious and organised crime.

Intelligence

The CCU has the capability to conduct analysis of intelligence. The procurement department also analyses trends in relation to contracts and spending to identify patterns of unusual spending. The strategic assessment and associated control strategy sets out the plan that the force uses to identify and manage threats from corruption. The PSD integrity progress plan also assists because it is a standing item at the integrity and compliance board where issues could be raised and reviewed.

The inspection established that the force effectively identified cases where there were multiple suspects, and multiple offences perpetrated by a single suspect. Interviewees stated that the intelligence development officers and analyst were aware of the potential for there to be multiple suspects during any investigation.

Capability

The CCU investigative team consisted of a detective sergeant and two detective constables. They were supported by the CCU intelligence team which consisted of a detective sergeant, three intelligence development officers and an analyst. HMIC found that the PSD and the CCU had ready access to specialist assets when required. BTP had arrangements in place where local, regional and national assets were available to support investigations. The CCU had a very good relationship with the Metropolitan Police directorate of professional standards together with the City of London Police who provide support if required.

HMIC found staff within the CCU to be competent, keen and enthusiastic. They appeared to have a firm grip on the output from the unit. There was sufficient capacity to deal reactively with the flow of intelligence within the CCU. However, there was evidence that there is only limited capacity to provide a greater proactive element, and where there are two live investigations running, the CCU would have to rely on another force or a regional unit.

The performance of the PSD and CCU was monitored by the force and included the timeliness and quality of investigations, decision making, outcomes and appeals. Actions were tracked and action owners held to account. This included referring cases to the IPCC in accordance with the statutory guidance.

The head of the CCU is a detective inspector who has a clear and direct reporting line to the head of the PSD and the acting deputy chief constable. There was close working relationship within this structure with regular meetings and short notice access to discuss relevant matters.

Summary of Recommendations

- 1. With immediate effect, the force should ensure it records, resolves and investigates public complaints in accordance with the statutory guidance to the police service on the handling of complaints.**
- 2. With immediate effect, the force should publish to all staff the outcomes of misconduct hearings. This should include sufficient circumstances of the conduct to allow staff to understand the boundaries of unprofessional behaviour and the sanctions it is likely to attract.**
- 3. With immediate effect, the force should ensure it has effective processes to minimise the risk of compromise to investigations into serious and organised crime.**
- 4. By the 31 August 2015, the force should ensure that it has a policy which informs staff of the gifts and hospitality that are appropriate to accept, and why. The policy should include the requirement to register the value and description of all gifts and hospitality offered, including those declined. This should be communicated to all staff.**