



Inspecting policing
in the **public interest**

Police Integrity and Corruption

Leicestershire Police

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

There is clear leadership from the chief constable who has set the tone in relation to standards of behaviour and professionalism using the 'Our duty' statement of values and standards. Most supervisors and line managers are positive role models, encouraging professional behaviour. Staff are prepared to challenge inappropriate behaviour and feel the organisation will support them when doing so, although some are concerned that they would not be supported by colleagues. The counter-corruption unit lacks a proactive capacity and the force vetting process needs strengthening.

Summary

There is clear leadership from the chief constable who has set the tone in relation to standards of behaviour and professionalism using the 'Our duty' statement of values and standards. Most supervisors and line managers are positive role models, encouraging professional behaviour. Staff are prepared to challenge inappropriate behaviour and feel the organisation will support them when doing so, although some are concerned that they would not be supported by colleagues.

Policies have been developed around business interests and gifts and hospitality, and staff have a knowledge of these policies. The force does not cross-check chief officers' diaries or gifts and hospitality against the procurement register.

The police and crime commissioner (PCC) conducts dip samples of closed public complaints every three months. There is detailed assessment of misconduct cases, which leads to a proportionate investigation and general confidence across the force that cases and hearings are handled fairly.

The professional standards department (PSD) lacks capacity and work is not being completed in a timely manner. The PSD is involved in some training to prevent misconduct and protect staff from corruption, making use of the Independent Police Complaints Commission's (IPCC's) *Learning the Lessons* publication. Information on sanctions imposed on those who have behaved inappropriately is published for staff.

The force monitors social networking sites but it does not routinely monitor staff members' personal social media. Random and 'with cause' drug testing and intelligence-led integrity tests are carried out. There is some proactive gathering of intelligence but capacity within the counter-corruption unit (CCU) means this is limited. There are low levels of intelligence being generated in relation to corruption. The CCU enjoys a positive working relationship with surrounding police forces and the National Crime Agency (NCA), and can call on these to provide specialist resources, such as surveillance, when required.

The force is working to meet the required national standards for vetting but has not yet achieved this.

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

HMIC highlighted five areas for improvement in the December 2012 report.

1. Keeping staff up to date and aware of policy changes in relation to business interests, notifiable associations, and gifts and hospitality.

The force has been effective in making staff aware of its policies in relation to business interests, and gifts and hospitality. However, staff are not clear regarding the recording of declined gifts.

2. Development of policy in relation to dealing with the media.

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

There is clear leadership from the chief constable and his command team who proactively set the tone in relation to setting standards of behaviour and professionalism.

Individuals understand personal responsibilities and how to report wrongdoing.

The plan to implement the Code of Ethics is low key because the force already has a strong ethical code in place.

There is a media policy and staff are generally aware of the responsibility to report certain associations.

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

There is a detailed assessment of misconduct cases leading to proportionate investigations. There is confidence across the force that cases and hearings are handled fairly.

The professional standards department (PSD) does not have the capacity to deal with its workload. Timeliness of investigations is poor.

The force publishes sanctions imposed on its staff for inappropriate behaviour.

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

There are gaps in intelligence gathering and, while the counter-corruption unit (CCU) has staff with the right skills and experience, it does not have the resources to be proactive.

The force does not effectively minimise the risk of corruption caused by criminal gangs and can do more to protect organised crime operations.

The force monitors social networking sites through the corporate communications department. It seeks to identify groups of staff vulnerable to corruption but these

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

The force has updated and published a new policy that deals with relationships with the media.

3. Monitoring social networking sites.

Although the force does not monitor personal social networking sites of staff, it does monitor force networking sites to ensure appropriate use, and it has dealt previously with allegations of inappropriate use.

4. Implementing an electronic gifts and hospitality register.

The force now has a central electronic register for gifts and hospitality.

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

There is a good level of understanding in relation to secondary employment and businesses. Staff are clear about the need to record gifts, gratuities and hospitality that have been accepted, but less clear about the need to record those that have been declined.

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

The force makes use of the learning that can be derived from cases but this does not always reach frontline officers.

The force does not fully comply with the national vetting recommendations.

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

assessments are not conducted regularly.

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

5. Cross-referencing the gifts and hospitality register against the procurement register to ensure transparency.

The force does not cross-check gifts and hospitality with procurement to ensure transparency.

6. Ensuring that staff are aware of policy changes more generally.

Force policies dealing with integrity issues are published through the intranet and on posters and notices around police stations. Staff have a good level of knowledge of their content.

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

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

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

The force/constabulary in numbers

Complaints

Total public complaints against officers and staff,
12 months to March 2014

612

Total public complaints against officers and staff,
12 months to March 2014, per 100 workforce

17.6

Total public complaints against officers and staff,
per 100 workforce – **England and Wales**

15.7

Conduct

Total conduct cases against officers and staff,
12 months to March 2014

71

Total conduct cases against officers and staff,
12 months to March 2014, per 100 workforce

2.0

Total conduct cases against officers and staff,
per 100 workforce – **England and Wales**

2.6



Business interests

Applications in 12 months
to March 2014

152

Approvals in 12 months
to March 2014

145



Resources

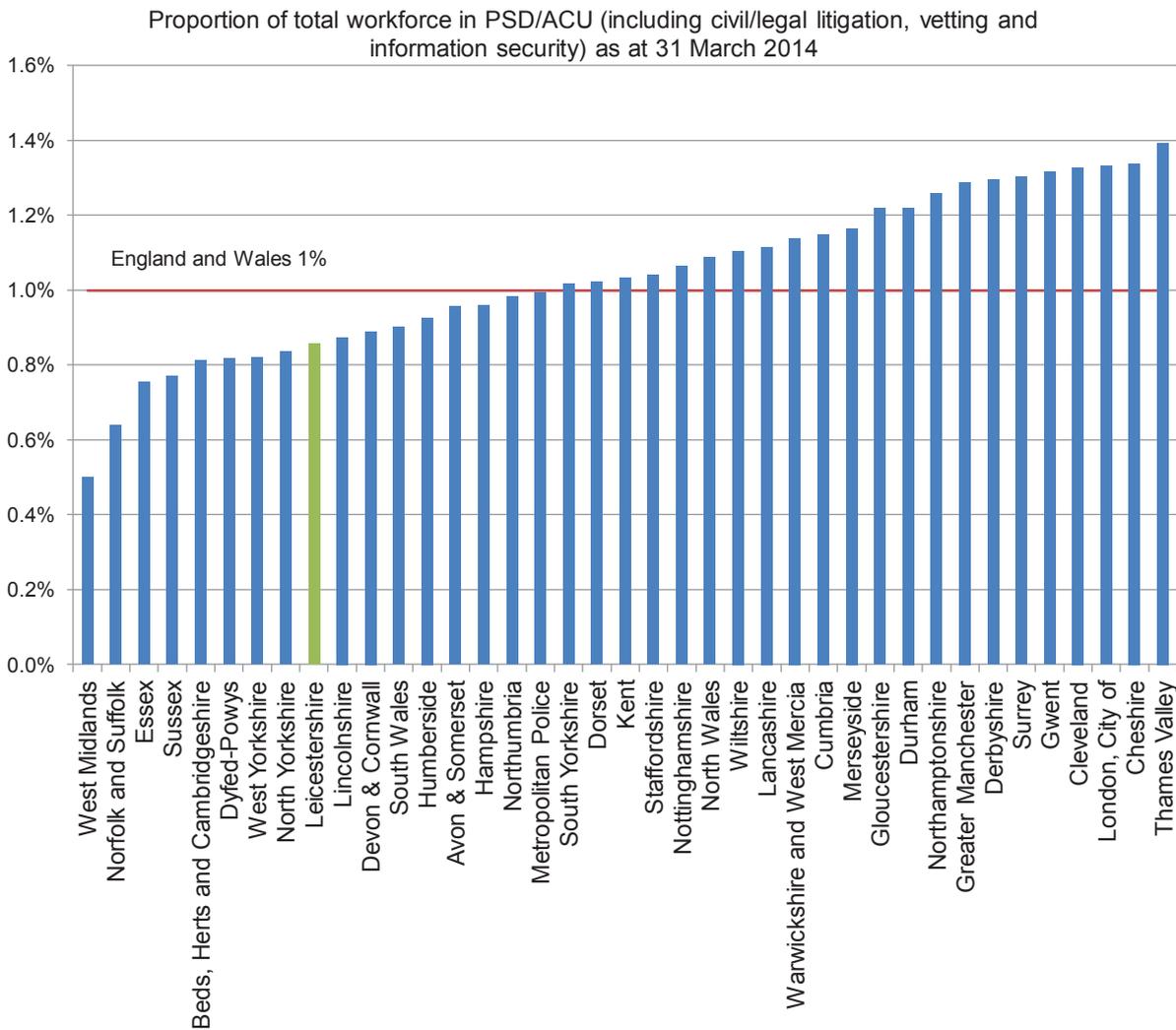
Proportion of workforce in
PSD/ACU

0.9%

Proportion of workforce in
PSD/ACU
– England and Wales

1.0%

Information above is sourced from data collections returned by forces, and therefore may not fully reconcile with inspection findings as detailed in the body of the report.



The chart above is only indicative of the proportion of force's workforce that worked in professional standards or anti-corruption roles as at the 31 March 2014. The proportion includes civil/legal litigation, vetting and information security. Some forces share these roles with staff being employed in one force to undertake the work of another force. For these forces it can give the appearance of a large proportion in the force conducting the work and a small proportion in the force having the work conducted for them.

Introduction

During HMIC's review of police relationships, published in 2011 as *Without fear or favour*¹, we did not find evidence to support previous concerns 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 across the service in the levels of understanding of the boundaries in police relationships with others, including the media. Similarly, we found wide variation across the service in the use of checking mechanisms, and governance and oversight of police relationships.

During 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 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?

In May 2014, the College of Policing published a Code of Ethics for the police service³. As our inspections in forces started in early June 2014, it is unrealistic to expect that, at the time of the inspection, forces would have developed a full, comprehensive plan to embed the code into policies and procedures. We acknowledge that this is work in progress for forces and our inspection examined whether they had started to develop those plans.

A national report on police integrity and corruption will be available at www.justiceinspectors.gov.uk/hmic/ in early 2015.

1 *Without fear or favour: A Review of Police Relationships*, HMIC, London, December 2011. Available from www.justiceinspectors.gov.uk/hmic/media/a-review-of-police-relationships-20111213.pdf

2 *Revisiting police relationships: A Progress Report*, HMIC, London, December 2012. Available from <http://www.justiceinspectors.gov.uk/hmic/media/revisiting-police-relationships.pdf>

3 *Code of Ethics – A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales*, College of Policing, Coventry, July 2014. Available at <http://www.college.police.uk>

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

HMIC highlighted six areas for improvement for Leicestershire Police from the 2012 inspection report:

- Keeping staff up to date and aware of policy changes in relation to business interests, notifiable associations, and gifts and hospitality.
- Development of policy in relation to dealing with the media.
- Monitoring social networking sites.
- Implementing an electronic gifts and hospitality register.
- Cross-referencing the gifts and hospitality register against the procurement register to ensure transparency.
- Ensuring that staff are aware of policy changes more generally.

In relation to the first issue, the force has written a clear and well-publicised policy in relation to gifts and hospitality, business interests and notifiable associations. The force has made good progress with this area for improvement.

In relation to the second issue, a media policy has been developed and publicised. The force has made good progress with this area for improvement.

In relation to the third issue, the force monitors social networking sites through the corporate communications department and deals with breaches through the PSD. The force does not monitor the personal social networking sites of its staff. The force has made limited progress with this area for improvement.

In relation to the fourth issue, the force has implemented an electronic gifts and hospitality register. The force has made good progress with this area for improvement.

In relation to the fifth issue, the force still does not cross-reference the gifts and hospitality register with the procurement register. The force has made no progress with this area for improvement.

In relation to the sixth issue, policy changes are publicised throughout the force via the intranet and through posters and notices, as well as through the chief officer blogs. The force has made good progress with this area for improvement.

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

There is strong evidence of leadership from the chief constable and he regularly makes clear statements about his values in interactions with staff. He routinely promotes the force's 'Our duty' statement, which clearly sets out his expectations regarding ethical behaviour and professionalism. The chief constable publishes a weekly blog in which the theme of integrity is evident. He has moved the force away from a target-based performance approach to create a climate of ethical behaviour and challenge.

Staff have a good understanding of the boundaries of unprofessional and professional behaviour and demonstrate a good level of understanding of the potential impact of both types of behaviour on the public and on their colleagues.

Ethical and professional behaviour has been incorporated into relevant policies and procedures, including the business interest and notifiable associations policy. Staff have an understanding of these policies, which have been publicised across the force. While not all staff know the detail of these policies, most have indicated that they would go to their supervisor and tell them of any relevant association, or if they wanted to start a business outside their work in the force.

There is evidence that some but not all leaders, including first-line supervisors, lead by example and demonstrate their personal commitment to ethical behaviour. Training has recently been provided to supervisors, covering how to deal with unprofessional behaviour and how to challenge staff appropriately. This training has been well received.

The force's plans to communicate and implement the Code of Ethics are sufficient because it already adopts an approach that is compliant. The Code was emailed to all staff to coincide with its launch by the College of Policing, along with messages from the chief constable and police and crime commissioner (PCC).

Staff are aware of their responsibility to challenge and report misconduct and unprofessional behaviour, but they do not have complete confidence that their peers would be supportive of those who report wrongdoing.

There is a notifiable association and media relationships policy outlining the obligation to declare any change in circumstances in an officer's or staff member's personal associations and relationships. Notifications are reviewed and acted on appropriately. Briefing on notifiable associations has not been provided to all staff, but it is available on the force's intranet and staff are broadly aware of their responsibilities in this area.

Officers and staff are aware of the National Decision Model (NDM) and use it in their day-to-day business. While most officers have received some training on the NDM and understand its application, police staff have not received any routine training on it, although it is explained to police community support officers (PCSO) on their first joining the force.

Training on ethical and professional behaviour has been provided to all staff using an e-learning package. The force has started providing some training to sergeants on how to deal with ethical and integrity issues, but there are gaps in the force's understanding of the impact of this training.

Leadership by chief officers on integrity issues (including misconduct and unprofessional behaviour) is clear, visible and recognised by staff. The force uses a number of means to communicate with its staff (for example, the force publication, *County News*, and by sending out messages on a video box through the force's intranet).

Chief officers provide sufficient information to the PCC to enable scrutiny on integrity issues. The PCC visits the professional standards department (PSD) and dip samples misconduct cases on a random basis; he has challenged some of the decisions that have been made.

There is an established governance programme in relation to the management of misconduct and unprofessional behaviour. Chief officers actively and regularly monitor matters at governance meetings in a way that allows them to fully understand the issues and identify any required action.

The deputy chief constable (DCC) chairs the operational risk and reputational board where issues relating to integrity are discussed. Both assistant chief constables sit on the force's board for managing strategic operational risk. Relevant integrity and professionalism issues from these groups are fed into a lessons learned group, chaired by the head of the PSD. The force has an integrity development plan that sets out specific objectives and identifies those responsible for particular actions, although there are no specific timescales in the plan.

Policies or guidance clearly explain the meaning of misconduct and unprofessional behaviour, and describe acceptable boundaries of conduct and what is expected of staff in their private and professional life. The force has a process in place to review policies on a bi-annual basis; HMIC found all policies were up to date at the time of our inspection.

Understanding integrity

The force has not conducted survey work to establish understanding within the workforce on how integrity issues affect public trust.

The force has a policy on the acceptance of gifts and hospitality. The policy states that details of all occasions when officers and staff are offered gifts or hospitality should be recorded in a central gifts and hospitality register, including cases in which the offer of gifts or hospitality is declined. The number of records of gifts and hospitality is low compared with other forces, but there is no evidence to suggest that gifts or hospitality are being accepted without being declared. However, staff are unclear or unaware of the need to record occasions when hospitality has been declined. Expenses incurred on force credit cards are reviewed by the counter-corruption unit (CCU) but there is no cross-checking of senior officer diaries against the gifts and hospitality register. The head of the CCU indicated that there have not been any occasions when it has been necessary to challenge an entry on the gifts and hospitality register.

Recommendation

Within six months, the force should ensure that it has communicated to all staff the requirements to comply with the gifts and hospitality policy.

Details of all occasions when officers and staff have applied for authorisation for a business interest, secondary employment or membership of an organisation are recorded in a central register, which includes entries for those applications that are refused. These records are regularly audited. Reviews of authorised applications take place yearly as part of an officer's or staff member's personal development review process. Rejected business interest applications are followed up to ensure the rejection is being complied with, when intelligence or information is received suggesting such follow-up is necessary.

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

Misconduct and unprofessional behaviour

Misconduct and unprofessional behaviour are considered when the force makes decisions on applications for the police national assessment centre (PNAC) courses, the fast-track development scheme, the transfer of officers to specialist roles and the promotion of officers to some, but not all, positions. The force has a number of temporary promoted ranks and vetting is not completed for such posts. Staff who transfer in or out of the force are also subject to vetting, but when officers or staff are transferred within the force (without being promoted) checks are not routinely carried out.

Misconduct investigations are assessed, conducted and recorded to ensure that all staff, irrespective of rank or role, are treated fairly and equally. Staff involved in misconduct meetings and panels are appropriately trained.

The force has policy for the reporting of wrongdoing called 'Bad apple', and staff know of the policy and processes by which they can report concerns. The force has gone to efforts to ensure that staff feel supported in reporting wrongdoing. However, some staff remain fearful of adverse consequences if they do report such behaviour.

The force does not respond to public complaints of wrongdoing by staff in a timely manner. Local policing command supervisors carry out the investigations, with support from the PSD. Some of the local policing supervisors feel they are poorly equipped, and not sufficiently trained, to deal with this work. They also stated that the PSD often sends reports back to supervisors for reworking, thereby prolonging the case being concluded. This has slowed down the process of resolving complaints. However, the force has a low rate of upheld appeals.

The force publishes data and information in relation to the gifts and hospitality register, covering all officers and staff and including accepted and rejected offers; the expenses of senior officers and police staff equivalents; the register of business interests; and the outcomes of misconduct hearings. Most of these are published through the College of Policing website.

HMIC found that cases are appropriately referred to the Independent Police Complaints Commission (IPCC), and that the IPCC statutory guidance is followed. There are good relationships with the IPCC and if there is any doubt about an issue a referral is made to them.

The force actively uses the IPCC bulletin to disseminate learning, publishing this document on the intranet. Staff indicated that the messages contained in the bulletin are not getting to frontline staff in a consistent manner, and the force does not actively encourage or collate responses to it.

Professional standards training and resourcing

Members of staff in the PSD and CCU have received some training for their role but this is not provided regularly. CCU staff are selected because of their experience as investigators, PSD staff have completed the PSD investigators' course, and all staff from these units are trained in undertaking interviews. The force intends to ensure that managers within the department complete the senior investigating officers' development programme.

Succession planning, to make sure that the right staff are in place if someone leaves, does not take place to ensure consistency in either the PSD or the CCU. The force has supplied detectives to the East Midlands Special Operations Unit (EMSOU) and this has reduced the number of detectives available for the PSD and the CCU. There has been a lack of consistency in the senior management of the PSD and the CCU, and this has been recognised by the force.

The PSD is not sufficiently resourced to undertake proactive and preventative activity, and complaints are not always being investigated in a timely manner. Some work that should be being carried out by the PSD is currently being dealt with elsewhere as a result of inadequate resources in the department. This issue is exacerbated by the fact that the force is currently undertaking a significant number of enquiries for another force. The head of the PSD has submitted a business case for an increase in staff and a restructure, and this has been agreed by the force change board. The increase in staff will provide additional investigative capacity and capability, while the restructuring of the department will have a clearer demarcation between assessment, support and investigation.

Misconduct hearings are structured so as to ensure transparency, effectiveness, efficiency and legitimacy, and hearings are conducted in line with police (conduct) regulations. Hearings and panels are conducted by an appropriately qualified presiding officer, who is independent of the person being investigated. Staff running misconduct panels are appropriately trained.

Quality assurance

The force regularly audits decisions regarding allegations of misconduct or professional behaviour against officers or staff in hearings or meetings. The PSD holds meetings with the legal services team at which gross misconduct cases, and other cases coming up for hearings, are reviewed. All investigations are reviewed at the end of proceedings.

Audits take place regularly to ensure that investigations are justifiable and that they are dealt with at the right level. HMIC's dip sample of case files found that some of the files lacked a meaningful investigation plan, making effective review very difficult.

The force does monitor the timeliness and quality of all investigations conducted in relation to officers and staff, whether they are carried out by the PSD or another department such as human resources (HR) or a local policing command. However, cases sent out to the local policing commands for investigation by the PSD often come back late and many are not investigated to the standard required by the department. This leads to their being sent back for additional work, which adds to the delays. Cases sent out to the local policing commands for investigation by the PSD often come back late and many are not investigated to the standard required by the department. This leads to their being sent back for additional work, which adds to the delays.

The force does not have a policy on suspension, resignation and retirement during investigations. While it recognises that there is nothing it can do to prevent a member of staff resigning during investigation (unless they are suspended), the deputy chief constable will not accept a resignation immediately prior to a disciplinary hearing. Suspension decisions are made by the DCC. Each case is judged on its own merits and in accordance with police regulations.

Recommendation

Within six months, the force should publish a policy that clarifies the position on suspension, resignation and retirement of officers under disciplinary investigation.

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

Corruption investigation

The force seeks to identify staff or groups vulnerable to corruption by, for example, profiling officers and staff who may face debt problems, but these assessments are not undertaken regularly. The counter-corruption unit (CCU) has access to an analyst but there is no dedicated intelligence cell in the force. Staff from the CCU do not attend and do not have links with the organised criminal group meetings, which are currently held on a regional basis. As a consequence, the CCU is unaware of any risks or threats to future covert operations.

The force collaborates regionally in relation to providing staff to the East Midlands Special Operations Unit (EMSOU). There are protocols in place for reactive investigations but no process for proactive work by the Leicestershire CCU in respect of Leicestershire staff posted to the EMSOU. There is also an issue when staff from more than one force might be involved in the same disciplinary investigation but subject to differing force policies while being investigated and so may be treated differently. HMIC considers that these identified issues should be addressed regionally.

Recommendation

Within six months, the force should work with the EMSOU to ensure that there are proactive counter-corruption processes in respect of all staff posted to the EMSOU.

Vetting arrangements do not comply with the national standards. Over 60 percent of the workforce in Leicestershire Police has not been vetted at the right level. There is no routine review of vetting because of a lack of capacity. Vetting is carried out again on promotion to senior ranks or on posting to sensitive or vulnerable roles, but temporary promotions are not vetted. The force is considering an increase in the number of staff made available to conduct vetting. In 2015, a new vetting code will be produced by the College of Policing, and the force will need to ensure that it is prepared to comply with the conditions of that code.

The force has a policy on the use of social media, and this has been publicised. It monitors force systems and has recently started using a software monitoring system to assist in this work. It takes proportionate action when appropriate. The corporate communications department monitors the force's social media accounts.

The force does not carry out audits of senior officers' diaries against the gifts and hospitality register and expenses claims, nor are there any plans to start doing so. The force has developed a joint audit plan with the police and crime commissioner (PCC) to check the spending on force credit cards.

The force uses random and 'with cause' drug testing and the results of these tests are circulated to the workforce. Staff are positive about the force's approach to random drug testing, which is done on a quarterly basis.

The force does not take appropriate measures to ensure that organised crime investigations are not compromised, or that the risk of compromise in planned operations is minimised. As a result, there is a lack of knowledge about the risks that might be associated with future operations.

The force ensures the effective security of systems, exhibits and case papers.

Intelligence

There is limited analytical, research and intelligence development capacity within the CCU. Use is made of intelligence from the 'Bad apple' process and actions taken are reviewed by the detective chief inspector in the CCU. The head of the CCU undertakes a bi-weekly review of work being undertaken by the unit. The force has made some use of covert human intelligence sources for reporting on staff. It was able to give an example of when this had resulted in wrongdoing being identified and dealt with appropriately.

The force is able to identify multiple suspects and multiple offences by a single suspect using a computer software system that scans across force systems and flags up notifiable associations.

Capability

The PSD and CCU have access to the force's specialist resources, such as the surveillance teams, and also to the National Crime Agency and EMSOU surveillance resources through a regional tasking and co-ordinating process.

While there is a good range of skills and qualifications within the CCU, and members of staff are enthusiastic and wanting to do more, there is insufficient capacity to provide an effective proactive capability.

Recommendation

Within six months, the force should ensure that it has the proactive capability to effectively gather, respond to and act on information that identifies patterns of unprofessional behaviour and corruption.

The performance of the PSD and CCU is regularly monitored by the force, which looks at the timeliness and quality of complaints handling, investigations, decision making, outcomes and appeals. The heads of the PSD and CCU have a clear and direct reporting line to the chief officer lead.

The force ensures that lessons are learned and disseminated to officers and staff effectively.

Recommendations

- **Within six months, the force should ensure that it has communicated to all staff the requirements to comply with the gifts and hospitality policy.**
- **Within six months, the force should publish a policy that clarifies the position on suspension, resignation and retirement of officers under disciplinary investigation.**
- **Within six months, the force should work with the EMSOU to ensure that there are proactive counter-corruption processes in respect of all staff posted to the EMSOU.**
- **Within six months, the force should ensure that it has the proactive capability to effectively gather, respond to and act on information that identifies patterns of unprofessional behaviour and corruption.**