



Inspecting policing
in the public interest

Police Integrity and Corruption

Durham Constabulary

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

There is strong and visible leadership from the chief officer team, promoting high standards of ethical and professional behaviour. Training is provided to staff to encourage a climate in which professional behaviour is encouraged and valued. Members of staff feel supported and have the confidence to challenge inappropriate behaviour. The constabulary investigates allegations of misconduct and corruption effectively but improvement is needed in managing intelligence to protect the organisation from corruption. The force has made good progress on the recommendations from the 2012 HMIC report.

Summary

There is strong and visible leadership from the chief officer team, promoting high standards of ethical and professional behaviour. Training is provided to staff to encourage a climate in which professional behaviour is encouraged and valued. Members of staff feel supported and have the confidence to challenge inappropriate behaviour. The constabulary investigates allegations of misconduct and corruption effectively but improvement is needed in managing intelligence to protect the organisation from corruption. The force has made good progress on the recommendations from the 2012 HMIC report.

The chief constable and deputy chief constable provide clear and effective leadership in promoting professional behaviour. Staff are supported in challenging unprofessional behaviour and have access to confidential reporting systems. Force policies include express reference to integrity matters and these are kept up to date. The workforce receives training about integrity and ethics, some of which is personally led by the deputy chief constable and integrity issues are considered in the context of promotions and specialist posts.

The constabulary has identified threats and risks from corruption, and has an effective action plan. Monitoring of force systems is limited, however, the force conducts random drug testing to identify substance abuse. The professional standards department (PSD) and counter-corruption unit investigation (CCIU) staff are trained and effective but there is a need to standardise the way intelligence is managed and to more effectively ensure the security of sensitive operations.

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

There was one area for improvement from the 2012 report, relating to the use of social media. Good progress has been made in this area.

Force policy has been refreshed and is awaiting final sign-off before being adopted.

Software has been purchased that will allow monitoring of the use of social media by members of staff.

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 officer team, promoting high standards of ethical and professional behaviour.

The force has governance arrangements in place to manage integrity issues and the introduction of the Code of Ethics but does need to ensure that this is up to date.

Information is provided to the public about integrity matters.

The force has delivered a good level of training to staff about integrity related matters.

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

Misconduct issues are considered as part of promotion decisions and during the selection of staff to specialist posts.

All staff working within PSD receive a good level of training.

Investigations carried out by PSD are timely. Evidence from a dip sample of cases demonstrated a high standard of investigation.

PSD decisions and investigatory procedures are audited to ensure consistency and fairness throughout and to ensure that any learning is captured.

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

The constabulary has a counter-corruption and integrity plan which helps it to manage threats to the organisation.

The force has a limited capability to monitor its systems for signs of misuse but software is being purchased to address this.

The force needs to publish the results of its randomised substance misuse testing.

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

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 need to develop auditing processes to monitor the gifts and hospitality of chief officers and cross check this against other related registers or diaries.

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 counter-corruption investigation unit (CCIU) has established ways of ensuring access to additional resources and skills if required.

The force/constabulary in numbers



Complaints

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

247

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

11.4

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

22

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

1.0

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

2.6



Business interests

Applications in 12 months
to March 2014

155

Approvals in 12 months
to March 2014

148



Resources

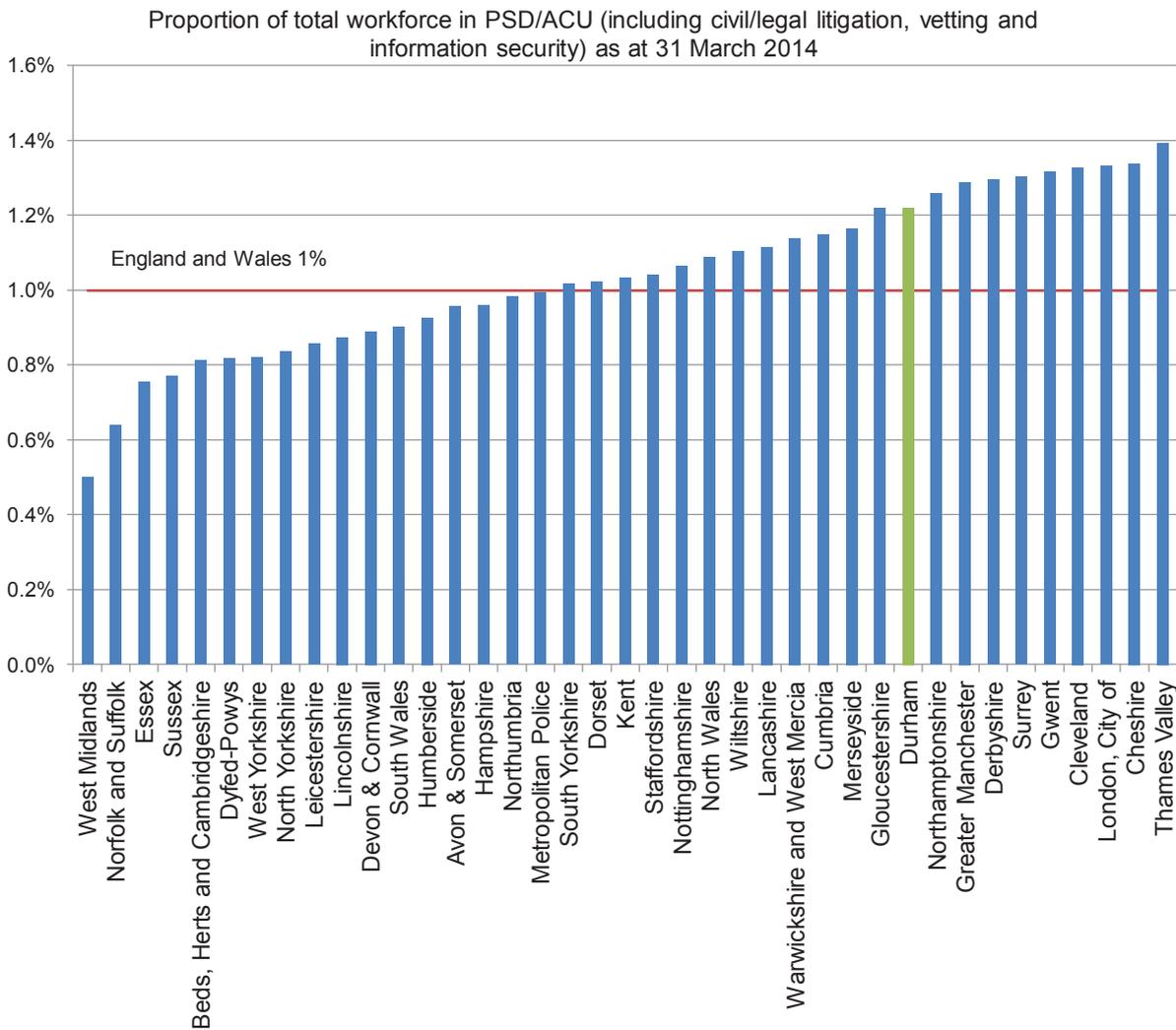
Proportion of workforce in
PSD/ACU

1.2%

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 service.³ 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, 13 December 2011. Available at www.justiceinspectors.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 <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, 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?

There was one area of improvement for Durham Constabulary in HMIC's 2012 inspection: to monitor social networking sites and introduce accompanying policy guidance.

The constabulary has made good progress in relation to this area. At the time of the inspection, the constabulary operated over 60 social media accounts across Facebook, Twitter and YouTube. The existing social media policy has been refreshed but at the time of inspection awaits ratification by the chief officer team. The revised policy sets out the standard working practices and legal requirements for the use of electronic communications provided by the constabulary including email, internet, social media, mobile phones and BlackBerry devices. The constabulary has agreed to purchase a protective monitoring and audit software system that will significantly enhance its ability to monitor and audit the use of information and force systems.

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 clear leadership from the chief constable and the chief officer team. It addresses and communicates issues of ethical and professional behaviour using a range of methods including podcasts on the intranet and visits to staff at local police stations. The chief constable mentors all chief inspectors and inspectors, while the deputy chief constable mentors all superintendents and chief superintendents. This allows the most senior officers to reinforce their standards and expectations.

HMIC found that officers and staff are generally aware of the boundaries of professional behaviour and understand how poor behaviour can adversely affect the public and their colleagues. HMIC found good evidence of first-line supervisors leading by example and demonstrating their commitment to ethical behaviour. It also found evidence that officers and staff are prepared to challenge wrongdoing and feel supported when they do so. By way of example, one member of staff received a chief constable's commendation, for challenging the inappropriate behaviour of a colleague, and this helped to reinforce to staff the importance of doing so. Themed posters about integrity displayed throughout the constabulary have also helped, as well as a PSD publication called the 'Durham standard' that has included articles about the Code of Ethics.

The professional standards board (PSB), chaired by the deputy chief constable, provides governance for integrity related matters. It has developed plans to introduce and communicate the Code of Ethics in an effective manner. HMIC reviewed minutes of its meetings, and it was clear that actions were allocated and reviewed regularly. The constabulary website has a comprehensive section under the banner of 'Transparency and Integrity Programme', helping to explain and describe the various levels of scrutiny for what it does on both.

The constabulary's integrity related policies, including gifts and hospitality, notifiable associations and business interests, are accessible on its website. HMIC reviewed these documents and found they contain reference to ethical and professional behaviour as well as human rights and equality legislation that were up to date. Staff interviewed by HMIC were satisfied with the level of information contained in the policies, and would contact PSD if they required guidance.

Staff have varying degrees of knowledge and understanding about the National Decision Model (NDM), and in particular that part of the model which deals with mission and values. HMIC was informed that control room staff use it when making deployment decisions to calls for service. Some staff (for example those who command firearms operations) receive more training because of the critical role they perform. Nevertheless, all officers stated that the NDM model was reinforced at their annual officer safety training.

Training on ethical and professional behaviour is regularly delivered to staff. The professional standards department has invested heavily in delivering half-day leadership development workshops to first and second-line supervisors. The workshops are designed to reinforce integrity, values and ethics and each one is opened by the deputy chief constable. A total of 26 workshops have been held to ensure maximum attendance. All officers and members of staff are required to complete a computer-based learning package on integrity and corruption. In addition, PSD and the counter-corruption investigation unit (CCIU) have provided face-to-face presentations to all staff across the force. The professional standards department also contributes to all induction courses for new starters and the CCIU contributes to the initial crime investigators development programme.

There is a good working relationship between the chief officer team and the police and crime commissioner (PCC). The PCC or his representative attends all force leadership group meetings and the PSB, and provides scrutiny of investigations into misconduct allegations and complaints from the public. The PCC is provided with sufficient information to enable effective governance and accountability on integrity and unprofessional behaviour.

Understanding integrity

The gifts and hospitality policy is managed by the business support department. There is a central electronic register which records offers of gifts, gratuities or hospitality and whether or not such offers were accepted or declined. The register for 2013 was published on the constabulary's website. However, HMIC found no evidence that senior officers' diaries had been audited against the gifts and hospitality register or the contracts and procurement register in order to minimise risks to the organisation.

The professional standards department audits the gifts and hospitality register against the contracts register. Internal and external auditors examine the use of credit cards issued by the constabulary to ensure that they are being used appropriately. Chief officer expenses are published on the constabulary's website with the most recent entries covering the period October to December 2013.

The head of the PSD manages and monitors the business interest policy on behalf of the force at the time of the inspection. There is a procedure in place requiring the approval of the head of department or police command for each application, before being submitted to the force business interest panel, who can then impose conditions if necessary. All business interests are recorded electronically and reviewed every 12 months. Details of declined business interests are also retained and monitored by PSD to ensure compliance. The constabulary has published a list of business interests on its website. However, the most recent of these lists is dated July 2013 and so is somewhat out of date.

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

Misconduct and unprofessional behaviour

HMIC found that the constabulary integrates consideration of misconduct and unprofessional behaviour into the decision-making process applied to transfers to specialist roles and promotions. This includes applications for the senior police national assessment centre (SPNAC) which is the pre-cursor for attendance on the senior command course for chief officer rank. The constabulary does, however, need to satisfy itself that the same level of scrutiny applies to the fast-track development scheme, as HMIC found that there was some confusion about this.

Recommendation

Within six months, the force should ensure that selection processes for promotion, postings to roles considered as specialist or postings to roles having contact with vulnerable individuals, include checks with the anti-corruption unit for staff suitability. This should include officers applying for SPNAC and fast-track schemes.

HMIC found there to be a good working relationship between the head of PSD and the command team (particularly the deputy chief constable) with formal monthly meetings and regular weekly informal meetings taking place. The head of PSD decides upon the terms of reference, the severity assessment and the mode of sanction for misconduct cases. In a small number of fast-track cases the detective chief inspector (deputy head) presides over low-level misconduct meetings. HMIC dip-sampled 11 PSD gross misconduct investigations and found that the severity assessments and investigations were of a consistently high quality with detailed records made for the rationale for decisions. Additionally there was clear evidence of investigations being reviewed.

The constabulary confidential reporting mechanism, called Bad Apple, has been set up on a separate computer server. Reports made by this means cannot be traced back to individuals although the system does allow continuing anonymous dialogue, for example where the investigator may require more details. The process has been well publicised and staff have confidence in it.

HMIC found that cases are appropriately referred to the Independent Police Complaints Commission (IPCC). Learning points from the IPCC are actively disseminated through PSD publication the 'Durham Standard'. Specific learning points that would require changes to policy or procedures are monitored by the PSB. Durham Constabulary is a small force which tends to make the circulation and dissemination of findings from misconduct investigations easier than in a larger force.

Professional standards training and resourcing

The professional standards department is headed by a superintendent who is an accredited senior investigating officer (SIO) who has a number of areas of responsibility, including the investigation of public complaints as well as investigations into corruption or alleged misconduct by officers and staff. All staff and officers within PSD receive regular training for their role. The counter-corruption investigation unit (CCIU) detective inspector has attended the silver counter-corruption course and the detective inspector's development programme. The CCIU detective sergeant and constables have attended the bronze counter-corruption course. They are also level two accredited on the national professionalising investigation programme (PIP). There is no nationally accredited course for police staff investigators so the unit has developed and delivered its own training programme for these staff. Succession planning takes place in that vacancies are anticipated where possible and plans put in place to ensure that there is no loss of expertise.

Suitably qualified and experienced presiding officers are appointed at gross misconduct hearings. They are independent of the person being investigated. The presiding officer is supported at the hearing by an independent (i.e., non-police) member as well as a legal advisor. HMIC found that the constabulary makes use of fast-track dismissal and fast-track misconduct procedures where appropriate.

Quality assurance

HMIC found that decisions about misconduct and unprofessional behaviour by officers and staff are effectively audited by the constabulary. Every investigation concludes with the completion of a file closure checklist and a review which includes the noting of any lessons learned. The audit committee of the PCC also reviews all misconduct investigations and some complaints to ensure that they have been appropriately dealt with.

HMIC found that the constabulary responds to reports of wrongdoing by staff in a timely and effective manner

The head of PSD has effective working relationships with the police federation, UNISON and the human resources department. All investigations into public complaints and misconduct are managed by PSD, which has a high degree of expertise, resulting in a consistent approach.

The constabulary had no specific policy on the suspension, resignation and retirement of officers during investigations.

Recommendation

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

HMIC examined a sample of cases where officers had resigned, and found detailed record keeping explaining the reasons for the decisions made.

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

Investigating corruption

HMIC found that the constabulary regularly and effectively identifies and manages threats from corruption through a transparency and integrity programme that is referred to on the force website. There is a counter-corruption and integrity plan by which threats to the constabulary are identified, along with the proposed measures which may be required to manage those threats. This plan is reviewed at monthly meetings within the CCIU. The professional standards department also hold a six-weekly formal management and tasking meeting in which public complaints and internal misconduct investigations are considered. In addition, weekly meetings are held to monitor and provide oversight of investigations as well as any intelligence received by the department.

The constabulary use the National Crime Agency (NCA) counter-corruption threat assessment to assist with identifying vulnerable staff and groups. Staff within the CCIU review and assess a range of data from within the force to identify areas in which it may be vulnerable to corruption.

The constabulary's vetting unit is part of PSD and their work is up to date with no backlogs.

The inspection found that the constabulary has only limited capability to monitor force systems and social networking sites. The force has plans in place for the purchase of a protective monitoring and auditing software system that will enable the constabulary to monitor and audit its systems.

The constabulary undertakes randomised substance misuse tests but results are not published. Publishing the results of such testing across the constabulary would assist in providing a deterrent. Examples of intelligence-led integrity testing to identify corruption were also provided to HMIC.

There are processes to ensure relevant information about forthcoming crime investigations is available to CCIU, giving an opportunity to put in place information security measures to ensure operations are not compromised by a corrupt officer. However, HMIC found these processes are not formalised.

The constabulary ensures the effective security of systems, exhibits and case papers. The security of the constabulary's IT network is the responsibility of the information assurance manager who belongs to PSD. Exhibits are stored securely and are administered by an electronic tracking system. The CCIU operates in a locked corridor with a secure office, secure cabinet and retains its own exhibits store.

Intelligence

The constabulary actively seeks intelligence from a variety of sources including the Bad Apple confidential reporting system referred to above, business monitoring, covert human intelligence sources (CHIS) and the public via the integrity unit's email address. Intelligence received is assessed, graded and recorded on a database designed for that purpose within PSD. HMIC dip-sampled a small number of intelligence records that had been appropriately reviewed, graded, recorded and researched.

The head of the CCIU has a close working relationship with the head of PSD and has direct access to the deputy chief constable for guidance as required. The CCIU resources are generally sufficient to deal with the flow of intelligence but additional support can be called upon if required. HMIC dip-sampled a number of misconduct investigations and saw good examples of the constabulary effectively identifying multiple suspects and multiple offences from a single suspect during investigations.

Capability

The professional standards department has a sufficient number of staff to investigate complaints from the public, allegations of misconduct by officers or staff, and suspected corruption. Although the CCIU is a small unit, it has ready access to surveillance teams, technical support and other specialist resources. Support from neighbouring forces has been used to assist an investigation, and private contractors with specialist skills or expertise have also been used where appropriate. There was no evidence that any request for additional resources had been declined.

The constabulary has a clear performance management framework. The professional standards department's performance is formally reviewed by the deputy chief constable every month.

Recommendations

- **Within six months, the force should ensure that selection processes for promotion, postings to roles considered as specialist or postings to roles having contact with vulnerable individuals, include checks with the anti-corruption unit for staff suitability. This should include officers applying for SPNAC and fast-track schemes.**
- **Within six months, the force should publish a policy which clarifies the position on suspension, resignation and retirement of officers under disciplinary investigation.**