Her Majesty's Inspectorate of Constabulary

Inspection of Gloucestershire Constabulary

Professional Standards

JANUARY 2006

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INSPECTION OF PROFESSIONAL STANDARDS 2005

A – INTRODUCTION AND METHODOLOGY

1. Introduction

'Professional standards' within the policing context has evolved significantly in recent years, following the HMIC thematic 'Police Integrity' (1999), the establishment of an ACPO Presidential Taskforce to tackle corruption and the introduction of the ACPO Professional Standards Committee. Since 2000, virtually every force in England and Wales has significantly expanded the activities of pre-existing Complaints and Discipline Departments to include an element addressing anti-corruption, including covert investigation. These larger units are generically known as Professional Standards Departments (PSDs).

The issue of complaints holds a unique importance for HMIC in that legislation[1] creates a responsibility on Her Majesty's Inspectors (HMIs) to 'keep themselves informed' as to the handling of complaints in forces. Traditionally this has involved inspection of individual forces on a rolling programme. The advent of HMIC's annual Baseline Assessment (from 2003/04), the establishment of the Independent Police Complaints Commission (IPCC) in 2004, and a series of public inquiries have changed the professional standards landscape significantly. In view of this, HMIC decided to carry out a simultaneous programme of inspection of professional standards in all 43 English and Welsh forces to provide a comprehensive picture of current performance and identify any issues of national importance.

2. Inspection scope

While this national programme of inspection of 'Professional Standards' has focused primarily on the operation of the PSDs, and their sub-sections, it has also examined issues of professional standards in the wider policing context, and therefore touched on other departments and areas of responsibility, for example Human Resources (HR). The core elements identified nationally for examination were:

Professional Standards Department
o The umbrella department within which all 'professional standards' activities are delivered, including the investigation of complaints and misconduct and proactive anti-corruption work.

Complaints and misconduct unit
o Responsible for reactive investigations into public complaints as well as internal conduct matters.

Proactive unit
o Responsible for the intelligence-led investigation of vulnerability to or allegations of corruption.

Intelligence cell

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[1] Section 15(1) of the Police Reform Act 2002

- o Responsible for:
    - o Overall intelligence management
    - o Analysis
    - o Field Intelligence
    - o Financial Investigation
    - o Managing risks and grading threats

Handling of civil claims, security management and personnel vetting
- o Individuals or units responsible for identifying risks to the integrity of the police service manifested within civil actions, civil daims, employment tribunals, breaches of security and infiltration of the service by inappropriate personnel.

Handling 'Direction and Control' Complaints
- o Processes for handling complaints relating to:
    - operational policing policies (where there is no issue of conduct)
    - organisational decisions
    - general policing standards in the force
    - operational management decisions (where there is no issue of conduct)

Impact of unsatisfactory performance and grievance
- o Relevant personnel within HR and operational departments, to establish that processes exist to identify any conduct issues or organisational lessons.

NB: The above list is not exhaustive nor does every force have each of these units or responsibilities as separate functions. The inspection sought to examine as many of the identified activities as are relevant to each force.

3. Methodology

Since 2003/04, HMIC's core methodology for assessing force performance has been Baseline Assessment (BA), which consists of a self-assessment process supported by visits to forces for validation and quality assurance. BA assesses performance annually across 27^2 areas of policing via a framework of questions for each area. The mainstream BA process for 2004/05 was completed during spring 2005 and the results published in October 2005.

Professional Standards is one of the BA frameworks and would normally have been included in the mainstream BA activity. With the full programme of professional standards inspections scheduled for October and November 2005, however, the assessment of this framework was deferred to await their outcome.

The programme of inspections has been designed to:
- Provide a full inspection of professional standards in all England & Wales[3] forces;
- Gather evidence for Baseline Assessment reports and grading of professional standards in all forces; and
- Identify key issues, trends and good practice that may have implications for professional standards on a national basis.

The standard format for each inspection has included:

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[2] Number of frameworks in the 2004/05 assessment
[3] Also including British Transport Police and Ministry of Defence Police

- The completion of self assessment questionnaires by all forces;
- Examination of documents;
- Visits to forces with group and individual interviews;
- Consultation with key stakeholders; and
- Final reports with grade.

4. Baseline Assessment grading

HMIC applies a qualitative grading to the inspection of Professional Standards. These grades are:

- Excellent
- Good
- Fair
- Poor

In allocating individual force grades, HMIC assesses all the available evidence and identifies how well the force matches an agreed set of Specific Grading Criteria. To ensure fairness and transparency in the grading process, HMIC worked with key partners in the APA, IPCC, the Home Office and ACPO to develop and agree these Specific Grading Criteria for Professional Standards.

The criteria set out expectations for a "Good" force. Grades of Fair, Good and Excellent all represent acceptable performance levels but indicate the degree to which the force has met the grading criteria. An Excellent grade indicates 'benchmark' performance including significant implementation of good practice.

The full grading criteria are set out in HMIC's website at:
www.inspectorates.homeoffice.gov.uk.

The key elements appear under four headings, namely:

- o **Intelligence** – *what a force knows about the health of professional standards*
- o **Prevention** – *how the force tries to improve and prevent the abuse of standards*
- o **Enforcement** – *its effectiveness in dealing with emerging problems*
- o **Capacity and Capability** – *having the resources and skills to address reactive and proactive challenges (including timely and proportionate response to lapses in professional standards)*

The remainder of this report is set out under these headings, for ease of reference to the evidence presented.

B – FORCE REPORT

1. Force Overview and Context

Gloucestershire Constabulary serves the county of Gloucestershire, comprising six local authorities. The county city is Gloucester and the largest town is Cheltenham. Situated at the northern edge of the south-west region of England, Gloucestershire covers an area of 1,025 square miles, including large areas of outstanding natural beauty. However, despite its image as a rural idyll, significant pockets of deprivation exist within the county, with 13 wards in the top quartile nationally for deprivation. Furthermore, Gloucester district as a whole represents a particular area of deprivation, being the 101st most deprived district in the country out of a total of 354 districts. This fact has a significant impact on overall performance.

The county includes the Cotswolds in the north and the Royal Forest of Dean in the south-west, separated by the Severn Vale. The total population is 564,559 (2001 census); the black and minority ethnic (BME) population represents approximately 3% of the total population (16,077). The city of Gloucester is home to a large proportion of the total BME community.

The constabulary headquarters (HQ) is currently situated in Cheltenham, although it will move to a new-build site at Quedgeley, near Gloucester, in December 2005, allowing centralisation of HQ functions. The chief officer group (COG) consists of the Chief Constable, a Deputy Chief Constable (DCC) and two assistant chief constables (ACCs) with responsibility for operations and corporate services respectively. A police staff Director of Resources holds the finance, personnel and administration portfolios. The Chief Constable, Dr Timothy Brain, has been in post for four years, having previously served as the DCC in the county for three years. DCC Craig Mackey was previously assistant chief constable (ACC) (operations) in the force. ACC Mark Polin, former holder of the corporate services post, now holds the ACC (operations) post. The force has recently appointed Michael Matthews as ACC (corporate services). The police authority chair is in his third term of office, having led the authority for over seven years. The force is made up of three divisions, each of which is coterminous with two local authority areas. Each division is divided into inspector-led neighbourhood areas (INAs) within a geographical policing model; there are a total of 17 INAs.

The following forces have been identified as being most similar to Gloucestershire Constabulary in terms of demography, policing environment and other socio-economic factors: Cambridgeshire, Devon & Cornwall, Dorset, Norfolk, North Yorkshire, Suffolk, and Warwickshire. When making comparisons in this report the average performance in this group, known as the most similar force (MSF) group, is used.

Professional Standards

The DCC holds portfolio responsibility for Professional Standards (PS). The Professional Standards Department (PSD) with a Detective Superintendent. Head of Department, a Chief Inspector Complaints & Misconduct and a Detective Chief Inspector Internal Investigation Unit (anti corruption/intelligence). The department consists of 16 staff members (other than the head of department) split 37.5% complaints, 37.5% anti corruption, 6% data protection and information security and 19% administration. The complaints team has a blend of experienced police officers

two of whom are investigating officers (Ios) and one an assistant investigating officer (AIO) with two police staff AIOs and three administrative staff. This team reports to Chief Inspector C&M. The anti corruption team consists of six police officers with good pro-active and covert criminal investigative skills. The department lacks analytical support and draws expertise when needed from the Force Intelligence Bureau (see Findings – Intelligence – areas for improvement). The anti-corruption team reports to a DCI PSD Intelligence. Force vetting, data protection and information security sit within the PSD.

GRADING : FAIR

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2. Findings

Intelligence - *what a force knows about the health of professional standards*

Strengths

- The Constabulary demonstrates good use of the National Intelligence Model (NIM) process that is integrated throughout the internal investigation unit (IIU) within PSD. It is evident that NIM principles are applied to other elements within PSD including civil actions and complaints & misconduct (See also areas for improvement).

- The risk assessment for vulnerability to corruption was completed during 2004 and was sent to the National Criminal Intelligence Service (NCIS), another is being completed for 2005.

- An effective control strategy is in place with tasking occurring on a daily and weekly basis. The Constabulary was able to share with the inspection team a number of successful and ongoing operations that arose from this process.

- Staff within the IIU are well led by a trained and experienced SIO and are highly skilled and experienced. The department has invested in excellent covert evidence gathering equipment and innovative techniques. The results of recent operations have been shared with the inspection team. It has access to good IT systems which include CLU2 and I2.

- The IIU is currently surveying all covert human intelligence sources (CHISs) and their handlers through a structured questionnaire the results of which will inform the latest risk assessment and help drive the NIM process in targeting corrupt police officers and police staff and should be considered as potential good practice.

- The head of PSD together with the head of HR are developing a system of mentoring staff whose standards of behaviour fall below that required by the Constabulary. The Constabulary has six mentor trainers and 12 trained trainers and it is anticipated that a further 50 will be trained by the end of November 2005. Whilst this was in the conceptual stages during the inspection it is clear that if successfully introduced it has the potential to be seen as good practice for others to follow.

AFIs

- The PSD lacks the ability to fully develop intelligence in-house and investigators within the IIU carry out this function using I2, of which they have limited experience, and this can have an impact on their ability to do other work. Additionally the department does not have its own analyst and is reliant on utilising those within the Force intelligence bureau (FIB) or from the performance review department who carry out such work on overtime.

Recommendation 1
Her Majesty's Inspector recommends that the Constabulary develop a full time intelligence cell with analytical capability within the PSD.

- It is evident that there is a need for improved intelligence sharing between PSD and HR, for example police staff misconduct issues are investigated from within the HR function. This gap means that the PSD lacks the ability to hold a complete picture of complaint and misconduct with respect to police staff within Gloucestershire. The Constabulary is aware of this gap and is working to close it.

- There are limited information and intelligence channels to the PSD. The confidential telephone hotline is used between 12 to 20 times per year and the vast majority of information from it relates to management issues that ought to be locally resolved. This facility is being reviewed and an independent service is one of the options being considered. Most intelligence is received as a result of face to face contact with investigators. This may indicate and over-reliance on personalities rather than structures and systems.

Recommendation 2
Her Majesty's Inspector recommends that the Constabulary expand its internal and external processes to improve the flow of intelligence into the PSD.

Prevention - *how the force tries to improve and prevent the abuse of standards*

Strengths

- The Deputy Chief Constable (DCC) is a very active lead who has a good grasp of all anti-corruption matters, complaints & misconduct, civil claims and HR matters such as employment tribunals. He personally reviews every complaint that is locally resolved. It is clear that lessons learnt from these strands are communicated to the Constabulary and the Authority.

- The PSD is a small and accessible department where all staff are known throughout the Constabulary. Complaints can be reported in person, by mail or by third party complaint reporting. Reality check visits showed staff within police stations to be knowledgeable about the complaints.

- Senior managers within PSD undertake input on professional standards, code of conduct matters, complaints procedures and anti-corruption matters to all supervisors and managers, the induction course for new staff and the leadership development programme.

- It is clearly evident that the Government Protective Marking Scheme is in use for documentation. There is also sound evidence of a consistent approach to the vetting of police officers, police staff and contractors. Examples were given to the inspection team where individuals had their applications turned down and also where contractors have been refused access to police buildings.

- The Constabulary has undertaken surveys of both staff and complainants in order that it may learn from the results and improve the service provided.

AFIs

- Information leakage is a nationally recognised issue. In Gloucestershire the force guardian on information leakage is the information security officer who is part of the PSD and also holds the vetting portfolio. He is the third post holder in as many years and as such there have been many months where this post has been vacant. He is now undertaking a series of security audits of IT system security as well as building security. Furthermore the UNITY crime and intelligence system does not have tiered levels of access, allowing any member of the Constabulary who has access to also access sensitive intelligence. The Constabulary has recognised this and an upgrade to the UNITY system is due to take place in 2006. The dated elements of Gloucestershire's estate present the Constabulary with considerable challenges. The Force could consider the system put in place by Hampshire Constabulary where the employee's identity card is also the 'chip & pin' for access to buildings and IT systems.

- The Constabulary Internet site does provide some useful information on how to make a complaint but is not easily accessible. The site is only in English, there is no service provision for those who do not have English as their first language, or those who are visually impaired. There is no detail how to email or fax complaints into the Constabulary. Reality check visits to a BCU main police station revealed that leaflets about the complaints procedure were not readily available.

Recommendation 3
Her Majesty's Inspector recommends that the Constabulary should review the accessibility of its Internet site and literature to cater for those for whom English is not their first language.

- Some staff associations report that they lack confidence in the confidentiality of e-mailing a complaint or using the current hotline. This lack of confidence should be addressed by the Constabulary.

Enforcement - *its effectiveness in dealing with emerging problems*

Strengths

- The DCC provides very good strategic leadership as detailed in the section above. The expected standards of behaviour are clearly articulated in the Vision 5 strategic plan and the annual policing plan.

- The Constabulary was able to provide examples of good collaboration with other police forces as well as the National Crime Squad (NCS) in tackling corruption both in within and outside the Constabulary area. It is evident that the IIU is held in very high regard by these police forces and the NCS and is often chosen to assist the owning force in tackling its own problems.

- The head of PSD undertakes an assessment against a checklist for a proportionate and consistent response where suspension from duty is to be considered. The head of C&M undertakes a risk assessment of all complaints recorded to ensure a proportionate response to the proposed investigation.

- An agreement has been reached with the Police Federation locally whereby in cases of minor complaints where there is no supporting or corroborating evidence an officer will not be interviewed and can opt to supply a statement after caution. Furthermore where there is sufficient detail in any letter of complaint this will be used rather than repeat the same detail in a statement. This has the effect of speeding up the completion of investigations for all parties involved and should be seen as potential good practice.

- There is a good working relationship with the IPCC, its Commissioner, Case Director and caseworkers. Feedback from the IPCC Commissioner on upheld appeals is discussed at PSD management meetings. Changes have been made to ensure that in future investigations these comments are taken into account to reduce appeals and increase the satisfaction of complainants with process and outcome.

- There is positive feedback from the IPCC about the Constabulary's handling of professional standards in general terms. In particular the feedback includes comment on the quality of the statistical information with narrative that is supplied routinely to the Police Authority, consultation arrangements with the community, voluntary referrals of proactive investigations and its willingness to learn from complaints made by the public.

- The Constabulary produces a quarterly PSD update bulletin that is attached to weekly orders. It is an easy to access publication covering lessons learnt that is readable and informative and aids organisational learning. This publication is viewed as potential good practice.

AFIs

- The Constabulary should reconsider the current policy on the recording of direction and control complaints. By doing so it should ensure that the provision of an immediate response does not prevent the recording of such complaints, which could expose the Constabulary to the risk of failing to identify trends and learning opportunities.

> **Recommendation 4**
> **Her Majesty's Inspector recommends that the**
> **Constabulary should reconsider the current policy**
> **on the recording of direction and control complaints.**

- The Constabulary identified that not all superintendents had received formal training to sit as misconduct panel members and training was put in place. It is evident that there is a need to revisit the proportion of superintendents who received this training prior to the next planned training in 2006.

- There is a need for better links with HR to ensure an effective intelligence flow between PSD and HR. It would also benefit HR misconduct investigators if they were to meet with their counterparts in PSD to ensure that where criminal matters are surfaced during a misconduct investigation that they are dealt with effectively.

Capacity and Capability – *(Having the resources and skills available to address the reactive and proactive challenge and providing a timely and proportionate response to lapses in professional standards)*

Strengths

- Gloucestershire is a small police force and some anti-corruption operations do call for additional resources. This requires calling on other police forces for assistance particularly in the area of covert operations. The Constabulary has developed practical collaborative arrangements to overcome this and a number of examples were shown to the inspection team.

- For the year ending 31st March 2005 47% of all complaints were locally resolved (LR) was 47% of all complaints, this was an improvement over the 33% during 2003/04 under the former informal resolutions (IR) procedure. There is an expectation set out by the IPCC that the proportion of LRs should increase when compared with the previous system of IRs and it is evident that the systems and processes employed by the Constabulary have influenced this rise.

- In their preparation for this inspection the Constabulary used the opportunity to review their performance against published criteria. The gaps identified by this review have been made the subject of an action plan and identified work streams have been put in place prior to the fieldwork for this inspection.

- The PSD uses the recommended ACPO approach to risk management in order to assess the criticality of investigations. This allows effective management of risk, particularly within internal investigations.

AFIs

- Notwithstanding the pragmatic collaborative arrangements with other police forces the Constabulary lacks the resources within its PSD for full proactive investigations and needs to draw upon the resources of neighbouring or nearby police forces and the NCS to undertake mobile surveillance and some investigative work. Comment has already been made about the need to develop an in-house intelligence cell and analytical capability.

Glossary

ACC	assistant chief constable
ACCAG	ACPO Counter-Corruption Advisory Group
ACPO	Association of Chief Police Officers
ACPO PSC	ACPO Professional Standards Committee
AIO	assistant investigating officer
AFI	area for improvement
BA	baseline assessment
BAWP	British Association of Women Police
BCU	basic command unit
BME	black and minority ethnic
BPA	Black Police Association
CHIS	covert human intelligence source
CID	criminal investigation department
CLUE2	analytical software
C & M	complaints & misconduct
COG	chief officer group
CPS	Crown Prosecution Service
DCC	deputy chief constable
DCI	Detective chief inspector
DSU	dedicated source unit
ESU	ethical standards unit
FTE	full-time equivalent
GPA	Gay Police Association
HMI	Her Majesty's Inspector
HMIC	Her Majesty's Inspectorate of Constabulary
HoD	head of department
HQ	headquarters
HR	human resources
I2	analytical software
IAG	independent advisory group – a body advising a force or BCU on race and diversity issues
IiP	Investors in People
IIU	Internal investigation unit
IPCC	Independent Police Complaints Commission
IR	Informal resolution
LR	local resolution
MMR	monthly management review
MSF	most similar forces – a way of grouping forces to which each police force can be compared that has similar social and demographic characteristics
NCDG	National Complaints and Discipline Group
NCIS	National Criminal Intelligence Service
NCS	National Crime Squad
NIM	National Intelligence Model
PA	police authority
PCSO	police community support officer

PDR	performance development review
PNC	Police National Computer
PPAF	Police Performance Assessment Framework
PS	professional standards
PSD	professional standards department
RDS	Research, Development and Statistics
RES	race equality scheme
RIPA	Regulation of Investigatory Powers Act, 2000
QA	quality assurance
SGC	specific grading criteria
SIO	senior investigating officer
SLA	service level agreement
SPI(s)	statutory performance indicators (SPIs) are used to monitor key aspects of police performance and form a critical component of performance assessments. SPIs are set each year following consultation with partners in line with powers under the Local Government Act 1999. SPIs are also known as 'best value performance indicators'
SPOC	single point of contact
TCG	tasking and co-ordination group
UNITY	crime and intelligence IT system
UPP	unsatisfactory performance procedure