

Her Majesty's Inspectorate of Constabulary



Inspection of Hampshire Constabulary

Professional Standards

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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 legislation¹ 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

- 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

- Responsible for reactive investigations into public complaints as well as internal conduct matters.

Proactive unit

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

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

Intelligence cell

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

Handling of civil claims, security management and personnel vetting

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

Handling 'Direction and Control' Complaints

- 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

- 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 27² 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 & Wales³ 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.

² Number of frameworks in the 2004/05 assessment

³ Also including British Transport Police and Ministry of Defence Police

The standard format for each inspection has included:

- 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:

- **Intelligence** - *what a force knows about the health of professional standards*
- **Prevention** - *how the force tries to improve and prevent the abuse of standards*
- **Enforcement** - *its effectiveness in dealing with emerging problems*
- **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

Hampshire Constabulary is the second largest non-metropolitan provincial police force in England and Wales and polices the counties of Hampshire and the Isle of Wight, covering an area of 418,000 hectares and serving a population of nearly two million in 730,158 households. The force has a total of ten territorial basic command units (BCUs) and numerous support departments. The largest of the existing BCUs are in the cities of Southampton and Portsmouth.

The headquarters is at Winchester and houses the chief officer team comprising the Chief Constable, Deputy Chief Constable (DCC), two assistant chief constables (ACCs) and directors of personnel and finance. Hampshire Constabulary employs 3,856 police officers, of whom 99 are part-time; 2,659 police staff, of whom 462 are part-time; 26 police community support officers (PCSOs) and 18 traffic wardens, and are assisted by 374 special constables. Hampshire Constabulary is facing a period of change with the reorganisation of its BCUs into six operational command units (OCUs). The force has recently implemented a new record management system, Project Oberon, to replace some of its principal information technology (IT) applications, which has presented some technical difficulties.

The following forces have been identified as being the most similar to Hampshire in terms of demography, policing environment and other socio-economic factors: Northamptonshire, Avon and Somerset, Bedfordshire, Leicestershire, Kent, Thames Valley and Essex. When comparisons are made in this report, the average performance in this group, known as the 'most similar force' (MSF) group, will be used.

Professional Standards

The DCC holds portfolio responsibility for Professional Standards (PS). The Professional Standards Department (PSD) is led by a Chief Superintendent as head of department with a Superintendent deputy. The department consists of 22 staff members split 52% complaints, 23% anti-corruption, with 25% dedicated to administrative work. The complaints and misconduct team consists of two Detective Chief Inspectors (DCI) who each lead a team of two investigating officers (IOs) who work with a police staff caseworker. Only one IO is an experienced detective. The anti corruption team, known locally as PSD operations, consists of three experienced detectives who have limited pro-active and covert criminal investigative capacity. An analyst works within the PSD operations but is currently on long-term sick leave. The unit has a vacancy for an intelligence officer. The Force vetting, data protection and information security functions report to the Head of PSD. Legal services are a separate unit that has recently been re-established within the Constabulary, the County Council having previously provided legal services.

GRADING : POOR

2. Findings

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

Strengths

- The Constabulary has conducted a risk assessment of integrity and vulnerability to corruption. This risk assessment was compiled in 2004 and covers the period to the end of 2005 and a new risk assessment was being prepared at the time of this inspection. In line with a national threat assessment, the assessment prioritises, information leakage, drug and alcohol abuse and the risk of infiltration of the organisation by criminal elements. The threat assessment has been forwarded to the National Criminal Intelligence Service (NCIS).
- The detective officers within PSD operations have the appropriate training and skill sets to carry out their role. In particular they have a high level of expertise in covert techniques.

AFIs

- There is little evidence of the National Intelligence Model (NIM) driving the work of the PSD.

Recommendation 1

Her Majesty's Inspector recommends that the Constabulary should re-visit the national intelligence model and apply its methodology to the work of the PSD.

- The PSD lacks the capacity to be fully effective in tackling corruption. The current head of the operations unit had been identified some months prior to taking up appointment, but due to a serious injury during officer safety training to the outgoing post holder there was no one available to lead the unit for some two months. The intelligence development officer is a vacant post and the analyst is on long-term sick leave. The two remaining officers carry out intelligence and analytical work and this does have an impact on their ability to do other tasks.

Recommendation 2

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

- The Constabulary has recently introduced a new record management system (RMS). This system does have a comprehensive audit facility but accessing the audit logs cannot be carried out in a 'user-friendly' fashion. The supplier is working with the Constabulary to resolve this to ensure effective auditing and thus protecting the Constabulary by ensuring information leakage can be tracked.

In addition Internet access and Internet e-mail has only a limited audit capability and this too exposes the Constabulary.

Recommendation 3

Her Majesty's Inspector recommends that the Constabulary should introduce an effective auditing system for both Internet access and e-mail usage.

- It is evident that there is a need for improved intelligence sharing between the PSD and the central personnel department. This gap means that the PSD lacks the ability to have a complete picture of complaints and misconduct within Hampshire.
- There are limited information and intelligence channels to the PSD. The confidential telephone hotline is used infrequently in spite of being relocated and re-launched. Most intelligence is received as a result of face to face contact with investigators. This may indicate over-reliance on personalities rather than structures.

Recommendation 4

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

- There is little evidence of the national intelligence model being applied to civil claims and there appears to be a gap in intelligence sharing between legal services and the PSD.
- There is a general degree of mistrust of the PSD and its proactive arm that is frequently referred to by a number of staff within the Constabulary and the PSD itself as 'the dark side'. The Constabulary must strive to eradicate this 'labelling', most importantly within the department itself.

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

Strengths

- The Chief Constable sets clear standards expected of all staff within the Constabulary. During the 2004/05 Baseline Assessment it was evident that there was widespread appreciation amongst staff of those standards and the will to challenge behaviour that fails to meet them. (See also areas for improvement in this section).
- 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.
- The introduction of 'chip & pin' technology (embedded in ID cards) for access to computer systems and some buildings should be seen as an example of potential good practice.
- The inclusion of the data protection, information security and vetting units within PSD should be seen as an example of potential good practice.

AFIs

- The Professional Standards Committee is a small group comprising the DCC, Head of PSD and Director of Finance. There is scope to extend the membership of this committee to include the Director of Personnel, BCU and department commanders and all staff associations. The committee will then be better placed to focus on organisational learning, trends and standards, and be in a more informed position to influence policy and strategy. More importantly it can then demonstrate transparency of process.

Recommendation 5

Her Majesty's Inspector recommends that the Constabulary should re-consider the composition of the Professional Standards Committee.

- The PSD departmental plan was still in draft form at the time of this inspection. Its focus was narrow and little evidence was produced of it being reviewed on a regular basis and staff held to account for performance targets within in it.
- The PSD newsletter 'The Standard', published bi-annually, provides a good opportunity for the Constabulary to reinforce messages on ethics, standards, integrity and lessons learnt. Personnel department has begun to publish its own newsletter 'Learning Together' aimed at all managers which covers similar topics as 'The Standard'. There is, however, no evidence of lessons learnt from civil claims being promulgated and there is a clear opportunity for a single publication on a more frequent basis providing a unified corporate message.
- During this inspection reality checks were made to test the response of the Constabulary to the reporting of complaints to the police. The service given was variable and there was a lack of literature available about the complaint

procedure in police stations. These results have been fed back to the Constabulary for action.

Recommendation 6

Her Majesty's Inspector recommends that the Constabulary should take steps to satisfy itself of the responsiveness of the duty officer system to receive public complaints and ensure the availability of relevant literature in police stations.

- There is a general lack of confidence, expressed by representative staff groups, in the capability and visibility of the PSD. This view was supported by independent research carried out within the organisation during 2004.
- The confidential reporting line lacks credibility with police officers and police staff.
- There is no accurate method of tracking the ethnicity or other strands of diversity for both complainants and staff complained against.

Recommendation 7

Her Majesty's Inspector recommends that the Constabulary should enquire with other police forces, (particularly Sussex Police), how to get the best and most informative data from the Centurion database.

- Whilst the vetting unit within the PSD does not yet fully apply the ACPO vetting guidelines, this is due to a lack of resources. The Constabulary intends to recruit additional staff by April 2006.

Enforcement - *its effectiveness in dealing with emerging problems*

Strengths

- There are good collaborative arrangements in place with neighbouring police forces to assist the PSD operations unit to target corruption. The major crime branch has five posts allocated to it to provide PSD with support for the investigation of critical incidents.
- There is an early assessment of all public complaints and the PSD works hard at providing a proportionate response.
- There exists a good system for selection of panel members for misconduct tribunals. The Constabulary is working through a system of training for panel members.
- There appears to be a clear and transparent system for recording and investigating direction and control complaints.

- The Hampshire Police Authority professional standards sub-committee is taking positive steps to make a difference and take an active role in the monitoring of complaints and misconduct. An example of this is the move from undirected dip sampling of concluded complaint cases to that of examining trends and performance data and then sampling those files.

AFIs

- The Constabulary would benefit from a more comprehensive and impactful system of organisational learning from public complaints, misconduct issues and civil claims in order to drive continuous improvement.

Recommendation 8

Her Majesty's Inspector recommends that the Constabulary should devise a more impactful way of handling lessons learnt from complaints, misconduct issues and civil claims.

- There is a lack of close working, co-operation and sharing information between the PSD, Personnel department and Legal Services. In addition PSD do not investigate police staff misconduct, this function being carried out by personnel managers who have more detailed knowledge of employment law. It is evident that these managers lack investigative skills and knowledge and experience of investigating crimes and corruption, which have the potential to surface during a misconduct investigation. There is potential to provide a more joined up approach if some personnel managers were deployed into the PSD.
- BCU commanders and staff associations report that there is an inconsistency and lack of clarity in the suspension and restriction of duty applied to police officers subject to investigation.

Recommendation 9

Her Majesty's Inspector recommends that the Constabulary should introduce a consistent and transparent method of implementing suspension and restricted duties.

- There is currently no process for monitoring the satisfaction of complainants with the investigation process or for collating their views about how it might be improved.

Recommendation 10

Her Majesty's Inspector recommends that the Constabulary should explore ways of measuring complainant satisfaction and collating their views on how the process can be improved.

- There is scope for improvement and development of the content of the PSD Intranet pages. For example there are only a limited number of frequently asked questions that provide advice and guidance to staff.
- There is a need to develop sanctions guidelines to ensure consistency of approach and transparency of process. The publication of such guidelines would also assist staff associations to effectively advise their members who are subject to misconduct hearings and thus shorten the process.
- Member of the Hampshire Police Authority professional standards committee are of the opinion that the Constabulary could be more proactive in supplying information in regard to complaints and misconduct matters.

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

- The Constabulary has recognised the need to recruit detective officers into the PSD. The department is led by an experienced detective recently recruited from outside the force. It has also appointed two detective chief inspectors within the complaints and misconduct section of the department (See also areas for improvement in this section).
- The department has a reputation for carrying out thorough and comprehensive complaints and misconduct investigations.
- The PSD staff are highly dedicated and committed individuals.

AFIs

- The PSD is a department that does not inspire confidence amongst all Constabulary staff. There is a perception by some staff that some IOs are not trained investigators and therefore lack objectivity. Specifically there was a perception that their ability to deal with hate crime was limited. Concern was also expressed about the capability of some elements within the department and an example was given of a police officer having his/her identity and information revealed to the officers complained about. This single case has sent a very negative message around the Constabulary about the PSD.

Recommendation 11

Her Majesty's Inspector recommends that the Constabulary should draw up a code of conduct for the PSD to include such matters as confidentiality, witness care and treatment of suspected officers and staff in order to raise the level of confidence in the department amongst all employees.

- The PSD is under resourced for a medium sized police force. The Constabulary lacks the resources for full proactive investigations and needs to draw upon the resources of neighbouring or nearby police forces 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.
- The PSD is a highly centralised unit and undertakes too much casework. Insufficient prioritisation is evident and more ownership must be transferred to BCUs.
- Communication between the PSD and BCUs and departments is regarded by many as poor and in need of improvement.
- For the year ending 31st March 2005 41% of complaints were locally resolved (LR), an improvement on the 32% finalised in 2003/04 under the former informal resolutions (IRs) procedure. There is an expectation set out by the IPCC that the proportion of LRs should increase compared to the previous system of IRs and it is evident that the systems and processes employed by the Constabulary have influenced this rise; nevertheless, there is still room for improvement.
- There is a general lack of welfare provision for PSD police officers and police staff. This is more acute for those involved in PSD operations.
- BME staff are under-represented within the PSD. The Chair of the BPA has undertaken a short-term secondment to the department but this type of secondment has not been continued. Consideration should be given to establishing how this under-representation can be overcome.

Glossary

ACC	assistant chief constable
ACCAG	ACPO Counter-Corruption Advisory Group
ACPO	Association of Chief Police Officers
ACPO PSC	ACPO Professional Standards Committee
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
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
IAG	independent advisory group – a body advising a force or BCU on race and diversity issues
IiP	Investors in People
IO	investigating officer
IPCC	Independent Police Complaints Commission
IR	informal resolution
IT	information technology
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
NIM	National Intelligence Model
OCU	operational command unit
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
RMS	record management system
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
UPP	unsatisfactory performance procedure