

Her Majesty's Inspectorate of Constabulary



Inspection of Hertfordshire Police

Professional Standards

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CONTENTS

A – INTRODUCTION AND METHODOLOGY

1. Introduction
2. Inspection scope
3. Methodology
4. Baseline grading

B – FORCE REPORT

1. Force Overview and Context
2. Findings
 - **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)*

C – GLOSSARY

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

Hertfordshire Constabulary polices an area of 632 square miles, with a population of just over one million. It has ten districts and borough councils serving a mix of both urban and rural areas, with some of the busiest roads in Europe. This mix places a variety of demands on the police.

The Force introduced a programme of significant change in October 2001, including a new policing style and a structural reorganisation from nine divisions to three BCU areas, each led by a chief superintendent area commander. This led to better systems, intelligence, more front line officers linked to local communities, and less time spent by officers on administration. Additional locally based community teams have also been created, and a greater emphasis placed on working in local partnerships at district and borough council level. There are ten crime and disorder partnerships, and all police areas have sector boundaries, that are coterminous with local district or borough boundaries.

The Force HQ is at Welwyn Garden City. The chief officer team is based at HQ and comprises the Chief Constable, Deputy Chief Constable (DCC), two assistant chief constables (ACCs) and the Director of Support Services. The Police Authority appointed a new Chief Constable in June 2004, his predecessor having served for five years in the role.

Recruitment and retention of staff continue to be challenging issues due to the high cost of living and proximity to London, to where staff are attracted by the potential for higher income.

As a result of the restructure in 2001, a new policing style was introduced designed to provide a modern, flexible and more effective policing service for the people of Hertfordshire. The changes were prompted by a determination to meet the public demand for more officers on the streets, and a move towards intelligence led policing. The model provided opportunities to take a more proactive approach to fighting crime. Intelligence units based on the three BCUs gather and analyse data, enabling crime patterns and trends to be identified, resulting in resources being targeted more effectively.

Professional Standards

The Assistant Chief Constable (Operational Support) holds portfolio responsibility for professional standards. The Professional Standards Department (PSD) is led by a Detective Superintendent Head of Department, with a Detective Chief Inspector (Investigations) and a Detective Chief Inspector (Hearings & Policy).

The complaints team consists of four detective officers, operating as investigating officers (IOs), who work with four police staff case officers. This team reports to the Detective Chief Inspector (Investigations).

The anti-corruption team has eight staff (including one vacancy), mainly police officers with proactive and covert criminal investigative skills. An analyst works within

the anti-corruption team which reports to the Detective Chief Inspector (Investigations).

A further seven staff perform administrative functions within the department. These, and the Inspector (Tasking & Co-ordination) report to the Detective Chief Inspector (Hearings & Policy).

GRADING : GOOD

2. Findings

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

Strengths

- National Intelligence Model (NIM) processes are integrated throughout all sections of PSD. Proactive resources targeting anti-corruption are well established. Fortnightly tasking and co-ordination meetings chaired by Head of Department are embedded and all new issues are channelled through this process.
- The Force has completed a 'Vulnerability to Corruption Assessment', which has been forwarded to NCIS. There is full engagement with other forces on a regional level both in terms of communication links and attendance at regional practitioners meetings. The force has successfully used teams of officers and equipment, including surveillance teams from outside forces, on PSD operations including integrity testing.
- The intelligence cell and proactive unit contain committed, well-qualified personnel. There have been some notable successes both in the identification of potentially corrupt personnel and ensuring they are targeted appropriately - including removal from the organisation.
- The Force has successfully made use of resources and equipment necessary in order to conduct integrity tests.
- Head of PSD is an experienced officer with an investigative and intelligence background. He has been in post for two years and has provided energy, enthusiasm and strong leadership during the transition to the new PSD structure.
- Intelligence activities and operations receive strong support and commitment from chief officers.
- Two officers within PSD are now trained in the handling CHISs and are now actively involved in CHIS related investigations.
- The intelligence cell within the anti-corruption unit operates a scoring matrix for new intelligence, which is then subject to debate at TCG.

Areas for Improvement

- Whilst NIM is mainstreamed throughout the department the Force acknowledged the need to update the strategic assessment, last conducted 12 months ago. Work on this was underway at the time of inspection.

- There is a regional PS strategic assessment but it is a compilation of the strategic assessments of the six forces and requires further refinement to make the exercise distinctive and pertinent.
- PSD has appointed an analyst who has received training and is establishing herself in role. Analytical support for the tasking and co-ordination meetings is currently limited. Products such as target and problem profiles have yet to be produced.
- PSD, in conjunction with the Force occupational health unit (OHU), is currently working on an alcohol and substance abuse testing policy.

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

Strengths

- The Chief Constable launched the professional standards strategy at the Force planning seminar in November 2005. Attendees at the conference included all senior managers and members of the Police Authority.
- Supervisors are being trained in handling complaints, both on divisions and in the Force information room. Third party reporting processes under the Gateways Project, have been well received by communities and minority ethnic, lesbian and gay support groups. The project is heavily promoted through the Force IAG and the Police Authority. There are plans to further expand the Gateways Project to Citizens Advice Bureaux and traveller groups.
- Police Authority commitment to professional standards issues is clear. Members of the professional standards working group (PSWG), who include Community Engagement Leaders (CELs), review all completed files, including direction and control matters, on a quarterly basis.
- The Police Authority and Force jointly produce a newspaper, 'Hertsbeat', which is distributed to every household in the county. The paper invites residents to comment on policing services, and has recently included a feature on professional standards issues.
- Upon completion of all PSD investigations, file review sheets are completed by the investigating officer. Any organisational learning is captured and progressed through the use of service improvement documents.
- The Force recognised that the internally managed confidential telephone reporting line had been unsuccessful. As a result a confidential e-mail reporting system direct into PSD has been introduced and has produced encouraging results, including information regarding one officer's inappropriate associations away from work. As a result of intervention the officer subsequently resigned. Other forces in the region have recognised this as good practice, and are in the process of replicating Hertfordshire's approach.
- Information leakage is identified as one of the main threats within the strategic assessment. There are communication links between PSD and data protection staff (line managed within Organisational Intelligence & Development), IT

Security, (line managed by Communications and IT), Vetting and HR. The Force has created a Professional Standards and Organisational Security Programme (PSOSP) meeting, bringing together key players and departments in order to maximise intelligence, operational and resource opportunities.

- Proportionality issues are a standing agenda item for debate at the quarterly Police Authority meetings. The Force Diversity Board is well established and has workstreams to address race, gender, sexuality, faith and disability.
- The Force operates a 'three strikes' policy, where officers who receive three complaints within 12 months are identified. Cases are subject to review and appropriate action is taken.
- The lead Police Authority member for professional standards also sits on the PA HR Group, and has oversight of HR issues linked to PSD – eg, results of grievances and employment tribunals.
- The Head of PSD meets the Head of HR on a monthly basis to discuss ongoing issues of interest to both departments.

Areas for Improvement

- Force vetting, currently within crime management department, has been the subject of close scrutiny over the last 18 months. A separate vetting working party, including PSD representation, has been created under the PSOSP. Additional resources are being allocated and progress continues towards implementation of the ACPO national vetting framework. Whilst performance has improved significant backlogs remain within the department.

Recommendation 1

Her Majesty's Inspector of Constabulary recommends that, under the auspices of the PSOSP, a review should be carried out to identify where vetting, freedom of information, data protection and security management should sit within the Force structure.

- There is clear evidence that lessons are being learnt in areas of business such as complaints and misconduct. However, in the wider context of direction and control, grievances, employment tribunals and civil cases, there is no co-ordinated system for organisational learning.

Recommendation 2

Her Majesty's Inspector of Constabulary recommends that the Force introduces processes to ensure lessons learnt from any part of the organisation are captured and remedial action taken in a fully co-ordinated way.

- Whilst there are plans to conduct customer satisfaction surveys specifically related to complaints and misconduct, this work has yet to be undertaken.

- An inspector has recently been appointed to a new position of 'Operational Security Manager' (OPSY). This post sits within PSD and will include the identification and review of compromised police operations, an area not currently examined.
- There are many police officers in the Force responsible for the management of police staff. Concerns were expressed by a number of personnel regarding managers' understanding of police staff terms and conditions, and misconduct procedures. Additionally unsatisfactory performance procedures (UPP) are not widely used on divisions.
- Most of the Force is not aware that PSD has made significant progress over the last two years and has had some notable successes. Results of misconduct hearings are included in Force Orders, but details are brief. There are further opportunities to market and publicise much of the work and results to the Force and local communities. Such marketing will send a clear message to staff on expected standards, have a long term preventative effect, and increase the confidence of local communities.

Recommendation 3

Her Majesty's Inspector of Constabulary recommends that the Force maximises marketing and publicity opportunities arising from professional standards investigations.

Enforcement - *its effectiveness in dealing with emerging problems*

Strengths

- ACC (OS) and Head of PSD meet regularly and formally on a monthly basis to discuss ongoing issues, specific cases and potential lessons learned. Additionally ACC (OS) attends the Police Authority PS Working Group, and chairs the Professional Standards and Organisational Security Programme (PSOSP). ACC (OS) sees all PSD case files including local resolutions.
- There are effective links between the Force and the IPCC. IPCC has attended joint training sessions with PSD staff and the Police Authority.
- Investigating officers (IOs) are assisted by constables, detective constables and police staff, enabling them to manage investigations more effectively.
- A senior manager within PSD acts as gatekeeper for all correspondence received into PSD. After an initial assessment, if the matter concerns a complaint, agreed terms of reference between PSD and the complainant are recorded, focusing on the need for proportionate investigations. Additionally, complainants are initially contacted by phone, helping to improve the timeliness of investigations.
- Western BCU has introduced a 'Quality Assurance Officer', resulting in improved quality and timeliness of investigations within the BCU.

- Diversity training is a prominent feature of the training programme for all PSD staff. Good use has been made of the King formula in a number of investigations involving allegations of discrimination.
- For reasons of consistency and professionalism, one DCI within PSD acts as hearings officer for all misconduct hearings. A total of 12 Superintendents have received training to act as panel members in misconduct hearings.
- PSD staff are providing training to probationers, newly promoted sergeants, inspectors and custody officers.

Areas for Improvement

- Since the introduction of the IPCC, the Force, like most others, has seen a significant increase in numbers of complaints. Whilst there are continued efforts to improve the timeliness of PSD investigations, concerns remain. The Force acknowledges the need for training of supervisors in the initial recording of complaints and the local resolution procedure. Training is scheduled to be completed before the end of 2005.

Recommendation 4

Her Majesty's Inspector of Constabulary recommends that the Force conducts a process review of professional standards investigations, identifying potential blockers, with a view to speeding the investigation process.

- Professional standards issues do not feature within BCU or force level performance management frameworks. The Force is aware of this and is currently reviewing the position at chief officer level.
- There are no sanction guidelines at present. It is the Force's intention to adopt guidelines used by the Metropolitan Police.
- Currently direction and control complaints are handled directly by BCUs or departments. Whilst all such issues should be forwarded to PSD when complete, this is not always occurring, and some opportunities for organisational learning are being missed (see Recommendation 2).

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

- With the new PSD structure came additional resources. Investigation timeliness continues to improve and there is more focus on proportionate investigations, including the use of written responses, most commonly used where a number of officers are involved in an incident. At the time of inspection, 92% of all

investigations were being completed within 120 days. One initiative has been to amend the Regulation 9 notice to officers complained against, which now includes a tick box highlighting if a copy has been sent to the Police Federation. The Force recognises the need to continue to focus on timeliness and explore opportunities for reducing investigation delays (see Recommendation 4).

- A traffic light system has been introduced to monitor case progression which is subject to fortnightly review at the TCG meeting. Service level agreements are in place between PSD, CPS and prosecution counsel to assist with timeliness.
- Representative and support groups such as the Police Federation, Superintendents Association, Black Police Association (BPA), Unison and Keystone, have made positive comments regarding the force's move from a complaints and discipline department to one with a broader professional standards remit, and the general accessibility of senior managers when required. Additionally, there were no issues raised regarding disproportionality in the investigation of complaints made against police officers or police staff.

Areas for Improvement

- The Force fully acknowledges that its proactive capacity is limited. There are examples of PSD operations, managed within the department, but where specialist services such as covert operations are needed, the Force relies on collaborative arrangements. A number of forces within the region including the Metropolitan Police have provided assistance.
- Given the collaborative arrangements, officers within the Force's anti-corruption unit are, on occasion, utilised for outside force enquiries, further reducing the Force's proactive capacity.
- Hertfordshire, along with other regional forces, has fully contributed to the debate on the potential to create a regional anti-corruption unit. This work is continuing but will no doubt be influenced by forthcoming decisions on national police restructuring.

Glossary

ACC	assistant chief constable
ACCAG	ACPO Counter-Corruption Advisory Group
ACPO	Association of Chief Police Officers
ACPO PSC	ACPO Professional Standards Committee
BA	baseline assessment
BCU	basic command unit
BME	black and minority ethnic
CHIS	covert human intelligence source
CID	criminal investigation department
CPS	Crown Prosecution Service
DCC	deputy chief constable
DSU	dedicated source unit
ESU	ethical standards unit
FTE	full-time equivalent
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
IP	Investors in People
IPCC	Independent Police Complaints Commission
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
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
PSOSP	Professional standards and organisational security programme
RDS	Research, Development and Statistics
RES	race equality scheme
RIPA	Regulation of Investigatory Powers Act, 2000
QA	quality assurance
SGC	specific grading criteria

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