

Her Majesty's Inspectorate of Constabulary



Inspection of Merseyside Police

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

Force Overview and Context

The County of Merseyside is an area of approximately 160,000 acres, with a population, which has now stabilized and recently shown a small increase to just less than 1.5 million. This reflects a significant change, given the long decline in Merseyside's population, over a number of decades, reflecting the increased desirability of residential development, particularly in the city centre. The working population of Merseyside has been growing steadily for some time. Employment indicators are also relatively positive, the employment rate being 67.3% in 2003 up from 66.1% in 2002 with the trend apparently still continuing. Over the past 5 years more than 43,000 jobs have been created in Merseyside.

A key driver in this change has been the fact that the county is still currently the subject of EC 'objective one status' thereby having the ability to draw down funds of over £1 billion over the current lifetime of the scheme. This is the second successive period that Merseyside has qualified, as a county within the lower economic quartile for 'objective one status'. The increases in performance and the economic upturn is likely to mean that Merseyside may shortly lose 'objective one status' (and many of the funding streams associated with it) but the outlook remains positive with the economic indicators and trends showing the economy of the county growing faster than the UK.

Liverpool has been selected to become the European Capital of Culture in 2008, which will see many new initiatives being introduced in the years leading up to and beyond 2008. The award in itself offers the opportunity to lead to further regeneration and development, by creating direct access to new funding

The make up of the county is enormously diverse economically, racially and culturally. The county has the oldest Chinese community in Great Britain and has a wide range of minority groups and populations. Over 60 different languages and dialects are spoken and after English, the main languages are Arabic, Bengali, Chinese, Hindi, Punjabi, Somali and Urdu. In addition, the city is amongst others who have a high number of asylum seekers, which of course bring with them social and policing issues.

Merseyside is a metropolitan area comprising five local authorities (Liverpool, Sefton, Wirral, St Helens and Knowsley), the largest of which is the City of Liverpool. Merseyside Police Force has an annual budget of just over £315 million and this provides the resources to deliver neighbourhood policing across the county. The Force structure reflects the local boundaries and is made up of six Basic Command Units, one in each metropolitan borough and two in Liverpool – North and South. The Force has strength of 4,438 police officers and over 2,000 members of police staff. The Forces bordering Merseyside are Greater Manchester, Lancashire and Cheshire.

The Force is led by a Chief Constable, deputy chief constable (DCC), four assistant chief constables and a senior member of police staff who is ACPO equivalent. The make up of the chief officer group changed during 2004 with the appointment of a new Chief Constable, Bernard Hogan-Howe and DCC Jon Murphy. Under new leadership, the Force is striving to be regarded as the best police force in the UK and for those pursuing a career in policing, would be the police force of their choice.

Merseyside Police Force work in partnership with and are supported by Merseyside Police Authority. The Authority is chaired by Councillor Bill Weightman and has 17 members, made up of nine elected members, five independent members (currently one vacancy) and three magistrate members.

During the past year the Force and the Police Authority have invested heavily in recruiting an additional 150 police officers (supplemented by a further 100 officers which have been drawn from non-operational posts). These increases will reverse the trend of officer numbers falling by nearly 600 over the previous decade. The Authority's levels of general reserve stand at £6m, some 2% of overall budget, meeting the requirements of the National Policing Plan and the desire to increase public reassurance by restoring police officer numbers to the levels previously in place in the mid 1990s. Overall, Merseyside's use of resources is effective in funding an overall policing performance that is consistently good within its family, and is recognised nationally.

Merseyside Police has recently recorded its highest number of neighbourhood police officers with 1,400 police officers dedicated to patrolling the streets. Merseyside also faces special challenges in dealing with middle tier and gang related crime. The recent introduction of a newly formed 'matrix group is intended to provide a more focused and robust approach to these issues as well as providing support for neighbourhood policing.

Professional Standards

The DCC holds the portfolio with responsibility for professional standards issues within Merseyside Police. The Force addresses complaints and misconduct matters through the professional standards department (PSD) and proactive anti-corruption issues through its professional standards unit (PSU). A chief superintendent heads the PSD with a deputy of superintendent rank. A chief inspector, the head of civil claims and an administration manager complete the command team structure. The PSU is led by a chief inspector with direct lines of accountability and reporting to the DCC.

The PSD consists of a number of units as follows:

Reactive Investigation Teams - There are five reactive investigation teams, each led by an inspector supported by three sergeants. The teams have geographical areas of responsibility that support formal channels of communication with the respective BCUs.

Priority Investigation Team - This team, consisting of an inspector and two sergeants, support the reactive investigation process and deal with matters identified as a priority through the tasking and co-ordination process.

Policy and Intelligence Unit - This team consists of two sergeants supported by an analyst.

Civil Litigation Department - The department is led by a senior police staff member, with a sergeant working as part of the team, who reports to the head of PSD through the head of civil claims.

In addition to the above units, PSD has an information security officer and a team of 10 caseworkers and administration staff that provides support to each of the units as required.

The PSU sits separately from PSD and has its own proactive investigators, intelligence facility, and staff with specialist investigation skills such as financial investigation and surveillance capability. This unit also incorporates the Force vetting manager.

GRADING : GOOD

Findings

Intelligence - *what the Force knows about the health of professional standards*

Strengths

- Both the PSD and PSU have adopted the principles of the National Intelligence Model (NIM) in the identification of priorities and allocation of work. The priority investigation team, PSD, allows a flexible response to emerging matters of significance.
- There is evidence of the effective preparation and use of intelligence products such as target and problem profiles within both PSD and PSU.
- A strategic assessment of the Force's vulnerability to corruption has been completed and this informs the control strategy adopted by the Force. This assessment identified information leakage, criminal association and integrity/vetting issues as the main areas of threat. This information has been forwarded to the National Criminal Intelligence Service (NCIS) as required.
- Procedures for dealing with civil litigation issues are well organised and integrated into mainstream professional standards work. This includes an early assessment of all claims for potential misconduct issues. The head of civil claims is a member of the PSD command team.
- The Force is committed to a 'learning the lessons' ethos and has effective processes in place whereby complaints, civil claims and 'fairness at work' procedures are analysed for future learning and policy development.
- The PSU has trained analysts who are supported by a stand alone intelligence system thereby allowing them to effectively assess and evaluate information. PSD staff have limited access to this system which facilitates joint intelligence sharing on a 'need to know' basis.
- There is evidence that members of the Force are prepared to share intelligence in relation to corruption issues with PSU on a regular basis and guidance for doing so entitled 'Doing the Right Thing' is published in the Force 'Billboard' magazine.
- The proactive investigators deployed within PSU are motivated, well briefed, experienced and have the skills to deal effectively with all aspects of covert investigation techniques. Training and refresher training where required is a priority for the department.
- There is evidence that the Force has good working relationships with external agencies and that intelligence sharing is commonplace. PSU have a biannual regional practitioners meeting and is represented at ACCAG.
- PSU have a process in place whereby compromised investigations are reviewed and debriefed for intelligence purposes.

Areas for Improvement

- The Force has recognised the need to provide more training in relation to investigation techniques and dealing with complaints of a racial nature for the reactive investigation staff. Diversity training is scheduled for February 2006.
- Whilst the PSU intelligence unit has an effective tasking and co-ordination process, the structure of the current Force IT systems mean the process for extracting and managing information is resource intensive. There is currently no direct link from the PSU IT systems to specific information within the Force intelligence system, but this will improve as PIMS is introduced.
- In developing intelligence around individuals and in undertaking the vetting procedures, the records accessible to PSU on the current Centurion system do not contain any assessment of the seriousness of the complaint registered.

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

Strengths

- The Force has an effective, overarching professional standards strategy that encompasses all PSD/PSU issues. The strategy is readily available to all members of the Force via the Intranet system.
- There are a number of open and accessible ways in which complaints may be made including e-mail, telephone and third party reporting. The Force also makes use of 'language line' to overcome language barriers in the reporting of complaints.
- There is an effective system in place to register, assess and allocate matters for investigation within both PSD and PSU. This is in line with NIM principles.
- The Force has recently formed a sub-group of the independent advisory group in order to examine and advise upon complaints issues whilst ensuring there is no disproportionality in the delivery of services.
- The head of PSD attends the Force diversity steering group with a breakdown of complaint trends and patterns, which is prepared by the PSD analyst. This includes a breakdown of associated costs, which is circulated to divisions and departments.
- The Force has recently introduced the 'Safecall' method of internal confidential reporting and has seen a significant rise in the number of calls received.
- The Force vetting manager sits within PSU and oversees all Force policies around recruit and management vetting. Merseyside Police vetting procedures are well advanced and in excess of the national guidelines.
- Information security issues are a major focus for the PSU with a dedicated compliance manager who regularly audits and checks all IT systems for misuse or suspicious patterns of activity.

- The alcohol and substance misuse policy was introduced in the autumn of 2005. A number of internal and external drivers are behind the policy and there is a facility for issues to be dealt with as a welfare matter if identified through self-referral.

Areas for Improvement

- The DCC assumed overall responsibility for all professional standards issues from 7 November 2005 within the Force. He is aware of the need to assess the current stand alone status of the PSU in order to ensure that the most appropriate structure is adopted. He needs to formulate a communication strategy.
- Whilst there has been a rise in the number of calls received on the 'Safecall' system, the majority of these have been of lower priority and have been returned to departmental heads, BCUs or referred to PSD for action in appropriate cases.
- The Force has some problems in consistently identifying the six strands of diversity within complaint issues due to software and information limitations. Complainants are generally reluctant to give information but, where the information has been provided and is accurate and relevant, the data can be produced.
- The level of incivility complaints received by the Force has already been identified as a priority for analysis, together with the need for appropriate action to address the causes. A pilot scheme is operating on one BCU with a view to developing it Force-wide.
- The Police Authority has considered the role and responsibility of their professional standards and complaints committee. They are working closely with the Force professional standards department to provide better performance and management information to members so that they can carry out their statutory monitoring and scrutiny role.

Enforcement - *its effectiveness in dealing with emerging problems*

Strengths

- The Force has adopted an approach to professional standards issues that sees individuals, supervisors and managers being held to account for their performance through the complaint handling action plan. This is a comprehensive approach to ensure that communication between PSD and areas/departments is improved and that complaints are analysed effectively in order that lessons can be learned.
- The aim of this new inspection type approach is to apply peer pressure to individuals from colleagues and supervisors who are drawn into the inspection process by the focus being on performance of the group rather than the individual. The approach also ensures that PSD resources focus education and inspection initiatives on those groups and individuals who attract most complaints.

- The 'Back to Basics' initiative was introduced some 12 months ago and is designed to provide increased support to officers through more intrusive supervision. This approach reduces opportunity for mistakes to be made and makes supervisors more accountable for their officers' personal and professional standards.
- Each BCU has a nominated liaison officer for professional standards issues through the superintendent (operations support) who provides a focussed and consistent approach to improving performance in this area.
- The referred officer scheme is a means whereby early intervention and management action can be considered with officers who have been the subject of three complaints within the previous 12 months.
- PSD has identified one BCU currently, which requires additional support and guidance in relation to the numbers and types of complaints it currently receives. As a result there is improved liaison and an action plan has been formulated to address the issues. Regular meetings ensure that progress is continually monitored and reviewed. It is intended to roll out this process across the Force.
- There is a process in place to ensure that wherever possible local resolutions are dealt with by local managers with appropriate support from PSD where required. A process map has been developed in order to assist both area level and departmental staff.
- There is an effective system in place that ensures direction and control complaints are monitored for emerging policy issues and that necessary steps are taken in order to ensure that appropriate lessons are learnt.
- The Force has an effective system to ensure that 'Fairness at Work' (FAW) issues are assessed at an early stage for any potential misconduct or criminal issues arising. Areas have employee relations and diversity advisors to assist with FAW matters.
- PSU has effective collaborative working relationships with internal and external sources that allow it to utilise additional resources as and when required.
- The Force and the Police Authority enjoy good, constructive and open relationships with the IPCC and hold regular meetings. The head of PSD formed effective links and liaison arrangements with IPCC prior to the commencement of the new legislation in April 2003. This good working relationship has continued with the force voluntarily referring a number of sensitive issues to the Commission.
- The monthly serious and organised crime briefing attended by the Chief Constable and the DCC includes a closed, confidential discussion of PSU issues in order to ensure any cross over between PSU and criminal matters is highlighted / identified.
- All suspensions and restrictions from duty are undertaken by the DCC with regular reviews in place to ensure consistency and to comply with the Lancet principles. Weekly case reviews are also undertaken in respect of matters under investigation by the PSU.

Areas for Improvement

- The Force has recognised a need to improve the quality of files submitted to PSD by areas and has recently introduced an 'incomplete file' system. Files that fail to meet the required standard are returned for remedial action. This could include development needs for individual officers.
- The Force has recognised that area supervisors require additional guidance and support in order to improve the overall quality of reporting and investigation of complaints. A formal package is currently being developed and in the meantime advice in the form of an e-mail circulation has been distributed.
- The Force is currently identifying and examining good practice in order to improve the consistency of complaint outcomes for police officers and police staff.
- The numbers of FAW issues raised by minority group officers is currently very low within overall numbers submitted. The Force needs to evaluate the reasons for this to ensure no disproportionality exists. The DCC intends to further enhance the working relationships between the Force and staff associations/support networks.
- The Force currently experiences a poor return rate of customer satisfaction surveys and the head of PSD has identified a need to be more proactive in this area in order to ensure public satisfaction issues are picked up.
 - Due to existing vacancies within the chief officer team there is a shortage of senior officers to chair misconduct panels. This has resulted in a slowing of the misconduct process. The Force anticipates that this will be remedied through the current recruitment process by the end of the year

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 Force is well resourced in all aspects of professional standards work and is, in the main self-sufficient with all requisite skills being available within the current staff. There are also good, effective collaborative arrangements with other forces in place to further enhance the capability and capacity of the Force in those circumstances that may require it.
- The PSU is located in a covert, stand alone site away from the Force headquarters and is self-sufficient in terms of resources. The use of a single site benefits communication and personnel management issues.
- There are a number of supportive management systems and peer group monitoring processes for PSU investigators that ensure continued support and effectiveness.

- Officers and staff are subject to regular performance monitoring and receive necessary training identified through the PDR process.
- A review of workloads and cases pending identifies that the unit has the capacity and capability to manage the majority of issues identified for action. The unit also has the facility of being able to use specialist staff from the Force crime operations unit and information security bureau in appropriate circumstances.
- PSD is well resourced and has an appropriate structure to ensure an effective function. Whilst workloads are normally allocated on a geographical basis, the department has sufficient resilience to be flexible if the need arises. The priority investigation team further enhances this flexibility, particularly in relation to the more serious and protracted investigations.
- The Force has mechanisms in place to ensure the effective reintegration of staff to mainstream policing following a posting to PSD/PSU. These include the use of attachments and participation in the Force high visibility policing (HVP) initiative.

Areas for Improvement

- The Force has, in the past, introduced a regular system of attachments to PSD for front line supervisors and managers in order to enhance their understanding and ability to deal effectively with complaint issues. These were suspended during recent recruitment activity. The Force should consider reintroducing them to provide additional support and impetus to the “Back to Basics” initiative.

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
liP	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
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