

Her Majesty's Inspectorate of Constabulary



Inspection of Nottinghamshire 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

Nottinghamshire is a medium-sized shire county in the East Midlands with a population of 1,029,293, comprising some 433,974 households (based on 2005 figures). The largest conurbation in the force is the city of Nottingham. Although the large majority of the population is classed as British white, there is a significant concentration of minority ethnic communities, principally Indian, Pakistani, Bangladeshi and Afro-Caribbean, within the city of Nottingham area.

The current Association of Chief Police Officers (ACPO) team consists of a Chief Constable, deputy chief constable (DCC), assistant chief constable (ACC) (crime), ACC (operational support), director of finance and corporate services, director of human resources and director of information and network services. The Chief Constable, Steve Green, has been in post since 2000, while the DCC, Howard Roberts, was promoted in June 2003 from his then post of ACC. The ACC (operational support), Peter Ditchett, has been in post since January 2002, and the ACC (crime), Susannah Fish, since January 2004. The Police Authority (PA) Chair, John Clarke, has held office for five years.

The force headquarters (HQ) is located in Arnold. As at 31 March 2005 the Force consisted of 2,499 police officers, 1350 police staff, 324 special constables and 102 police community support officers (PCSOs). The force's revenue budget for 2005/06 is £173.367 million, following a 4.9% increase in the local precept.

Professional Standards

The DCC holds portfolio responsibility for Professional Standards (PS). The Professional Standards Unit (PSU) consists of a superintendent head of department, a chief inspector managing a complaints and misconduct unit, a chief Inspector managing an internal investigations unit (IIU) and a force head of vetting managing a vetting unit. A complaints administration bureau (CAB), headed by an inspector, supports the complaints and misconduct unit. The PSU consists of 39 staff members with 10 staff in complaints and 7 staff in internal investigations. The complaints team consists of experienced officers, six of whom are investigating officers (IOs) with each of the three pairs (an inspector and sergeant) working with a police staff case investigator. The internal investigation team consists of mainly police officers with good pro-active and covert criminal investigative skills. An experienced analyst works within the anti corruption unit. Force vetting and the information security officers sit within PSU although legal services and the management of the direction and control complaint system do not.

GRADING : GOOD

Findings

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

Strengths

- The force conducts an annual strategic risk assessment (SRA) of corruption, dishonesty and unethical behaviour. This risk assessment is fed both into the force SRA as well as the National Criminal Intelligence Service (NCIS) strategic threat assessment. A control strategy capturing the vulnerabilities as outlined within the SRA is produced, which in turn drives the PSU business plan and the programme and projects of the Nottinghamshire Police Force Security Board.
- Until the onset of a major corruption enquiry in October 2004, a dedicated intelligence cell within the internal investigation unit (IIU) structure received, assessed, developed, actioned and disseminated product in accordance with the broad principles of the NIM. A small operational team within the same unit progressed priority packages as identified via a fortnightly tasking and co-ordination process chaired by the head of unit. These teams still exist, but their activity has been dominated in the last 12 months by the corruption enquiry, Operation Salt.
- Staff in the PSU are skilled and experienced in PS investigations. In the IIU in particular, a full range of training has been provided including source handling and controlling, covert policing techniques and SIO training for both major investigation and corruption investigations. The team has dedicated analytical and research support.
- Whilst the IIU does not manage its own informants, there is clear evidence of the use of such intelligence within the department.
- Intelligence received concerning potential corruption is entered onto a secure, stand-alone database.

Areas for Improvement

- Whilst staff within the PSU have received general diversity training, they have not received additional training in the investigation of racial complaints or Race Relations Act training specific to PS activity. This is recognised within the PSU business plan for 2005/06, and plans are well advanced for the delivery of such training currently scheduled to take place in January 2006.

Recommendation 1

Her Majesty's Inspector of Constabulary recommends that staff investigating misconduct and conducting corruption enquiries for police officers and staff receive diversity training specific to professional standards activity.

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

Strengths

- Input on PS is given to probationers as well as to courses for inspectors, sergeants, firearms officers, custody staff and control room operators. Ad-hoc training to different groups is also provided, for example an input to divisional inspectors on the local resolution process. The department runs a site on the force intranet that includes all PSU policies, guidance on IPCC procedures and frequently asked questions.
- Complaints can be made to the force through a wide variety of methods including referral by third party agencies and electronic reports. There is evidence that the PSU will assist non-English speaking complainants through 'language line' and interpreters.
- The Force has incorporated the results of a previous satisfaction survey into the departmental business plan. The results from a second survey have yet to be published.
- A confidential reporting line, launched in June 2003, has been extensively publicised around the force by means of poster campaigns, intranet bulletins, on the PSU intranet site, weekly orders and the number is listed on the force telephone directory. This is supported by the policy for PS reporting ('Doing the Right Thing'), which aims to 'create a climate where staff feel a genuine obligation to openness and transparency when reporting breaches of professional standards'. This policy also details how staff reporting such breaches will be protected and supported by utilising a range of options contained within it, including action to be taken in the event of bullying. Although use of the line is low, the department receives reports of wrongdoing direct.
- Statistics are provided to the Hate Crime Team on complainants, who use this data to produce a quarterly 'Equality Monitoring Report' that contains a specific section relating to police complaints by ethnicity (per 1k population) and proportionality. In terms of investigations conducted about Black and Minority Ethnic (BME) staff, the data for internally reported matters is produced in a report format and presented to the Police Authority Professional Standards Committee and to other stakeholders.
- The force security board was formed during 2004 and is now a well-established mechanism for driving through the three work programmes to address physical, personnel and information security issues. One of its main achievements in 2005/06 is the formation of a force vetting unit. The force information security officer (who sits within PSU) is a member, as is the vetting officer. The board has 38 separate work programmes, each with a lead officer who, following detailed research and scoping has been tasked with progressing vulnerabilities highlighted within the above 3 areas.
- Vetting is now a centralised, auditable process for all new recruits (police officer/police staff) and contractors/cleaners, with the unit sitting within the PSU and directly responsible to the head of PSU. However management post vetting for existing staff is still not yet fully developed.

Areas for Improvement

- The force has recognised the need to increase the number of ways in which PS are promoted throughout the force. Nottinghamshire has recently developed a leadership and standards booklet for issue to all supervisors once fully consulted, and is putting in place a cadre of PS champions to act as a single point of contact and advice on PS issues on each division.
- In terms of organisational learning from complaints, the force has recently started to capture learning from each investigation and place them onto a database. A newsletter has been re-launched to cascade this information to the organisation. However there is no process to capture the learning from those cases locally resolved by divisions, the majority of complaints made to the force.

Recommendation 2

Her Majesty's Inspector of Constabulary recommends that the organisational learning database is expanded to include those assessed from cases that are locally resolved, employment tribunals and grievances as well as those investigated by the PSU.

- In terms of staff investigated as a result of a public complaint, the current database used to record and manage complaints does not easily support the extraction of management information on ethnicity and gender, and until now it has not been analysed. However the PSU is soon to present this data at the Professional Standards Liaison Group and Professional Standards Committee.
- In a sizeable number of cases, the ethnicity/gender of complainants is not known.

Recommendation 3

Her Majesty's Inspector of Constabulary recommends that force considers the use of a diversity questionnaire to try and capture the ethnicity as well as other strands of diversity from a greater proportion of those making complaints to the force.

- The auditing of key IT systems is largely reactive rather than proactive. An amount of flagging takes place to track specific activity, but there is no comprehensive auditing of force systems to detect misuse. This facility has been significantly affected by the ongoing corruption enquiry, Operation Salt, which has significantly absorbed the proactive resources of the IIU.

Recommendation 4

Her Majesty's Inspector of Constabulary recommends that the force puts in a process to ensure that key IT systems are routinely monitored (proactively) to detect misuse and information leakage.

Enforcement - *its effectiveness in dealing with emerging problems*

Strengths

- The complaints administration bureau within the PSU receives, reviews, assesses, records and allocates all public complaint/conduct matters, including those suitable for local resolution, within 24 hours of being received. IPCC research staff have recently undertaken a full scrutiny of the CAB resulting in very favourable comments about the unit. The unit also maintains a diary system to ensure complainants and staff are updated with the progress of their cases.
- The force has implemented a policy of screening complaints that are investigated by the PSU to ensure that investigations are proportionate. This has been well received by staff, as has the introduction of the MG forms into PS files, thus reducing unnecessary paperwork. The PSU uses a 6-point scale to ensure that complaints are dealt with inside set timescales, and the head of unit reviews all outstanding cases against a traffic light system to ensure that timeliness targets are adhered to.
- The professional standards liaison group is chaired by the DCC and is attended by the head of PSU, the head of personnel and the staff associations. Through this forum there is consistency in the way in which staff associations are consulted in PS issues, together with effective links with HR to monitor parallel processes and ensure parity in suspension decisions and complaint outcomes for police staff and police officers. The group had led on a number of initiatives within the force, and is the forum through which key reports affecting professional standards are assessed and actioned.
- Inputs are given to all superintendents and other staff involved in operating misconduct panel hearings, thus ensuring consistency and fairness.
- Relationships between the force and IPCC are good, with day-to-day contact between caseworkers who have met with PSU staff and visited divisions to improve their understanding of operational issues. The IPCC regional director has attended quarterly Police Authority (PA) meetings.
- The PSU holds regular meetings with the Police Authority, both statistical and operational. PA members select at random complaint and misconduct cases to review with the designated IO, both live and closed, anti-corruption and public complaint. Authority members are encouraged to examine the files and make recommendations on such matters as investigative terms of reference, proportionality and timeliness. PA concerns regarding the number of road traffic incidents involving police vehicles have led to a comprehensive review and subsequent re-drafting of driver policy.

Areas for Improvement

- A new user-friendly web-based system has been developed for the recording and management of complaints regarding the 'direction and control' of the force (as opposed to the actions of individual staff). In addition to the IT system, the force has developed a process by which the underlying trends in public concerns can be fed directly into the strategic planning cycle. However the system is not yet in place, with a pilot to commence in November 2005 and no clear plans either on how public-facing divisional/departmental staff were to be trained in the use of the system, or on the subsequent roll out of the system.

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

- In comparison with forces of a similar size, the anti-corruption capacity of the force is significantly larger than most, something that stood the force in good stead when faced with the report into misconduct in 2004 that led to Operation Salt. This was a significant proactive investigation, still sub judice, which at its peak involved a significant number of resources from the National Crime Squad and NCIS. An investigation of this size has reduced (though not removed) the proactive capacity of the force, however the enquiry demonstrates that Nottinghamshire has the will, the resources, the skills and the drive to follow through an enquiry which stands scrutiny at a national level. The learning from the investigation thus far has already been presented at a national PS conference.

Areas for Improvement

- Average investigation time within the review period is 126 days. This is measured from receipt of complaint to closure. Timeliness is monitored both at monthly management meetings and again at quarterly periods where statistical data is presented to the PA. There was an upward trend in investigation times for the 12 months up to quarter 1 2005/06. This is being addressed through a traffic light system on the management information pack, through regular supervisory meetings and through a move towards more proportionate investigations. Quarter 2 of 2005/06 results show promising signs of improvement. Divisions are also undertaking a greater proportion of local resolutions, thus reducing demand on complaints staff in the PSU.

Glossary

ACC	Assistant Chief Constable
ACPO	Association of Chief Police Officers
BA	baseline assessment
BME	black and minority ethnic
DCC	deputy chief constable
HMI	Her Majesty's Inspector
HMIC	Her Majesty's Inspectorate of Constabulary
HQ	headquarters
HR	human resources
IO	investigating officer
IPCC	Independent Police Complaints Commission
NCIS	National Criminal Intelligence Service
NIM	National Intelligence Model
PA	police authority
PCSO	police community support officer
PS	professional standards
PSU	professional standards unit
UPP	unsatisfactory performance procedure