

Her Majesty's Inspectorate of Constabulary



Inspection of Staffordshire 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

Staffordshire is a medium-sized shire county located in the heart of the country, covering an area of 1,048 square miles. It has a population of 1,047,380 and 431,430 households. The county is a mix of both urban and rural areas. The main centres are around the city of Stoke-on-Trent, and major towns of Newcastle under Lyme, Stafford, Burton upon Trent, Tamworth and Cannock. The percentage of the black and minority ethnic (BME) population is lower than the national average, with the majority being located in Stoke-on-Trent and Burton upon Trent. There are also a significant number of asylum seekers located within Stoke and the number is expected to rise.

Force headquarters (HQ) is located in Stafford. It is here that the chief officer group is located and led by the Chief Constable, John Giffard. The deputy chief constable (DCC) David Swift has responsibility for performance and corporate development, best value, technology services and professional standards. Assistant chief constable (ACC) Adrian Lee has the portfolio for territorial policing and ACC Suzette Davenport has recently been appointed as the ACC (operations). The director of resources, Graham Liddiard is responsible for organisational support, which includes human resource (HR), financial services and support services.

Policing in Staffordshire is structured around four operational divisions: Chase, North Staffordshire, Stoke-on-Trent and Trent Valley. Each has its own command team, headed by a divisional commander of chief superintendent rank. Within each division are local police units (LPUs) headed by an inspector. This locally based style gives officers ownership of local problems and issues, fostering and encouraging strong ties with the community.

As at 31 March the force comprised of 2,298 police officers, 1,326 police staff, 409 special constables and 57 police community support officers (PCSOs).

Professional Standards

The DCC holds portfolio responsibility for Professional Standards (PS). The Professional Standards Department (PSD) consists of a Superintendent Head of PSD, a chief inspector who manages complaints and misconduct, a detective chief inspector (DCI) who manages anti corruption/intelligence, a head of information security and compliance, all supported by an Office Manager and an administration support team. The department consists of twenty-five staff members with nine staff in the complaints unit and three staff in the anti corruption unit (ACU). The complaints team consist of experienced officers four of whom, including the chief inspector, are investigating officers (IOs) who work with police staff assistant investigators. The anti corruption team consists of three police officers with good pro-active and covert criminal investigative skills. There is an experienced system/data analyst who works within PSD currently being trained to work within the anti corruption unit, although the two investigators are experienced at developing intelligence. Force vetting and information security and compliance sit within PSD, under the head of the information security and compliance unit, with civil claims sitting outside PSD.

GRADING : FAIR

Findings

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

Strengths

- NIM processes have been introduced fully in 2005 following the appointment of a new head of PSD. This has included attendance at Force tasking and co-ordinating, with confidential briefing of the chair of the force tasking and co-ordination meeting on professional standards commitments. A professional standards tasking and co-ordinating meeting takes place based on the five areas identified as vulnerabilities in terms of corruption, chaired by the DCC. This development, together with the increase in staff in the ACU, will mean that most proactive enquiries will now be retained within the Professional Standards Dept.
- Staffordshire have developed the police informant management system (PIMS) in order that covert policing managers can forward contact sheets safely within this confidential environment to allow evaluation by the anti corruption unit. This reduces the opportunity for knowledge leakage.
- Until recently the Force did not have a stand-alone PS intelligence IT database, as in the past proactive operations were passed to the crime division for action by an SIO. However following the creation of the anti corruption unit the force implemented the 'Clue 2' IT intelligence system, and all anti-corruption staff are trained in its use.
- The head of the ACU has experience and skills in covert observations, RIPA, witness protection and level 2 intelligence handling. PSD staff are all experienced with a good level of investigative skills, as have those transferring into the anti-corruption unit from the crime division. Both the head of PSD and head of anti-corruption have recently attended a specialist anti-corruption SIO training course.
- Complaint investigators in the department received specialist diversity training for their professional standards role 18 months ago, and all new staff received training in autumn 2005.
- A force vulnerability to corruption assessment has been undertaken, and all actions resulting from it are now complete. As a result of the force assessment, all divisions were required to carry out an individual assessment. The resulting action plans have been monitored through internal divisional inspections, and divisional commanders will report to the Chief Officers' Management Meeting on progress at the end of the year.

Areas for Improvement

- The Force does not currently have a professional standards strategic assessment and control strategy, however this year it has commenced a strategic assessment process that will drive the control strategy priorities.
- Having adopted the NIM principles and equipped the unit with a proactive capability, the head of PSD has commenced the development of dedicated

analytical support within the department. At present such support is provided by the force principal analyst on an ad hoc basis, subject to the needs of the investigation.

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

Strengths

- Setting and sustaining professional standards in Staffordshire is mainstreamed in a number of different ways, with very active leadership by the DCC in setting standards. Professional standards inputs are a feature of a wide range of courses, and when new courses are under development, the need for a professional standards input is considered. A member of the force executive attends every probationer intake to present on a wide range of issues, including professional standards. The range of course which have a PS input is wide: probationary police officers, tutors, PCSOs, CID, intelligence operatives, newly promoted sergeants, leadership develop programme as well as ad-hoc inputs as requested by divisions/support groups.
- PS features in all strategies and departmental plans and senior management meetings and is being re-enforced through force-wide awareness intranet packages to all frontline supervisors linked to the quality of service project.
- Part of the role of the chief inspector (operations) on each division is to scrutinise /monitor complaints recorded locally and to act as the complaints 'champion' for the division.
- Organisational learning from complaints investigated within the PSD is identified in the final report of the IO and collated by the office manager and actioned accordingly. Examples of such learning were given, such as changes in force policies on driver training and death in police custody.
- The force has ethical, fair and transparent systems for receiving, investigating and resolving public complaints, direction and control complaints, civil actions etc. The force has significantly improved the accessibility to the complaints system through the introduction of a new intranet-based system for recording complaints. Any member of staff can take a complaint and forward it electronically through the intranet to PSD through use of this system.
- A confidential reporting line for staff is in place, which has been advertised through wage slip inserts, on the Intranet, in the force Newspaper. Only the head of PSD and the office manager have access to the system, which is used by members of staff to report suspected wrongdoing. The force is currently seeking successful examples of the outsourcing of such reporting lines.
- Staff associations and support groups report having confidence to raise concerns and discuss complaints/misconduct case progression with managers in PSD, both formally and informally. They regard the PSD as open and transparent. Support groups are used if required to advise on the impact of policies/investigations on staff.
- Ongoing monitoring of complaints and misconduct takes place by the head of PSD, the DCC and the Police Authority to check for disproportionality. The number of complaints and complainants emanating from BME communities is

such that individual and close scrutiny of cases occurs at divisions, PSD and Police Authority whilst trends and patterns are sought out.

- The force security management programme is in place, which covers the physical, IT intelligence assets and data protection, managed day-to-day by the information security manager who sits within PSD. The action plan is monitored at the force's information security review board, chaired by the DCC.
- The force was one of the first to negotiate a policy on alcohol and substance misuse in 2001. Routine testing for new recruits prior to appointment, firearms officers, air support officers, driver trainers and the force chemist inspections officer takes place, either prior to appointment and annually whilst undertaking the role.
- The vetting officer sits within PSD and the vetting policy has been re-written to comply with the ACPO vetting policy. The force vetting officer has made a significant contribution to the national IMPACT project, which Staffordshire was one of the pilot forces for.
- Whilst informal contact with divisional/departmental heads is good and professional standards is discussed at senior managers' meetings, no regular meetings have been held between the head of PSD and divisional/departmental heads. The head of PSD is now a member of the Chief Officers' Management Meeting, where PS is a standing agenda item.

Areas for Improvement

- Organisational learning is compiled from cases investigated by PS staff. However there is no process in place to examine cases resolved locally for 'lessons to be learned', and these are the majority of complaints. Similarly there is no clear route for the force to learn from complaints made against the 'direction and control' of the force.

Recommendation 1

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 PSD.

- Two vetting databases are currently being developed, one for staff and the other for contractors, though not yet complete. Management vetting for staff already in post is not yet in place, though currently under development.

Enforcement - its effectiveness in dealing with emerging problems

Strengths

- Staffordshire ensures that there is early and consistent assessment of all complaints. Cases are referred to an assistant investigation officer for early resolution and a proportionate response if appropriate. The office manager ensures consistency in recording and the categorising of complaints and decision making as he sees all complaints that come into the force and scans all civil claims for misconduct links. The deputy chief constable makes the final decision in respect of outcomes and is also the decision-maker in respect of the non-recording a complaint.
- The DCC and head of PSD provide consistency over decisions to suspend staff as a result of allegations of misconduct/corruption. These decisions are reviewed regularly by the DCC, head of PSD and the employee relations manager.
- Staff associations report that misconduct panels are consistent and professionally run. The DCC scrutinises all tribunal decisions and provides feedback to panel chairs. The executive team reflect upon trends and precedents established in their away day forum therefore avoiding the dangers of formulative sentencing and the need to consider the circumstances of each individual case. During any deliberations on the sanction to be imposed, the tribunal panel will, if in doubt, seek the advice of the head of PSD, not on that specific case but upon sanctions previously imposed in a similar set of circumstances. The tribunal would also have access to advice from a member of the force solicitor's office.
- Direction and control complaints are collated and reviewed by the office manager, who then allocates the enquiry to the relevant department for a response within a set period.
- Complaint/misconduct files are allocated to a nominated IO, who then structures an investigation plan/investigation strategy (completed in consultation with the head of PSD in appropriate cases). As part of a monitoring process, IOs are required to report on a monthly basis as to the progress of enquires, in each case indicating the progress made to date and the grounds for any delay.
- The relationship between Staffordshire and the IPCC is positive. The DCC enjoys an excellent relationship with the regional IPCC Commissioner and is supporting his national work on the mental health/police interfaces. The IPCC caseworker for Staffordshire has regular meetings with IOs to discuss investigations and the senior caseworker meets with the head of PSD. Relationships with the PA are also very positive, acting as a 'critical friend' to the department.
- The PA have recently asked the DCC to commission a survey of those stopped and searched by police to ensure that quality of service is at its highest. The Police Authority Professional Standards Committee holds quarterly meetings during which the members dip sample completed complaint investigations, local resolutions, civil claims, stop and search and direction and control issues. The members are also provided with the PSD quarterly statistics in respect of completed and recorded complaints. The latter figures are produced at local policing unit level. The DCC, head of PSD and the department manager are present at these meetings to address any issues or concerns raised by members.

Areas for Improvement

- The DCC has already had discussions with the IPCC to discuss the development of the current complaint assessment methodology used to ensure timely, consistent and proportionate investigations. Such criteria are being developed in the East Midlands Region, and the force is encouraged to take into account best practice identified through the national thematic in this area.

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 of a medium size and some anti corruption operations do call for additional expertise. This requires calling on neighbouring forces for assistance particularly in the area of covert operations. There are sound collaborative arrangements in force in respect of the regional forces.
- In the past, the force crime division has provided the investigative support for proactive enquiries, commissioned through a tasking process with the DCC. Operation Wasp demonstrated that the force can call upon the full range of expertise to carry out a high level anti-corruption enquiry concerning misuse of the intelligence system.
- The force is now in the process of moving 3 staff from crime division into the PSD, dedicated to proactive investigations into anti-corruption. It already has a network of single points of contact in key departments/divisions should the need arise for additional support in anti-corruption investigations.
- A service level agreement has recently been developed between the Police and CPS at a national level setting time scales for their review of files containing criminal allegations. The agreement has been adopted locally between the Force and the Birmingham CPS. Time limits are imposed at divisional level to ensure prompt handling of Local Resolutions.

Areas for Improvement

- Staffordshire has the capacity to respond to allegations of corruption and is in the process of increasing the staff dedicated to this function within the PSD. However there has been a limited capacity in the past for the force to investigate these issues proactively, for example, by routinely examining critical force IT systems such as intelligence, PNC and command and control for misuse. This capacity issue should be addressed once the new regional structure for policing becomes clear.

Glossary

ACC	Assistant Chief Constable
ACCAG	ACPO Counter-Corruption Advisory Group
ACPO	Association of Chief Police Officers
ACPO PSC	ACPO Professional Standards Committee
ACU	anti-corruption unit
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
CMU	complaints and misconduct unit
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
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
IO	investigating officer
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
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
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