

Her Majesty's Inspectorate of Constabulary



Inspection of Suffolk 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

Suffolk Constabulary is responsible for policing an area of 939,510 acres, with a population of 678,074 and 288,473 households. Suffolk is principally rural and coastal being renowned for its scenic beauty and heritage coastline attracting many tourists. The strategic location of Felixstowe harbour and its prominence as the largest container port in the UK, together with the port's economic connection to mainland Europe make the road network of the A12 and A14 extremely busy with commercial traffic. A mainline rail link connects Ipswich with the City of London, making Suffolk an increasingly attractive commuter choice. Furthermore, Ipswich has the fastest growing diverse population in the UK, with people from a multitude of backgrounds forming new communities with which Suffolk Constabulary must forge relationships.

The force delivers services via three territorial basic command units; Halesworth (Eastern), Bury St Edmunds (Western) and Ipswich (Southern). These areas are supplemented in the delivery of policing services by HQ based units at Martlesham Heath, including operations and crime management departments. The chief officer group comprises of a chief constable who has been in post for three years, a recently appointed deputy chief constable, who was previously the assistant chief constable, an acting assistant chief constable and an assistant chief officer (resources), who has been in post for six months.

Professional Standards

The DCC is Suffolk Constabulary's ACPO lead in professional standards (PS). The head of PS is a superintendent with extensive experience acquired in both Suffolk and Norfolk Constabularies. The department is divided into three distinct business areas; the integrity and intelligence unit (IIU), the complaints investigation unit (CIU), both of which are led by chief inspectors and a risk management unit led by a police staff manager. Investigators on both the IIU and CIU come from a variety of disciplines and background and make extensive use of both police officers and police staff investigators. There is a dedicated analyst with the IIU who has the capacity to work across the department on National Intelligence Model (NIM) products and the provision of management and performance data. PSD is part of the wider HR department and is closely associated with it, particularly through the application of UPP and proportionality issues.

GRADING : GOOD

Findings

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

Strengths

- Suffolk Constabulary participates at a regional level in PS. The head of PSD sits on the national ACPO Counter-Corruption Advisory Group (ACCAG) committee and is the chair of the regional ACCAG committee. He takes an active role in the regional PSD heads meeting. Investigators are involved in the reconstituted ACCAG meeting and the analyst meets regularly and informally with regional counterparts. Furthermore, Suffolk PSD has hosted regional IO training and attends other events such as the recent regional PSD conference held in Cambridge.
- The head of PSD has one-to-one meetings with BCU commanders on a quarterly basis. This involves discussion around a statistical performance package and preparing management interventions where trends are identified and for officers who have three or more complaints in a rolling year.
- NIM principles are applied to PSD business. IIU activity is based on intelligence led policing principles and so they deploy investigative resources according to intelligence on threats graded high, medium or low risk. Reactive investigations are more demand led and so they shift resources to high priority cases as they arise. The IIU hold formal bi-weekly level 1 tasking and co-ordination meetings, whilst the reactive unit hold Monday morning management meetings. Both units are sufficiently small that information on emerging issues is shared and acted upon in fast time.
- PSD has a dedicated analyst producing a range of NIM products. A fortnightly tasking document is produced. This is based on the control strategy, which in turn is derived from the annual strategic assessment. The strategic assessment is reissued every February and subject to half yearly review. The control strategy is reviewed on a quarterly basis. This regular and rigorous scrutiny ensures good application of resources to threats.
- The PSD SMT identified weaknesses in the collation of data related to the handling of black and minority ethnic (BME) officers, staff and complainants through PS systems. In order to expose any potential disproportionality the analyst produced a paper tracking those groups through complaints and misconduct procedures. This revealed that there was no adverse treatment of minority groups in the force. However, it should be noted that there are two high profile cases of BME officers being dispensed with by the force for justifiable reasons, one having been convicted of a serious criminal offence and the other whose services were dispensed with whilst in their probationary period.
- There is an established protocol for handling applications under the Regulation of Investigatory Powers Act (RIPA). All applications are hand delivered to the director of intelligence and the originals are stored securely within PSD. In the last year there have been approximately 30 authorities. These have been inspected by the surveillance commissioners and found to be satisfactory.

- The force has a well established confidential reporting line and have introduced an anonymous e-mail reporting system. A total of eight confidential reports had been made in the year to the date of the inspection.

Areas for Improvement

- There is a regional PS strategic assessment, however this is a compilation of the strategic assessments of the six forces and requires further refinement to make the exercise distinctive and pertinent.

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

Strengths

- Quality assurance and public satisfaction systems are used to refine PSD and customer interface. Focus groups of complainants have been used where an independent consultant gathers data based on people's experiences. It is planned to widen the scope of this initiative by moving the sessions round the county to capture more people. All complainants receive a quality of service questionnaire at the conclusion of the investigation.
- The force produces a quarterly publication for all staff called 'Professional Standard', which provides guidance on PS issues. It addresses topical issues, answers specific concerns and advises on how to avoid common complaints.
- Suffolk Constabulary has a clear policy on business interests for officers. Implementation of the policy and approval of applications firmly resides with PSD. There are examples of the head of PSD interviewing officers to establish the true nature of proposed activities where they could be construed as incompatible with police duty. All authorities are subject to annual review.
- Training on ethics, standards and complaint avoidance is provided at many levels in the organisation. All staff receive a copy of the PS handbook when joining the force, promotion courses also have an input and most importantly the head of reactive investigations provides newly appointed acting sergeants and inspectors with a one to one training session.
- The National Criminal Intelligence Service (NCIS) vulnerability to corruption assessment was completed and identified the three key issues as disclosure of information, criminal association and dishonesty and other criminal activity. This is congruent with the current strategic assessment and control strategy.
- There is an appreciation within PSD that circumstances may inadvertently expose officers and staff to external corrupting influences. If these were identified PSD would respond and intervene appropriately on a case by case basis.

Areas for Improvement

- Suffolk Constabulary is aware that substance abuse is an emerging issue, which will need to be addressed with the advent of new screening powers. The response to this lies with a working group reporting to the DCC. As yet a policy has not been finalised.

Recommendation 1

Her Majesty's Inspector of Constabulary recommends that the Force finalises the content of a substance abuse policy.

- Basic vetting and counter terrorism checks are carried out by HR using local indices for new recruits. Higher levels of vetting are referred to the Special Branch. A decision has been taken based on high costs not to extend vetting in the force or establish a dedicated vetting post or team. This leaves the force vulnerable as there is not a co-ordinated response to vetting and many post holders have not been re-vetted for many years. Moreover, as criminal association has been identified as a risk of corruption an important defence mechanism is underdeveloped.

Recommendation 2

Her Majesty's Inspector of Constabulary recommends that the force develops and publishes a timed action plan for the full implementation of a vetting policy.

- There is little evidence of effective implementation of the Government Protective Marking Scheme (GPMS). There are examples of documents purportedly marked as such, but their handling and distribution is inconsistent with the status attached. For example some confidential documents were on public display. This is pertinent as information leakage is identified as a threat to the organisation.

Recommendation 3

Her Majesty's Inspector of Constabulary recommends that the force develops and publishes a timed action plan for the full introduction of the GPMS across all business areas.

Enforcement - *its effectiveness in dealing with emerging problems*

Strengths

- Since April 2004 the force has not invoked discipline or misconduct measures against any officer or staff member in relation to allegations of a racial nature. The force is aware of the need to create a climate where such allegations are treated with the utmost priority and all PSD staff have received training in how to manage investigations of this nature.
- Between April 2004 and July 2005 the force suspended six police officers subject to investigation. The DCC decides on all suspensions subject to Home Office guidance where to not do so would be prejudicial to the investigation or not in the public interest. This process also considers the Lancet principles and is subject to formal monthly review but in practice is reviewed far more frequently and at every appropriate juncture.
- From the inception of the IPCC in April 2004 Suffolk Constabulary have voluntarily referred six cases with a further ten being mandatory referrals. None of these were independently investigated or managed, with only five being IPCC supervised. The DCC and head of PSD both meet regularly with the IPCC regional commissioner and are clearly supportive of the new regulatory structure.
- There is a confidential telephone reporting line giving 24 hour access to the IIU. This has recently been supplemented by a confidential e-mail service via the PSD intranet pages.
- There is evidence of organisational learning acquired through civil actions being captured by the force. A specific example of this is action to be taken when damage is caused to premises when exercising a power of entry. Officers have been advised not to inadvertently admit liability on behalf of the constabulary.
- At the conclusion of all cases, whether they are misconduct, public complaints or civil action, an assessment is made to consider whether a service improvement document should be produced to capture lessons learned and assist in the adaptation of policy and procedures. Major cases are concluded with a high level de-brief.
- The DCC maintains personal oversight of all locally resolved complaints. He signs each one off and routinely returns resolutions he is dissatisfied with for further measures to be taken. These have included ex-gratia payments to preserve good will and as restitution in cases of minor loss.
- Consistency in tribunal sanctions has been achieved over the last four years by the DCC (when occupying the appointment of ACC) chairing 20 panels and ensuring sanction is applied according the specific facts of the case. All superintending ranks are qualified to sit on tribunals, and the majority have received formal external training for the role.
- Over the last year there has been a concerted drive to enhance performance around direction and control complaints and there has been an increase in the numbers dealt with. This is due to secretaries on area and the HQ registry being alive to direction and control issues arriving in routine correspondence, following a series of briefings conducted by PSD in early 2005. They then refer matters to

the PSD quality assurance manager who decides how they should be managed and captures subsequent learning.

- First contact officers and staff are publicised on the force intranet, by posters and leaflets. These people are available to deal with a wide range of personal and welfare issues including acting as a gateway to fairness at work procedures. First contact officers are trained in ACAS mediation techniques and attempt to resolve problems before the grievance procedure is invoked.
- There is considerable outreach activity by PSD to explain reporting routes for hard to reach and hear groups wishing to access force PS. Most notably this was recently directed at the large Portuguese community centred on the border with Norfolk.
- Public complaints received by area are quality controlled by the area management team after being faxed to PSD. This provides an opportunity for local management to direct further action for local resolution. PSD are permissive of areas retaining public complaints to achieve this.
- Investigations are managed using the Centurion database.
- PS investigations are more proportionate than the old complaints and discipline approach. An early view is taken on the likely outcome or sanction if an allegation was proven and the scope and scale is defined accordingly. This prevents intensive investigations for minor infractions.
- Suffolk Constabulary's PSD has dealt with some serious misconduct and corruption issues over the last year. For a relatively small force with a lean PSD, they have successfully handled the misconduct aspect of an officer who was prosecuted for a murder committed twenty years ago in a foreign territory and rooted out corrupt practice using covert techniques.
- There is an open and productive relationship with the regional Crown Prosecution Office. The head of PSD and chief prosecutor have regular meetings with the CPS visiting the PSD. A service level agreement is in place to govern prosecution and referral performance and standards.

Areas for Improvement

- It is apparent that PSD have fully engaged with the LR process and account for the bulk of resolutions secured by the force in order to drive up performance to meet challenging targets. However there is considerable scope for supervisors on area to intervene at an early stage and offer increased satisfaction to complainants. It could be that a lack of confidence in LR due to lack of training and exposure to this operates as a barrier to utilisation.
- The HQ HR department manages unsatisfactory Performance Procedures (UPPs). Supervisors were trained when the new procedures were introduced four years ago but have not had any refresher training. Managers who commence the procedure can access support from their local management and the HR department, however very few UPPs are undertaken. This is due to staff having little confidence in the procedure, which is perceived as being bureaucratic and difficult to enforce due to its protracted nature.

Recommendation 4

Her Majesty's Inspector of Constabulary recommends that the force finds ways of enhancing the capabilities of their first line supervisors to ensure a more proactive initial response to the local resolution of public complaints and unsatisfactory performance procedures.

- Since April 2004 Suffolk Constabulary has only had two employment tribunals. The first of these was resolved without the need for a hearing. The second resulted in a finding against the force. This provoked considerable corporate reflection and drives efforts to capture lessons to strengthen procedures and practices.
- There are no plans to engage partners in third party complaint reporting. Instead the approach is to make information available to the public in as many places as possible. Potentially this neglects an avenue of community engagement and reassurance.
- Regulation 9 notices have a tendency to have limited detail regarding the allegation. This has led to instances where representatives and officers have felt the need to seek clarification. With the advent of the IPCC, police staff members were provided with information on forms similar to Regulation 9 notices, which created confusion. These forms have now been modified after consultation with staff associations. That aside, staff associations, officers and staff state that there is full disclosure of evidence during investigations.

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

- Quality assurance check operatives (QACO) have been used to test organisational integrity in relation to reporting complaints, stop and encounter and racial incidents. The force has gained vital knowledge from these exercises and plans to repeat and expand them. The force, supported by the Metropolitan Police, ran a training course in September 2005 to regionally train additional QACOs.
- Suffolk Constabulary has a legal services contract with Suffolk County Council. This provides ready access to legal opinion and enables PSD to get consistent advice by building close working relationships with named lawyers.
- Civil claim settlements are managed according to banded authority levels. This means there is considerable devolution and scope for swift settlements in appropriate cases within the constabulary's policy excesses. However, this does not give rise to economical curtailment of claims where the issue is defensible.

- An audit of PSD staff PDRs revealed that all staff have objectives focused on the progression of PS issues. Personal objectives were slanted toward improving investigative ability or acquiring technical skills, whilst organisational objectives were biased toward policy development and improving internal communication.
- During the tenure of the current head of PSD the relationship with Suffolk Police Authority has been considerably strengthened. There are regular meetings, both formally and informally with the authority lead member. PS are a sub committee of the Monitoring and Audit Committee. This scrutiny involves updates on high profile cases, trends and file sampling. PSD and the PA working closely on policy development further enhance the relationship.
- There is a wide cross section of skills and experience across PSD. Training is provided which encompasses the SIO course and the MPS PS training. There are career detectives and investigators with specialities in diverse policing disciplines. Furthermore, there are several police staff investigators on the reactive side.

Areas for Improvement

- Support for officers and staff under suspension or restricted duties is left to the staff associations and unions with little apparent evidence of management systems and procedures in place by the force.

Glossary

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| ACC | Assistant Chief Constable |
| ACCAG | ACPO Counter-Corruption Advisory Group |
| ACPO | Association of Chief Police Officers |
| BCU | basic command unit |
| BME | black and minority ethnic |
| CPS | Crown Prosecution Service |
| 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 |
| LR | local resolution |
| NCIS | National Criminal Intelligence Service |
| NIM | National Intelligence Model |
| PS | professional standards |
| PSD | professional standards department |
| RIPA | Regulation of Investigatory Powers Act, 2000 |
| UPP | unsatisfactory performance procedure |