

Her Majesty's Inspectorate of Constabulary



Inspection of West Yorkshire Police

Professional Standards

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CONTENTS

A – INTRODUCTION AND METHODOLOGY

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

B – FORCE REPORT

1. Force Overview and Context
2. Findings
 - **Intelligence** - *what a force knows about the health of professional standards*
 - **Prevention** - *how the force tries to improve and prevent the abuse of standards*
 - **Enforcement** - *its effectiveness in dealing with emerging problems*
 - **Capacity and Capability** – *having the resources and skills to address reactive and proactive challenges (including timely and proportionate response to lapses in professional standards)*

C - GLOSSARY

INSPECTION OF PROFESSIONAL STANDARDS 2005

A - INTRODUCTION AND METHODOLOGY

1. Introduction

'Professional standards' within the policing context has evolved significantly in recent years, following the HMIC thematic 'Police Integrity' (1999), the establishment of an ACPO Presidential Taskforce to tackle corruption and the introduction of the ACPO Professional Standards Committee. Since 2000, virtually every force in England and Wales has significantly expanded the activities of pre-existing Complaints and Discipline Departments to include an element addressing anti-corruption, including covert investigation. These larger units are generically known as Professional Standards Departments (PSDs).

The issue of complaints holds a unique importance for HMIC in that legislation¹ creates a responsibility on Her Majesty's Inspectors (HMIs) to 'keep themselves informed' as to the handling of complaints in forces. Traditionally this has involved inspection of individual forces on a rolling programme. The advent of HMIC's annual Baseline Assessment (from 2003/04), the establishment of the Independent Police Complaints Commission (IPCC) in 2004, and a series of public inquiries have changed the professional standards landscape significantly. In view of this, HMIC decided to carry out a simultaneous programme of inspection of professional standards in all 43 English and Welsh forces to provide a comprehensive picture of current performance and identify any issues of national importance.

2. Inspection scope

While this national programme of inspection of 'Professional Standards' has focused primarily on the operation of the PSDs, and their sub-sections, it has also examined issues of professional standards in the wider policing context, and therefore touched on other departments and areas of responsibility, for example Human Resources (HR). The core elements identified nationally for examination were:

Professional Standards Department

- The umbrella department within which all 'professional standards' activities are delivered, including the investigation of complaints and misconduct and proactive anti-corruption work.

Complaints and misconduct unit

- Responsible for reactive investigations into public complaints as well as internal conduct matters.

Proactive unit

- Responsible for the intelligence-led investigation of vulnerability to or allegations of corruption.

¹ Section 15(1) of the Police Reform Act 2002

Intelligence cell

- Responsible for:
 - Overall intelligence management
 - Analysis
 - Field Intelligence
 - Financial Investigation
 - Managing risks and grading threats

Handling of civil claims, security management and personnel vetting

- Individuals or units responsible for identifying risks to the integrity of the police service manifested within civil actions, civil claims, employment tribunals, breaches of security and infiltration of the service by inappropriate personnel.

Handling 'Direction and Control' Complaints

- Processes for handling complaints relating to:
 - operational policing policies (where there is no issue of conduct)
 - organisational decisions
 - general policing standards in the force
 - operational management decisions (where there is no issue of conduct)

Impact of unsatisfactory performance and grievance

- Relevant personnel within HR and operational departments, to establish that processes exist to identify any conduct issues or organisational lessons.

NB: The above list is not exhaustive nor does every force have each of these units or responsibilities as separate functions. The inspection sought to examine as many of the identified activities as are relevant to each force.

3. Methodology

Since 2003/04, HMIC's core methodology for assessing force performance has been Baseline Assessment (BA), which consists of a self-assessment process supported by visits to forces for validation and quality assurance. BA assesses performance annually across 27² areas of policing via a framework of questions for each area. The mainstream BA process for 2004/05 was completed during spring 2005 and the results published in October 2005.

Professional Standards is one of the BA frameworks and would normally have been included in the mainstream BA activity. With the full programme of professional standards inspections scheduled for October and November 2005, however, the assessment of this framework was deferred to await their outcome.

The programme of inspections has been designed to:

- Provide a full inspection of professional standards in all England & Wales³ forces;
- Gather evidence for Baseline Assessment reports and grading of professional standards in all forces; and
- Identify key issues, trends and good practice that may have implications for professional standards on a national basis.

² Number of frameworks in the 2004/05 assessment

³ Also including British Transport Police and Ministry of Defence Police

The standard format for each inspection has included:

- The completion of self assessment questionnaires by all forces;
- Examination of documents;
- Visits to forces with group and individual interviews;
- Consultation with key stakeholders; and
- Final reports with grade.

4. Baseline Assessment grading

HMIC applies a qualitative grading to the inspection of Professional Standards. These grades are:

- Excellent
- Good
- Fair
- Poor

In allocating individual force grades, HMIC assesses all the available evidence and identifies how well the force matches an agreed set of Specific Grading Criteria. To ensure fairness and transparency in the grading process, HMIC worked with key partners in the APA, IPCC, the Home Office and ACPO to develop and agree these Specific Grading Criteria for Professional Standards.

The criteria set out expectations for a “Good” force. Grades of Fair, Good and Excellent all represent acceptable performance levels but indicate the degree to which the force has met the grading criteria. An Excellent grade indicates ‘benchmark’ performance including significant implementation of good practice.

The full grading criteria are set out in HMIC’s website at:
www.inspectorates.homeoffice.gov.uk.

The key elements appear under four headings, namely:

- **Intelligence** - *what a force knows about the health of professional standards*
- **Prevention** - *how the force tries to improve and prevent the abuse of standards*
- **Enforcement** - *its effectiveness in dealing with emerging problems*
- **Capacity and Capability** – *having the resources and skills to address reactive and proactive challenges (including timely and proportionate response to lapses in professional standards)*
- The remainder of this report is set out under these headings, for ease of reference to the evidence presented.

B - Force Report

Force Overview and Context

The Force headquarters for West Yorkshire is in the city of Wakefield, which forms one of the 10 Basic Command Units (BCUs). West Yorkshire Police has undergone some significant changes since June 2003. The Chief Constable introduced the operational framework, outlining to the Force the way it should conduct its business. The framework is refreshed on an annual basis and reflects the Force strategy. Policies and guidance have been aligned to the framework and work is progressing in developing the policing style and philosophy of the Force. This includes the establishment and development of neighbourhood policing teams across the county. In June 2003 the command team portfolios were changed to introduce a new system of corporate and operational performance reviews and to refocus activity around key areas of business. The Force has seen very significant performance gains in 2004/05, but improving citizen focus performance presents a challenge for the future.

Professional Standards

The deputy chief constable holds portfolio responsibility for professional standards. The PSD consists of a chief superintendent (head of department), and a superintendent (deputy head of department) supported by secretarial staff. There are three detective chief inspectors responsible for reactive investigation teams for the west and east of the Force and also for intelligence and the proactive investigation team. Thirty-two members of staff are split 72% reactive and 28% intelligence and proactive, which incorporates the training co-ordinator, performance manager, complaints manager, legal casework manager and the proposed vetting unit.

The former discipline and complaints department became the professional standards department on the 1 November 2004 following a Best Value Review. This indicated a significant shift in emphasis for the department.

GRADING : GOOD

Findings

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

Strengths

- The issues embodied in the Force professional standards strategic threat assessment (STA) are in line with those identified at the national level; vetting, infiltration, criminal association; substance misuse; and disclosure of information and computer misuse. The STA also includes three additional local issues for attention; front line supervision and management, noble cause corruption and general standards.
- A strategic assessment of corruption has been developed along with suitable control measures in line with ACPO guidelines and forwarded to NCIS.
- The control strategy identifies individual responsibilities for each area or issue. These individuals feed into the complaints managers' forum on appropriate issues.
- Work plans are a product of the relationship between the departmental plan and national intelligence model (NIM) processes. Activities linked to the development of the issues in the strategic threat assessment are allocated through tasking and coordination. The reactive unit is more work controlled than intelligence-led; however work is being done to develop this area.
- The PSD is intelligence-led as opposed to being intelligence cell-led. The department has an intelligence cell which serves both the proactive and reactive functions. Packages tend to be released to the proactive team at an early stage of development and investigators are encouraged to develop the intelligence. Fortnightly tasking involves discussion around covert investigations but principally focuses on strategic and tactical assessments.
- The application of the NIM within the PSD has been adapted to accommodate performance management. The departmental performance manager is incorporated within the intelligence cell and the Force 'Task it' action management IT system is used to allocate work within the department and in divisions. Problems are identified as represented by individuals, groups of individuals, events and circumstances. The NIM is being used to create a preventative and organisational learning and development environment.
- Divisions take responsibility for managing the issues supported by the PSD. Performance is managed by the head of PSD, and the deputy chief constable via the corporate performance review process.
- Civil claims are referred to the PSD for identification of misconduct issues and lessons to be learned. Information from civil claims procedures is fed into the NIM processes.
- The structure and separation of elements of covert operations meets required

standards e.g. a sterile corridor between intelligence and proactive investigators/operations.

Areas for Improvement

- The Force intends to adopt an intelligence-led approach to managing problems associated with the criminal misuse of alcohol and drugs. A new policy will be in place by the end of the financial year.
- The role of the PSD intelligence cell is an area for review around the management of professional standards at the strategic level and how accountability and task control will work. There is an inherent danger of the intelligence cell becoming, by default, a performance management unit for standards development within the Force.

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

Strengths

- The deputy chief constable is the chief officer lead for professional standards providing the link with the police authority, the IPCC and other stakeholders and the corporate review process.
- The Force has moved from discipline and complaints towards a professional standards model concerned with learning, reassurance and prevention. A service level agreement has promoted a clearer understanding of the relationship between the Force and the professional standards department.
- There are designated complaints managers on each divisional management team. Regular complaints managers meetings are chaired by the deputy head of the professional standards department. The agenda is arranged around issues pertinent to the strategic threat assessment.
- Investigators now have an additional preventative role and meet regularly with divisional complaint managers, taking on an advisory, problem solving role. Individual PSD investigators have a liaison role with allocated divisions. The credibility of the department within the Force has improved as a result.
- Intelligence analysts provide a monthly briefing on quality of service issues and complaints and actions are raised as a result for the relevant divisional liaison officers.
- The PSD is more interactive with divisions and departments on quality of service and minor complaints issues. This situation has resulted in two discernible changes; PSD is now seen in its wider context and not just discipline, and more approaches are being made for assistance, with intelligence being generated from these contacts. The PSD estimate that 80% of cases result from intelligence generated from outside of the department.
- A confidential contact system is employed. The Force is assessing whether to go to an external system such as 'Safecall'.

- Systems for making complaints are open and accessible and include complaints via third parties, gateway organisations and through the internet.
- Lessons to be learned are identified and referred back to divisions on a case by case basis. Team briefing is used as a means of communication. Lessons to be learned from civil claims are published on the PSD website on the Force Intranet.
- There are good links with other departments where the PSD is involved at the early stage of development of important projects and is able to assist in the development of policies. A number of examples were presented to support this. The department has also been involved in firearms exercises.

Areas for Improvement

- The identification of disproportional complaints and complainants is an issue. The Force has invested in an IT solution to enhance the Centurion database for the purpose of performance monitoring.
- Work is being done to develop work streams covering the six areas of compliance in the quality of service commitment. This work is being shadowed by the community engagement committee of the Police Authority. There is a suggestion that quality of service is being managed as a process instead of being developed as an ethos.
- Areas for development are vetting considerations for volunteers and also the accreditation of people from other agencies, for example warden services. Security and vetting issues for working on shared premises is also a matter for some attention.
- The response from divisions on the need to learn lessons and to develop quality of service issues is variable.

Enforcement - *its effectiveness in dealing with emerging problems*

Strengths

- Since the introduction of the IPCC there has been a 30% increase in the number of recorded complaints dealt with by West Yorkshire Police. There has been an investment of £500,000 by the Police Authority in reactive capacity within the PSD to ensure that the department is fit for purpose particularly in relation to the requirements of the IPCC.
- Reactive teams are based at Leeds and Bradford and cover the east and western sides of the Force area. There are liaison officers within PSD for each of the divisions who are encouraged to work with the department to develop issues which feature in the strategic threat assessment. Prevention is the first port of call.
- There is now a more rigorous approach to the covert investigation of serious professional standards issues. This coincides with the development of the reactive side of professional standards investigation. The PSD is working a lot

with divisions and departments. Confidence in the PSD has increased and the ability to make early contact for advice from PSD has improved considerably.

- PSD deal with grey areas between various types of complaint by applying a subjective test based on what the member of the public wants.
- The NIM processes are used to adopt an early intervention to identify a proportionate means of achieving the most realistic outcome. The CPS is consulted at an early stage of investigations.
- Cases are regularly reviewed by PSD management. An examination of the proportionate nature of the investigation is a consideration in the review. Welfare and workload screening takes place on a weekly basis. The onus is on the individual to discuss their workload and each other. The department adopts a self-declaration policy for individuals to declare an association with a subject.
- All written formal warnings are delivered by the head of the professional standards department or deputy in the presence of the officer's immediate line manager.
- The personnel department is developing a cohort of people who can undertake investigations of misconduct issues involving police staff. It is unlikely that within existing resources that a dedicated investigative resource can be identified within the department.
- There is a link between the personnel and the professional standards department over grievance and misconduct matters and the diversity unit also plays a part. Calibration meetings take place between PSD and the personnel department. Plans are being developed to discuss matters within the context of the wider quality of service issues at a higher strategic level. A group set up to oversee these areas could link in to the corporate and territorial reviews and support the Taylor and Morris agenda.
- Level 1 surveillance capacity exists mainly around the FIOs who are at the core of every investigation. The intelligence cell and FIOs assist with covert operations where the investigation requires support in terms of telephone billing, electronic methods or intelligence development from sources etc. Two of the FIOs are source handler trained.
- The PSD received positive feedback from the surveillance commissioner's inspection.
- The PSD are targeting the way in which officers behave when deployed in places other than their own division.

Areas for Improvement

- The different processes for dealing with police officers and police staff cause difficulties, particularly with recent increases in the numbers of police community support officers (PCSOs). There are currently 485 PCSOs employed by West Yorkshire Police and this figure is intended to rise to 700 in two years with an eventual target of 1,100. This developing situation raises the following issues:

- How is the supervision of PCSOs to be better managed? PCSOs have been superimposed on an existing supervisory framework which is already under pressure.
- There is no specific recruiting standard or code of conduct for PCSOs.
- PCSOs are no longer required to perform a single role of public reassurance. Their role has evolved towards something similar to that of a police officer. Many PCSOs were recruited under a different set of expectations.
- Divisional performance on the application of local resolution procedures is variable. Overall 57% of complaints are resolved locally, however of those 67% are managed by PSD. This is high when compared to similar and surrounding forces. However, there is a low level of appeal to the IPCC on complaints which are locally resolved. In general terms the proportion of work tasked out from the centre for resolution or investigation by divisions and departments is variable across force. A key area for development is increased ownership by divisions.
- Investigating complaints and misconduct involving police staff members is a grey area. Depending on whether or not the situation involves a police officer, the investigation can be carried out by the personnel or the PSD. Not only do the procedures and potential sanctions differ but also there is often a different interpretation of the same set of circumstances. There are operational implications because the relationship with contractual considerations is not always clearly understood.
- The Force has a well resourced proactive unit within PSD; however there is recognised need to develop the ability to carry out surveillance. The Force believes that this highlights the need for a regional or cross-regional capability. The current position effectively places restrictions on the tactical options available, however the services of outside forces have been used when necessary.

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

- PSD has completed two strategic plans. The first is for the department as a whole following on from the Best Value Review, and the second for the covert element of the department. These plans provide clear direction for the department over the next three years.
- The Force works closely with the Police Authority to develop its ability to effectively scrutinise professional standards. The chair of the complaints and litigation committee of the Police Authority has regular meetings with the head of PSD and has helped with departmental reorganisation and development. The chair also meets with the IPCC on a regular basis and a strong relationship is developing with the Police Authority.
- The relationship between the Force and the IPCC has been through a difficult phase, made worse by events, but is currently regarded as improving.

- The Best Value Review produced a set of professional standards performance indicators. This allows the PSD to link in to the corporate and territorial review process. A focus for the Police Authority is the analysis of quality of service.
- A professional standards committee is being developed to manage professional standards issues strategically across departments divisions and portfolios.
- There exist established procedures for dealing with complaints against senior officers which are handled by a Police Authority committee. The procedures are currently being re-written and will incorporate local resolution.
- A departmental skills matrix is used to identify training needs within PSD. The requirement for skills within the department may shift as the emphasis of professional standards and its relationship with quality of service issues is developed.
- A tenure policy is in place. All investigators are drawn from a background with a proven track record in criminal investigation. All recruits into the PSD undergo an induction process followed by a probationary period. All departmental members are assisted with reintegration into mainstream policing.
- There are a higher proportion of members of staff from black and minority ethnic communities within the PSD than in the Force as a whole. Similarly female members of staff are well represented.
- The PSD has recruited an in-house training co-ordinator, emphasising the departments commitment to lessons learned and developing staff. A significant investment is made by the department to training throughout the organisation in particular with managers and recruits.
- There is a community security project active within the Force which prioritises certain systems. There is an identified network of owners who are responsible for the integrity and security of their information system within the framework of a policy. This set-up is reinforced by the security incident reporting system. The implementation of policy is overseen by the community security project board.
- The Force is looking to build information security considerations into post profiles by linking them to a system of access control.
- Settlements of £25,000 and under are agreed by the head of the PSD, anything above that figure is subject to the approval of the advisory finance panel. Information is prepared for the Police Authority complaints and litigation committee on a quarterly basis.
- The solicitors office links with the PSD on employment issues. Headquarters departments use the solicitor's office as an advisory resource on employment matters and there have been 1,000 occasions when advice has been given over the past 12 months.

Areas for Improvement

- The role of independent advisory groups (IAGs) in supporting professional standards is an area for development. In addition to providing support on a case

by case basis, the IAG needs to be in a position to effectively support and inform the development of professional standards and quality of service in a way, which is proportional and reflects the six strands of diversity.

- The relationship between professional standards processes and the six strands of diversity needs to be consistently benchmarked.
- There is a need for a clear expression of the professional standards of West Yorkshire Police. There is a need to achieve an effective balance between performance and quality of service.
- The PSD is still seen as the owner of professional standards within West Yorkshire Police. The take up and contact with staff and support associations is variable between the BCUs within the Force.
- Information to support the workings of the Police Authority complaints and litigation committee is an issue. The Centurion database is a problem. The committee wants a set of data which is consistent, available on a quarterly basis and which will allow meaningful comparison and decision-making. The Force tends to present high level information summarising a large number of cases, allowing a public debate. Although significant progress has been made, provision of a core set of data that affords a proper insight into the efficiency and effectiveness of the complaints process is still under development. The Chair would also like to see more items opened up for discussion in the public part of the meetings.
- There is no 'lessons learned' agenda item however the Police Authority complaints and litigation committee do examine trends and look to explore the issues arising from complaints and how these can be best addressed operationally. Equally, the focus on deaths after police contact and the relationship with the IPCC includes an examination of lessons learned but under a different name. The growth in numbers of police officers, PCSOs and the introduction of the IPCC has been the most influential factors in recent times. The committee asks questions about officer suspensions.
- There is a problem recruiting inspectors as investigators within the PSD. The absence of special priority payments is believed to be an issue. Sergeant investigators are easier to recruit because such a move provides the opportunity to gather evidence of working at a higher level.
- Within the current headquarters framework information security acts as an administrative function. The PSD has limited proactive or analytical capability in this area.

Recommendation 1

Her Majesty's Inspector of Constabulary recommends that West Yorkshire Police review its position on information security. It is recommended that the appropriate investment be made in planning, implementation, and maintenance of information security standards to deal with vulnerable areas and ensure business continuity.

- An audit of existing IT users against current postings identified large numbers of individuals with access to systems they no longer require as part of their new role. The intention from the IT department is to provide enhanced user control through new a HR system. The introduction of this system would enhance the ability of the Force to manage the key strategic threat of disclosure of information and computer misuse and needs to be prioritised accordingly.
- In order to build further on improvements in vetting capability, premises and resources have been identified to set up an enhanced unit within the PSD. It is intended that this unit will develop into a larger, all encompassing vetting and security unit. The current force procedures for recruit vetting are adequate; the next step will be to develop management vetting.

Recommendation 2

Her Majesty's Inspector of Constabulary recommends the Force accelerates the implementation of its plans to enhance vetting procedures for all members of staff and contractors to an appropriate standard.

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
IiP	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