

Her Majesty's Inspectorate of Constabulary



Inspection of Wiltshire Constabulary

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.

Intelligence cell

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

- 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.

The standard format for each inspection has included:

² Number of frameworks in the 2004/05 assessment

³ Also including British Transport Police and Ministry of Defence Police

- 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

1. Force Overview and Context

This is a small, mainly rural constabulary with a resident population of 613,010 occupying some 251,807 households. It includes the expanding conurbation of Swindon, the historic city of Salisbury and many market towns and villages.

Policing is delivered by three basic command units (BCUs) based at Salisbury, Melksham and Swindon. The BCUs are supported by several headquarters departments at Devizes, including operations, criminal investigation, community safety and criminal justice, corporate development, human resource (HR), finance and professional standards. In April 1999 divisional boundaries were realigned to match those of local authorities and this has helped the development of effective partnership arrangements.

The command team comprises the Chief Constable, the Deputy Chief Constable (DCC), whose responsibilities include corporate development, criminal justice, professional standards and HR, an Assistant Chief Constable (ACC) with the operations portfolio, and a Director of finance and facilities.

This is a low crime area, with the county showing the lowest total recorded crime per 1,000 population in England and Wales, and the people of Wiltshire have relatively low fear of crime. Further significant reductions in crime were achieved in 2004/05. The overall detection rate improved slightly and matches the average in the group of most similar forces

The management culture is supportive, inclusive and empowering. The relationship with the Police Authority is one of genuine partnership and joint working. A high level of devolvement has helped creativity and innovation. It has, however, created challenges when there has been a need to introduce centrally directed systems requiring a high degree of corporacy, such as the National Intelligence Model (NIM), and consistent corporate approaches to crime investigation and incident response.

Professional Standards

The Deputy Chief Constable (DCC) has lead responsibility for professional standards. The Head of Department (HoD) is a Superintendent with a Chief Inspector deputy. There are 13 other posts, including five complaints investigators, an information security officer, a proactive investigating officer, an analyst and six support staff.

Following the new regulations that took effect in April 2004, the number of complaints increased significantly, as it did in most forces. The number per member of staff remains very low, however, compared with similar forces. Following a period of instability in the department's leadership, good progress has been made in the past year in terms of quality of service to complainants, increasing trust and confidence amongst staff and combating potential internal corruption and misconduct.

2. Findings

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

Strengths

- A comprehensive strategic assessment of the vulnerability to corruption has been produced and circulated to NCIS and senior managers. Having identified the main threats and intelligence gaps, it sets out recommendations that amount to an effective control strategy.
- PSD business is well-managed through fortnightly meetings: part 1 deals with administrative issues; parts 2 and 3 deal respectively with reactive complaints investigation and the proactive unit, applying national intelligence model (NIM) principles by reviewing workloads and critical cases, prioritising, and allocating resources.
- Although only established in May 2004, the proactive unit has made good progress in developing a capability to identify potential corruption and misconduct. In practice, the unit is an intelligence cell comprising a detective sergeant and an analyst, misconduct cases or other management action resulting from developed intelligence being actioned by other PSD or force resources. Achievements in this area include:
 - a wide network of sources built up, including an independent confidential reporting line and an anonymous email facility;
 - a marketing and awareness campaign to secure support for the unit by explaining positively how it can protect the organisation and its staff from threats to its integrity and security;
 - most intelligence reports being made openly to PSD;
 - generation of over 140 intelligence reports;
 - building up good links with neighbouring forces who have assisted on some types of proactive work; and
 - a wide range of outcomes, including staff being exonerated, management intervention, and staff being allowed to resign in appropriate cases.
- The analyst produces fortnightly statistical reports which include data on individual complaints of a high profile and a breakdown of complaints by type, location, environment and situation.
- Good use has been made of a range of effective methods of auditing force systems to follow up intelligence reports ('with-cause' investigation), including an audit query tool created by the IT department.

AFIs

- The current strategic assessment of the vulnerability to corruption contains 50 recommendations which, taken together, amount to a comprehensive control strategy. While much has been achieved in the past year, the 50 actions have not been prioritised or given timeframes for completion. Some are ongoing core activities while others are specific actions that should be given completion dates. Staff in this small department should know clearly what has to be achieved by when and that there is formal monitoring and review (see also Recommendation 6).

Recommendation 1

Her Majesty's Inspector of Constabulary recommends that the recommendations in the strategic assessment should be prioritised, given timeframes where appropriate and there should be a formal process for monitoring and review. This should be done in the next iteration of the strategic assessment.

- A recent increase in intelligence reports has highlighted the limited capacity of the proactive unit (PAU). At the time of the inspection arrangements were being made to increase strength by one and a half posts. This increased capacity, which relies in part on secondees from BCUs, should be sustained.
- Although good progress has been made in developing the proactive unit in the last 18 months, its work is still largely limited to following up intelligence it receives from staff or as a result of public complaints. There is very little routine audit of systems and processes to identify suspicious activity or opportunities for corruption.

Recommendation 2

Her Majesty's Inspector of Constabulary recommends that, prioritised in accordance with strategic assessment priorities, there should be a phased development of audit of systems, databases and processes to identify suspicious activity or opportunities for corruption.

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

Strengths

- The Chief Constable is committed to improving leadership skills and setting clear service standards. To this end he has launched a leadership charter that he personally delivers to all newly promoted managers. It includes the

requirement for effective leaders to have moral courage, to uphold professional standards and to treat people with respect and dignity.

- The DCC and HoD ensure that good use is made of a range of methods to learn lessons from complaints and misconduct, including:
 - a good quality newsletter accessible to all staff;
 - close links with the training department and a coordinated programme of inputs to courses with clear objectives and training plans;
 - effective liaison with BCUs and departments by PSD managers and investigators, each of whom has geographical liaison responsibilities;
 - quarterly information packs for each BCU;
 - a well designed regularly updated departmental intranet site;
 - monthly notification to all staff in General Orders of the reasons for any written warnings to staff or other disciplinary sanctions;
 - a 'three strikes' process whereby BCU or departmental managers are required to report to the DCC on the action taken with regard to staff attracting three complaints in a year;
 - use of 'Gold Groups' to coordinate wide ranging corrective action following major incidents where the learning opportunities are complex;
 - in urgent or important cases, advisory e-mails to the whole organisation from the DCC; and
 - early review of all civil claims by the HoD to identify any possible misconduct issues and any opportunities for organisational learning.

- One of the highest profile annual events in Wiltshire is the summer solstice gathering at Stonehenge. PSD staff are closely involved in the planning and briefing for that event in order to reduce the risk of action or behaviour that might be the cause of complaints.

- The Force Information Security Officer (FISO) located within PSD is responsible for all aspects of IT, personal and physical security. Although at the time of inspection there were no other staff in PSD assisting with this work, liaison with other departments – eg, HR on personnel vetting and estates department on physical security, enables the FISO to coordinate the function effectively. A project board chaired by the ACC has been set up to ensure compliance with the management of information code of practice by April 2006.

- The current arrangements include an up to date information security policy, accredited documentation sets and security operating procedures. A particular strength is the regular independent health checks of systems, policies and practices.

- Service confidence and substance misuse policies have been published following full consultation with stakeholders. In the latter case, at the time of inspection, it was being updated in the light of recent statutory guidance.

AFIs

- In spite of the activities listed above to learn lessons and improve, there is scope for enhancing the overall organisational learning process, making use of all possible sources. At present insufficient emphasis is placed on learning lessons from direction and control complaints, grievances and locally resolved complaints. At the time of the inspection a feedback form on which investigators note learning opportunities had only recently been introduced. The circle should be completed by periodically checking that BCUs and departments have taken appropriate action, possibly through ACC's visits to BCUs or divisional inspections.

Recommendation 3

Her Majesty's Inspector of Constabulary recommends that an organisational learning strategy should be implemented to ensure that learning opportunities are identified from all possible sources, leading to effective action to improve policies, procedures and behaviour.

- Good progress has been made towards compliance with the national vetting guidance. Recognising that additional capacity is needed, however, arrangements are underway to recruit a vetting officer (who will sit within the proactive unit and also carry out administrative support for that unit). Approval has also been granted for the purchase of a system that will automate routine vetting processes and save the employment of two additional staff. At the time of inspection procurement was delayed by the need to make provision for the annual cost of £16k to support this system. It is important that this issue is resolved soon to enable compliance with national vetting requirements.

Recommendation 4

Her Majesty's Inspector of Constabulary recommends that resources should be allocated to enable the Force to comply with national vetting requirements by April 2006.

- With regard to information security management, the FISO does not currently feed into organisational learning activities such as the training conducted by PSD staff. There is also no formal system for recording security incidents (other than those that fall within national reporting requirements) and ensuring that corrective action is taken, as part of the organisational learning strategy referred to above.

Enforcement – *the force's effectiveness in dealing with emerging problems*

Strengths

- There is frequent and constructive liaison between the HoD and the IPCC with regular meetings to discuss cases and emerging issues. This was evident following a critical incident that occurred during the inspection when the PSD consulted at the earliest opportunity to agree a media strategy with the IPCC regarding a supervised investigation. The HoD has shown that he looks beyond the immediate issues arising from public complaints, addressing the wider implications for the Constabulary and understanding the complainant's point of view.
- Wiltshire Police Authority maintains good oversight of complaints investigations and broader professional standards issues, and has recently expanded its activities to include more detailed file checking each quarter. Recent changes in the membership of the Complaints and Professional Standards Committee have enabled this relationship to be strengthened during the training for new members which has been instigated and carried out by PSD.
- In 2004/05 70% of complaints were locally resolved, a process that is usually more satisfactory for both complainants and the staff subject of complaints. Although the rate has fallen slightly since then, it remains well above the national average, an achievement that is all the more creditable given the low rate of appeals against the process. Action is being taken to improve the skills of BCU supervisors and to ensure the process is consistently carried out and recorded.
- Comprehensive and well-ordered administrative processes ensure that files, reports and engagement with complainants are recorded to high standards with minute sheets recording policy decisions. All processes are documented in the department's up-to-date standard operating procedures and a forms database is accessible to all staff.
- The Constabulary uses an external firm of solicitors to represent it in civil actions and employer liability cases. The arrangement requires the PSD HoD to conduct an initial review of all civil claims. When considering the best course of action, he also identifies any potential misconduct issues and lessons that need to be learned from the events giving rise to claims.
- Good regular liaison with BCU and departmental commanders ensures consistency in local discipline enforcement. Local registers are regularly checked by PSD and the DCC.
- In order to equip superintendents for their involvement as trained misconduct hearing panel members, a highly regarded QC has been engaged to run training sessions. Encouraging the effective running of tribunals and a consistency of sanctions, the training has a practical element and is supported by reading material and case studies.
- Two staff members within the professional standards department have recently undertaken training in restorative justice techniques. This method of resolution, more usually associated with mediation between an aggrieved,

offender and other associated parties, has been used within the department to successfully conclude a complicated and sensitive matter post investigation.

- There is a strong emphasis on meeting the needs of complainants, including regular updating and good quality reports and letters. Investigating officers' reports are enclosed with the final letter. Plans are well advanced to begin surveying complainants.

AFIs

- There remains scope for streamlining some investigations through more thorough early assessment and documented investigation plans, after discussion and agreement with complainants. Investigation plans should, wherever possible, be limited to only those lines of enquiry that are essential to establish whether the essence of the complaint can be proved. In some cases it may be appropriate to identify whether the most severe sanction likely if a complaint is fully substantiated is a written warning. In such cases, with the agreement of the parties, it may sometimes be possible to fast track to that outcome without a full investigation.

Recommendation 5

Her Majesty's Inspector of Constabulary recommends that ways should be explored of streamlining investigations including, with the agreement of the parties, limiting the lines of enquiry to be pursued and fastracking appropriate cases to agreed outcomes.

- The fortnightly TCG meetings are conducted in a three-stage process using NIM principles. Some staff considered that the introduction of weekly allocation and workload review meetings would enable better prioritisation of investigations through the investigation plans referred to above and allow the TCG meeting to be more strategic.
- It is aimed to complete 81% of investigations within 120 days; only 61% of those recently completed were within the target time. Action being taken to address this issue includes a bid for three laptop computers to enable staff to work remotely and the use of secondeed officers in the department (see also recommendation 4 above).
- Direction and control complaints, those where the conduct of a member of staff is not the issue, are recorded by the best value department. It is recognised by senior officers that current arrangements are unsatisfactory, with very few of these complaints having been recorded. A new procedure based on statutory guidance has only very recently been produced. There is now an action plan to increase awareness, including training for key staff in BCUs and the Force Control Centre. The action plan should be monitored closely and adjusted where necessary to ensure that:

- a far wider range of quality of service complaints is captured by the process;
- there is an effective system for identifying cases which may involve misconduct;
- the process becomes a core element of the quality of service initiative; and
- learning from direction and control complaints becomes an integral part of organisational learning (see recommendation 3).

Recommendation 6

Her Majesty's Inspector of Constabulary recommends that adoption of the recently published procedure for direction and control complaints should be monitored closely to ensure that it becomes a core element of the quality of service initiative and organisational learning.

- Trust and confidence in PSD has increased in the past year and good constructive relationships have been developed with staff associations. There is scope, however, for more consideration to be given to staff under investigation. Apart from speeding up investigations, other possible improvements include avoiding interviewing staff in custody suites and adopting a more personal touch when informing staff that lengthy investigations have been completed than simply sending them a brief email. Some forces have surveyed staff subject to investigation and obtained valuable feedback.

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

- Following a period of instability in leadership, the HoD has in the past year taken the department forward as a visible, community interactive, intelligence-led resource. His leadership style and a good departmental communication strategy have helped forge excellent links with internal and external partners and key support groups.
- The comprehensive departmental plan follows the force template and sets out clearly the departments' objectives, key tasks and targets. It also includes useful performance indicators covering areas such as user satisfaction, equality and diversity and the timeliness of investigations (but see AFI below).
- Resources within PSD have recently been reviewed and an additional full-time post, equally divided between the proactive unit and vetting responsibilities, has been approved. Two full-time secondee posts have also been secured, one of which will be within the proactive unit. These

attachments, on a rolling six-month programme, will not only raise the capacity of the department but also the profile of the department within the organisation.

- The Diversity Excellence Model (DEM) a business improvement assessment tool, has recently been applied to the PSD by specially trained assessors from elsewhere in the Force. The review process, consisting of a series of interviews with staff, has assessed the quality of inputs, outputs and outcomes within PSD in terms of diversity. Twenty people have undergone external training in the DEM process, including external stakeholders and members of the Race Equality Advisory Group. This community interaction has been well received, leading to a greater understanding of professional standards matters, improved communication links and increased trust and confidence in the department and the Constabulary as a whole.
- The national increase in recorded complaints and intelligence reports has led to more collaboration between forces. In a number of cases Wiltshire has provided investigative assistance and benefited from support. Examples of several successful operations were cited and protocols have been agreed between Wiltshire and a number of forces. Effective regional meetings also enable learning points from other forces to be considered.
- In order to make best use of resources, a recent review has led to the multi-skilling of some staff members with bespoke training and a successful bid for additional IT equipment to enable remote working. The administration and support staff have assisted by exploiting the potential of the Centurion database to improve back-office functions.

AFIs

- The ACC leads a process monitoring and driving performance across a range of disciplines in BCUs and departments. There are performance indicators in relation to professional standards but they have yet to be mainstreamed as one of the primary considerations of BCU and departmental commanders.
- The departmental plan sets out an ambitious agenda for improvement. It contains 21 objectives and 37 supporting actions. Some are core functions while others are specific tasks for completion by a certain date. Progress towards achieving priority objectives and key tasks should be monitored more formally. This should be done alongside monitoring of the recommendations in the strategic assessment as there is some overlap (see also recommendation 1).

Recommendation 7

Her Majesty's Inspector of Constabulary recommends that progress towards achieving priority objectives and key tasks in departmental plans should be monitored more formally.

- Comprehensive performance data generated for the fortnightly TCG meetings is currently only available within the department. BCU commanders, indeed all staff, can access some statistical analysis updated quarterly via the Intranet. Amongst BCU commanders and department heads there is an appetite for more detailed performance information, including more trend analysis and problem profiles. They should also be given fuller information about members of staff subject to complaints.
- While there is wide-ranging action to increase awareness of professional standards issues throughout the Constabulary, most training inputs only reach new recruits or staff being promoted. PSD offers of special training sessions are often not taken up. Further efforts should be made to reach middle and long service constables.
- Informal and case-by-case communication between PSD, HR department, Occupational Health and staff associations has generally been effective. Some forces, however, have found value in regular formal meetings to discuss staff who are at risk, including staff who have been suspended from duty. Such an approach makes it more likely that necessary action will be taken.
- The whole of PSD is currently located within one wing of a building with limited demarcation. While efforts have been made to secure vital intelligence assets, more should be done to isolate the proactive unit.

Glossary

ACC	assistant chief constable
ACCAG	ACPO Counter-Corruption Advisory Group
ACPO	Association of Chief Police Officers
ACPO PSC	ACPO Professional Standards Committee
AFI	Area for improvement
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
FISO	Force Information Security Officer
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
PAU	Proactive unit
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
TTCG	tactical tasking and co-ordination group
UPP	unsatisfactory performance procedure