



Inspecting policing
in the **public interest**

Police Integrity and Corruption

Cumbria Constabulary

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To what extent has the force put in place arrangements to ensure its workforce acts with integrity?

Cumbria Constabulary has made good progress since HMIC's 2012 progress report, *Revisiting Police Relationships*, and the chief constable, supported by the chief officer team, demonstrates strong leadership with standards of professional behaviour understood by all staff. The professional standards department has a good level of ability and has put efficient and effective processes in place to manage investigations. However, its ability to proactively identify and minimise threats to the force is limited.

Summary

The force has made good progress in implementing a culture of ethical and professional behaviour. There is strong leadership from both the chief constable and the deputy chief constable (DCC). Staff interviewed by HMIC are aware of the standards required of them and staff feel confident to challenge and report wrongdoing. The force needs to ensure its plan on managing integrity and corruption issues is updated with clearer objectives, effective governance and the new Code of Ethics. Electronic monitoring systems are in place in respect of the use of social media and the force has recently invested in new technology to allow for wider monitoring of the force's computer systems. The force has provided a large amount of training to its staff on integrity related issues and more is planned during 2014.

The PSD has effective systems in place to manage investigations with good record-keeping and explanation of decisions made. There is a good level of analysis completed; however, its ability to undertake proactive work to identify and respond to possible unknown threats and vulnerabilities across the organisation is limited. The force also needs to do more to protect investigations into organised crime groups from corruption.

What progress has the force made on managing professional and personal relationships with integrity and transparency, since HMIC's December 2012 report?

Progress has been made with regards to two of the three recommendations identified in the 2012 report.

Approval and funding has been given by the police and crime commissioner to purchase software that will enable the force to monitor its systems. The force has existing software to monitor the use of social media.

There is now a central register for monitoring gifts and hospitality, which is (in the main) well maintained.

What progress has the force made in communicating and making sure staff knew about ethical and professional behaviour to all staff, including the new Code of Ethics?

Clear messages are provided by the chief constable and other members of the chief officer team using a variety of means. There is a plan for the chief constable to meet all staff by the end of 2014.

There is a good level of awareness of the boundaries of professional behaviour throughout the force.

How well does the force proactively look for, and effectively challenge and investigate misconduct and unprofessional behaviour?

The force has provided a good level of training on integrity to all staff with more planned during 2014.

The timeliness with which investigations are carried out is well controlled.

There is a good level of confidence in the confidential reporting systems and the support provided to staff who challenge poor behaviour.

The force could do more to publish findings from misconduct panels and hearings. There is little ability within the force to proactively identify and minimise areas of risk.

How well does the force prevent, identify and investigate corruption?

Although the force's ability to act proactively is limited it does have access to specialist resources if required.

Vulnerable staff groups are monitored and there are good vetting arrangements in place.

The force audits senior and chief officer diaries, checking these against the gifts and hospitality register.

The force needs to ensure that investigations into organised crime groups (OCGs) are not compromised by corruption.

What progress has the force made on managing professional and personal relationships with integrity and transparency, since HMIC’s December 2012 report?

Limited progress has been made in the third area. Some policies remain outdated on the force intranet and on the internet, although the force is working to address this.

What progress has the force made in communicating and making sure staff knew about ethical and professional behaviour to all staff, including the new Code of Ethics?

How well does the force proactively look for, and effectively challenge and investigate misconduct and unprofessional behaviour?

How well does the force prevent, identify and investigate corruption?

The force/constabulary in numbers



Complaints

Total public complaints against officers and staff,
12 months to March 2014

295

Total public complaints against officers and staff,
12 months to March 2014, per 100 workforce

16.3

Total public complaints against officers and staff,
per 100 workforce – **England and Wales**

15.7



Conduct

Total conduct cases against officers and staff,
12 months to March 2014

26

Total conduct cases against officers and staff,
12 months to March 2014, per 100 workforce

1.4

Total conduct cases against officers and staff,
per 100 workforce – **England and Wales**

2.6



Business interests

Applications in 12 months
to March 2014

22

Approvals in 12 months
to March 2014

22



Resources

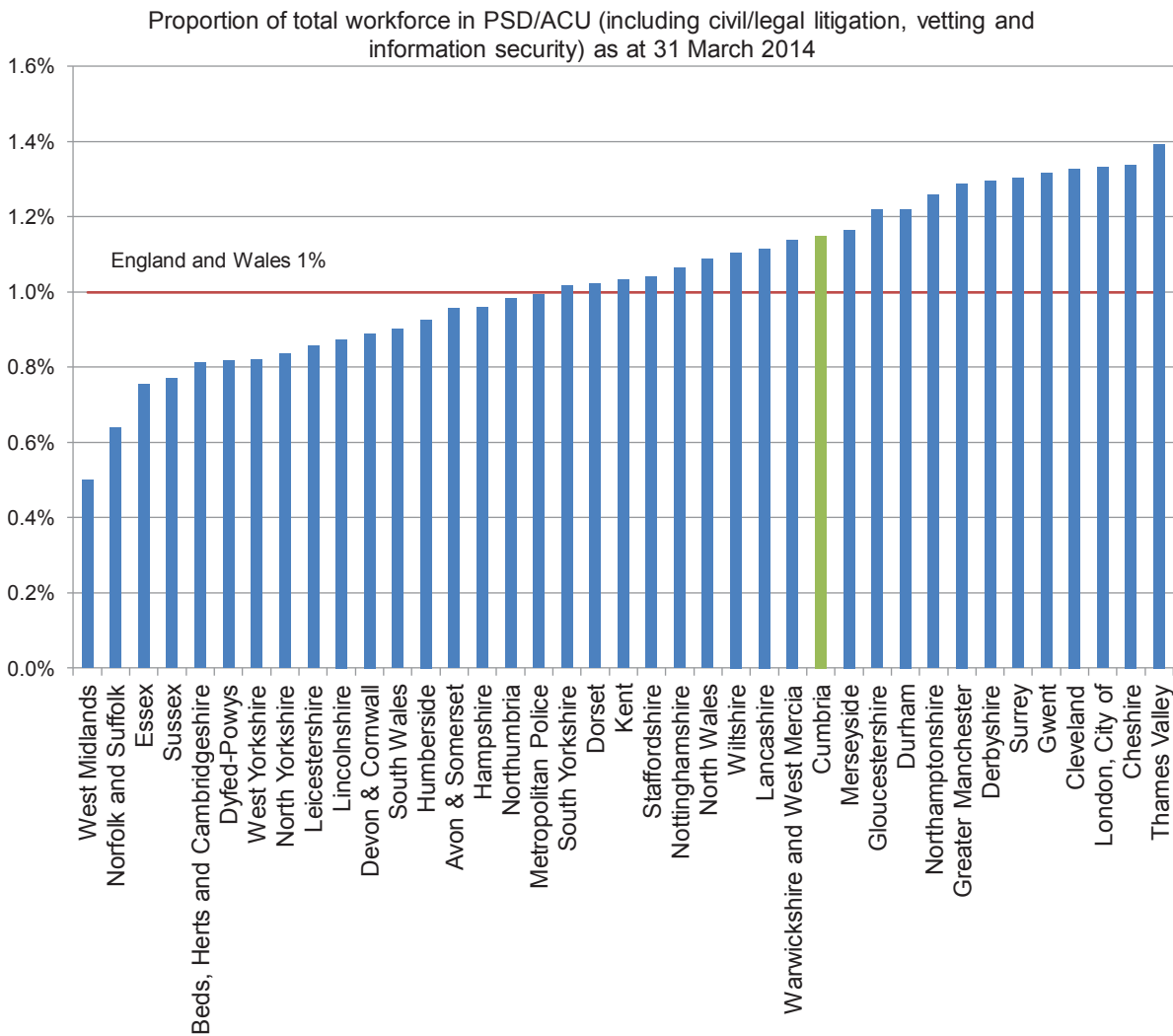
Proportion of workforce in
PSD/ACU

1.1%

Proportion of workforce in
PSD/ACU
– England and Wales

1.0%

Information above is sourced from data collections returned by forces, and therefore may not fully reconcile with inspection findings as detailed in the body of the report.



The chart above is only indicative of the proportion of force’s workforce that worked in professional standards or anti-corruption roles as at the 31 March 2014. The proportion includes civil/legal litigation, vetting and information security. Some forces share these roles with staff being employed in one force to undertake the work of another force. For these forces it can give the appearance of a large proportion in the force conducting the work and a small proportion in the force having the work conducted for them. .

Introduction

During HMIC's review of police relationships, published in 2011 as *Without fear or favour*¹, we did not find evidence to support previous concerns that inappropriate police relationships represented endemic failings in police integrity. However, HMIC did not give the police service a clean bill of health. We found that few forces were actively aware of, or were managing, issues of police integrity. We also found a wide variation across the service in the levels of understanding of the boundaries in police relationships with others, including the media. Similarly, we found wide variation across the service in the use of checking mechanisms, and governance and oversight of police relationships.

During HMIC's 2012 progress report, *Revisiting police relationships*² we found that, while forces had made some progress, particularly with regard to the implementation of processes and policies to manage threats to integrity, more needed to be done. The pace of change also needed to increase, not least to demonstrate to the public that the police service was serious about managing integrity issues.

This inspection focuses on the arrangements in place to ensure those working in police forces act with integrity. Specifically, we looked at four principal areas:

- (1) What progress has been made on managing professional and personal relationships since our revisit in 2012?
- (2) What progress has the force made in communicating and embedding ethical and professional behaviour to all staff?
- (3) How well does the force proactively look for and effectively challenge and investigate misconduct and unprofessional behaviour?
- (4) How well does the force prevent, identify and investigate corruption?

In May 2014, the College of Policing published a Code of Ethics for the police service.³ As our inspections in forces started in early June 2014, it is unrealistic to expect that, at the time of the inspection, forces would have developed a full, comprehensive plan to embed the code into policies and procedures. We acknowledge that this is work in progress for forces and our inspection examined whether they had started to develop those plans.

A national report on police integrity and corruption will be available at www.justiceinspectors.gov.uk/hmic/ in early 2015.

1 *Without fear or favour: A review of police relationships*, HMIC, 13 December 2011. Available at www.justiceinspectors.gov.uk/hmic/media/a-review-of-police-relationships-20111213.pdf.

2 *Revisiting police relationships: A progress report* HMIC, published 18 December 2012. Available at <http://www.justiceinspectors.gov.uk/hmic/media/revisiting-police-relationships.pdf>.

3 *Code of Ethics - A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales*, College of Policing, July 2014. Available at <http://www.college.police.uk>.

What progress has the force made on managing professional and personal relationships with integrity and transparency since HMIC's December 2012 report?

During the HMIC Inspection of 2012, three areas for improvement were identified for Cumbria Constabulary: monitoring social media, gifts and hospitality registers and updating force policies

There are various systems in place to monitor the use of social networking sites and an example was given where an issue that could have caused reputational damage to the force had been identified and resolved quickly as a result of these systems. The force's communications team has conducted some searches of staff use of social networking sites such as Facebook using Meltwater Buzz, a social media monitoring tool. The professional standards department also gives advice to new members of the force on the use of social networking sites, providing a seven-point aide memoire on how to minimise risk when using these. As a result of this work, staff believe that problems in relation to the use of social networking sites has reduced significantly.

The inspection team reviewed the centrally held electronic register of gifts and hospitality in detail. There is good use of this register by a wide variety of staff from the chief officer team through to the rest of the force, with entries from 39 constables. Entries appear to be up to date and included a very recent entry from June 2014. However, a number of entries do not specify what the gift or hospitality was, and do not indicate whether it was accepted or refused. The dip sample or random selection carried out in respect of entries on the register also indicated that while the register is well maintained there is a need to improve the scrutiny of the following points: the quality of entries, their subject matter or potential trends that the entries reveal.

HMIC spoke to a number of staff at various levels about what they would do if offered a gift or hospitality. While respondents were aware of the force's policy on this topic and knew how to deal with offers made, some were not familiar with the detail of the policy. However, all respondents explained that they would immediately seek advice from their supervisors on the correct course of action to take if they were uncertain.

The chief officer team in Cumbria has commissioned a full review of all policies and procedures and at the time of the inspection this had been ongoing for the previous six months. However, at the time of the inspection many of the force's key policies, some of which were available on the constabulary intranet and externally on the internet, remained substantially out of date. The ongoing review should now address fully this area for improvement.

What progress has the force made in communicating and embedding ethical and professional behaviour to all staff, including the new Code of Ethics?

Leadership and governance

There is strong leadership from the chief constable, demonstrated by roadshows, personal briefings and video conferences, as well as posters. This creates a climate of ethical behaviour and challenge within the force.

The chief officer team has clearly communicated the new code of ethics throughout the force. The chief officer team has met personally with many staff and staff associations and plans to meet with all staff by the end of the year to reinforce key messages about professional standards. There is a commitment from the deputy chief constable, who will become the chief constable in August 2014, to continue the work started by the current chief constable in the area of ethics and integrity.

Cumbria Constabulary has been the subject of a number of high profile investigations over the past few years. The force has taken learning points from these and uses these learning points to ensure that staff have an understanding of the standards and ethics senior leaders expect of them.

The PASS newsletter, which is produced and distributed by PSD, covers many topics such as business interests, gifts and gratuities, data disclosure and sanctions imposed on staff for inappropriate behaviour. The PSD team ensures the subjects covered in the newsletter are both topical and interesting and as a result the newsletter is well received by, and influential on, the force. An additional bulletin promoting integrity related matters is posted on the PSD intranet site every Friday to supplement the newsletter.

There is evidence that most leaders within the constabulary, including first-line supervisors, lead by example and demonstrate their personal commitment to ethical behaviour; they promote and encourage ethical behaviour and check that their staff understand what is expected of them in their professional and private lives. Supervisors are expected to discuss ethical issues with their staff every five weeks as well as during staff appraisals.

Unethical and unprofessional behaviour is generally challenged appropriately and examples were given of behaviour being challenged by supervisors at various levels of the force. Overall, supervisory staff believe there is a culture of challenging inappropriate behaviour and feel that the entire workforce, regardless of grade or rank, is aware of what is expected of them with regards to professional standards and ethical behaviour.

The force has developed plans for communicating the new Code of Ethics and ensuring this is implemented effectively across the force. In 2012 the constabulary introduced an integrity action plan. This identified 16 areas for action, and only one area (relating to information and disclosure) still needs to be completed. This plan therefore needs to be updated. The updated plan should incorporate the Code of Ethics and include the five recommendations made in the internal audit report for the constabulary from November 2013.

Staff are aware of their responsibility to challenge and report misconduct and unprofessional behaviour, and feel supported when they do so irrespective of rank, role or experience.

The force has a recently updated policy that sets out the obligations on officers and staff to declare any change in their personal associations and relationships.

All new members of the force are informed about notifiable associations and briefings on notifiable associations are provided to all staff. Officers and staff are aware of the contents of the force's policy on this topic and explained that they would immediately contact their supervisor in the first instance if an issue arose in this area. Notifications that are received are reviewed and acted on appropriately.

Training on the National Decision Model (NDM) was introduced across the force in 2011. It is now in use at all levels of the force and officers and staff are trained in and understand its application. The NDM is used by the force to help conduct severity assessments of misconduct allegations.

Training on ethical and professional behaviour is provided regularly to all staff. Knowledge in these areas is checked at these sessions. This training is included in the initial training of all new members joining the force. It is also included on development courses and referenced, albeit briefly, in first-aid training. The force is in the process of developing animated films as a modern and interesting way to provide information about particular dilemmas and situations which staff are likely to encounter. Senior officers expect to show these films to all staff over the next year. The intention is to follow each showing with debate and discussion.

Chief officers provide sufficient information to the police and crime commissioner (PCC) to ensure there is oversight of and accountability on integrity issues. The PCC is located in the same building as the chief officer team and has regular meetings with the team to discuss ethics and integrity issues. There is a monthly meeting between chief officers and the PCC, which members of the public can attend. The PCC also reviews a number of investigations conducted by the PSD to ensure they are effective and fair.

The joint audit standards committee, which conducts audits into areas of concern, meets quarterly. The deputy chief constable holds monthly meetings with the PCC, human resources (HR) and PSD at which the progress being made on cases and investigations is reviewed. There is also a quarterly meeting between PSD, HR and the procurement department at which staff grievances and other issues are considered.

Understanding integrity

Cumbria Constabulary is preparing a wellbeing survey to find out the views of its workforce and is considering surveying specific community groups on integrity issues facing the force. However, the latter plan is in its early stages and no date has been set for it to be undertaken.

Details of all applications from officers and staff for the authorisation of a business interest are recorded in a centrally held repository, including where the application was not authorised. This record is regularly audited and authorised applications are reviewed at regular intervals to determine if they ought to be renewed. New suppliers of goods and services to the constabulary are checked against the business interest repository. There is an effective way of auditing rejected business interests applications to ensure the applicant is complying with the decision that was made and a record is kept of the decision-making process. The force's electronic register for business interests is well maintained and covers staff of all ranks including the chief officer team.

Some analysis is carried out to identify trends in relation to integrity issues, including misconduct and unprofessional behaviour. Analysts within PSD produce reports on staff members who are the subject of complaints or who are identified as posing a risk to the force. PSD has carried out a number of reviews and has recently checked the procurement, gifts and hospitality registers against senior officers' diaries to identify possible areas of vulnerability and risk. This process is expected to continue in 2015.

How well does the force proactively look for, and effectively challenge and investigate misconduct and unprofessional behaviour?

Misconduct and unprofessional behaviour

Misconduct and unprofessional behaviour are taken into account in relation to transfers to specialist roles and promotions for most positions. However, they are not considered in relation to applications for courses such as the senior police national assessment centre (SPNAC) (which is a pre-cursor to attendance on the strategic command course (SCC)), appointment to chief officer or places on the fast-track development scheme. The promotion policies in Cumbria have been reviewed. In most cases, the officer's or member of staff's history, together with any intelligence recorded against them, is considered. Both the PSD and HR are involved in this activity and work together to make sure that all issues are effectively identified. Cumbria Constabulary recognises that staff transferring into the force pose a potential risk and as a result has set up a transferee panel, which is responsible for identifying any historical issues with those being transferred that could adversely affect the force.

Recommendation

Within six months, the force should ensure that selection processes for promotion, postings to roles considered as specialist or postings to roles having contact with vulnerable individuals, include checks with the anti-corruption unit for staff suitability. This should include officers applying for SPNAC and fast-track schemes.

The force ensures that all staff, irrespective of rank or role, are treated fairly and equally in terms of how investigations are assessed, recorded and carried out, and in terms of the sanctions imposed for inappropriate behaviour. Non-criminal conduct investigations in relation to police staff are dealt with by the HR team and are reviewed weekly, at which point consideration is given to the progress being made and the effect the process is having on the member of staff under investigation. The process is considered to be fair by most staff and many members of the force expressed real confidence in the way staff are managed during the investigation process. All officer misconduct cases and criminal cases – whether involving officers or police staff – and public complaints are investigated solely by PSD. At the time of the inspection a review was taking place to assess whether there are any differences between investigations into officers and investigations into staff.

The result of investigations, including (where relevant) the sanctions imposed, are published in the PASS newsletter once details have been removed so that individual staff members cannot be easily identified.

There are confidential mechanisms, including a confidential telephone reporting line and a confidential email service, for staff to report wrongdoing. Guidance on how to use the system is advertised by PSD. Those spoken to as part of the inspection were not only aware of these confidential methods to report wrongdoing, but also expressed confidence in approaching their supervisors for advice, guidance and action on these matters. Reports on the confidential line are reviewed daily during the week by the anti-corruption unit (ACU) staff. The force responds to reports of wrongdoing by staff in an effective and timely manner.

The constabulary publishes data and information in relation to the gifts and hospitality register, the expenses of chief officers, senior officers, and police staff equivalents, as well as data from the register of business interests. The force publishes cases of serious misconduct, where officers and staff had been dismissed or resigned from the force. However, it does not publish all misconduct cases as it has concerns about confidentiality issues this might raise and the effect such reporting might have on the members of the force involved. Some staff feel that publishing less serious cases would educate staff and discourage them from similar behaviour.

Officers and staff receive training on integrity. There is a particular focus on the initial training of new staff, which aims to open their eyes to honesty and integrity issues. Members of the chief officer team ensure they see all new staff joining the force on a face-to-face basis to help set these standards. For those who are already members of the force, roadshows take place and a new programme of skills training for all staff on integrity issues is planned to start in September 2014. The force is conscious of emerging issues that might affect it and is quick to respond to these. The PSD staff and supervisors have ensured that members of the force are aware of their responsibilities to behave professionally and responsibly.

The force has an understanding of when cases should be referred to the Independent Police Complaints Commission (IPCC) and communicates effectively with the IPCC ensuring a positive relationship. HMIC found that all the cases it inspected had been correctly referred to the IPCC where this was required. The force adheres to IPCC guidance and also takes note of the IPCC 'lessons learned' bulletins, using these to share information with the force. The bulletins are also sent to the appropriate leaders in the force so that policies can be updated if required and examples were given to HMIC where this had taken place.

Professional standards training and resourcing

Staff working in PSD and the ACU receive regular training for their roles and are all accredited detectives. Two recently recruited detective sergeants have completed the College of Policing accredited 'bronze' corruption training course.

Succession planning takes place to ensure consistency and continuity within PSD and the ACU. There were no vacancies within PSD and the ACU at the time of the inspection but there was a succession plan in place.

The force recognises that PSD and the ACU have limited resources but considered that they are able to deal with their current workloads. HMIC considers that PSD and the ACU staff are able to deal with the issues they currently face, but do not have the capacity to proactively prevent or search for unprofessional behaviour and corrupt practice.

Misconduct hearings are constructed to ensure transparency, effectiveness, efficiency and legitimacy. Hearings include the use of an appropriately qualified presiding officer, who is independent of the person being investigated. The presiding officer is always supported by appropriate legal and professional advice and there have been no appeals against the outcome of misconduct hearings in recent years. The force does not hold many misconduct hearings, often only one or two a year. The force allows police officers to resign if they are the subject of a misconduct investigation but not if there is a member of public involved. Police staff may resign at any time and in any circumstances but the constabulary would make a decision about whether or not to continue with disciplinary proceedings if resignation takes place. The force makes use of fast-track dismissal of police officers where appropriate although, because of the low number of cases, no special hearings where this was an option have been held recently.

Quality assurance

The force audits all the decisions made in misconduct hearings and those made at meetings held as a result of allegations of misconduct or unprofessional behaviour. The audit process checks that investigations were conducted at an appropriate level according to the circumstances. The timeliness and quality of all investigations conducted, whether carried out by PSD or another department, are also monitored. Complaints and criminal allegations against officers and staff are investigated by PSD but staff conduct matters are investigated by HR. The PSD does not oversee these investigations but they are discussed at PSD meetings where HR is represented.

There is a way to identify and record any points that can be learned from misconduct investigations and disseminating these to the force through the PASS newsletter. The newsletter is read widely across the force.

How well does the force prevent, identify and investigate corruption?

Investigating corruption

Cumbria Constabulary regularly, proactively and effectively identifies and manages threat, risk and harm from corruption as part of the accountability and governance structure. The PSD carries out the force's strategic assessment, considering data on complaints, intelligence on poor behaviour and corrupt practice and investigations, as well as the National Crime Agency (NCA) assessment, to inform its own assessment. Ordinarily, there is little interaction between PSD and the procurement department but that interaction does occur when needed. The PSD has no particular involvement with the working practices of this department or the potential for corruption that arises from contract and procurement processes. Staff feel that there is an effective audit process in place within the procurement department itself, which would identify any corrupt practice and indicated that if any were found, PSD would be informed immediately. However, HMIC considers that a formal arrangement between PSD and the procurement team is necessary to ensure that the management of corruption issues is co-ordinated and effective.

The force proactively identifies individuals or groups who are vulnerable to corruption using the NCA counter-corruption threat assessment and the Transparency International integrity cycle. Where the ACU receives intelligence about a particular individual it carries out a risk assessment on them. It also carries out risk assessments of officers and staff who have had a number of complaints made against them. Audits are carried out on internet use and email traffic and the top ten overtime earners are examined for potential abuse of the duty management systems.

The force has seen a large increase in staff reporting difficulties with their personal finances and encourages staff to report and discuss such issues with their supervisors at an early stage. The force has also used a private finance company, PMAS, to speak to staff about how they can manage their financial affairs more effectively.

Vetting arrangements in the force comply with the national vetting policy. Officers and staff that pose a risk in terms of corruption are identified at the recruitment stage. However, it is not clear if vetting procedures are repeated when an officer or member of staff is promoted to the senior ranks or posted to a sensitive or vulnerable role. There is an effective working relationship between PSD and the vetting department. The vetting department regularly submits requests to PSD to check staff history and records that they hold. The force is able to carry out monitoring of its systems but an automated computer systems monitoring tool will make the existing processes and oversight more robust. Approval and funding has been given by the PCC to allow for the purchase of an automated computer systems monitoring tool in the near future. It is anticipated that this will provide an efficient and effective way of checking the use of all the force's computer systems. The system has not yet been purchased owing to other IT work being prioritised in the business plan.

There is very close scrutiny of the use of corporate credit cards. The force knows how many cards are in use and has a monitoring and audit process in place for these which are checked on a monthly basis.

The constabulary uses random and 'with cause' substance tests, as well as carrying out integrity tests on the basis of intelligence it receives in order to identify corruption. Results of these tests are circulated to the workforce, by publishing them in the PASS newsletter. Over the last twelve months Cumbria has carried out ten random tests in each of the three territorial police areas. The force has also conducted interviews with members of the force where some limited intelligence has been provided, which indicates that they pose a potential risk where it was not possible to investigate this further in another way.

There is no evidence that the force has appropriate processes in place to minimise the potential impact of corruption on investigations and operations whether these are carried out by the force or by the regional organised crime unit (ROCU). There is no operational security officer either in the force or in the ROCU. Such an officer would be able to make links between work being undertaken in relation to organised crime groups, the force's vetting processes and the force's staff to reduce the risk of corruption compromising investigations and operations.

Recommendation

Within six months, the force should ensure it has effective processes to minimise the risk of compromise to investigations into serious and organised crime.

The force ensures the effective security of its systems, exhibits and case papers. The PSD and ACU offices are kept locked and officers and staff have security access cards to gain access. All the force's electronic systems are secured with passwords. Within this secure office environment case files are locked away securely in cabinets within PSD and the ACU. The PSD and ACU computer systems have sufficient security protection.

Intelligence

Cumbria Constabulary has sufficient resources to deal with the flow of intelligence it receives. The force proactively and regularly gathers useful intelligence on corruption, which is then graded in compliance with the relevant authorised professional practice. Intelligence gathering and grading is co-ordinated at a monthly senior management team meeting, where decisions about any action to be taken in light of intelligence received are made. Where a matter arises that requires an urgent decision, a further meeting is called outside of the monthly cycle. Together, these meetings ensure that corruption issues are considered, recorded, reviewed and dealt with by appropriate action.

Capability

The professional standards department and the ACU in Cumbria Constabulary have ready access to specialist assets when required such as the technical support unit and surveillance teams. This is obtained through other investigative departments such as the crime or intelligence commands within the force itself. Outside the constabulary, there is a memorandum of understanding with Lancashire Constabulary to share specialist assets if required, although Cumbria Constabulary has not required the provision of extra staff to support corruption investigations for the past two years. The ACU has a limited ability to actively identify and respond to areas of risk and vulnerability as a result of being a small unit.

Recommendations

- **Within six months, the force should ensure that selection processes for promotion, postings to roles considered as specialist or postings to roles having contact with vulnerable individuals, include checks with the anti-corruption unit for staff suitability. This should include officers applying for SPNAC and fast-track schemes.**
- **Within six months, the force should ensure it has effective processes to minimise the risk of compromise to investigations into serious and organised crime.**