



Inspecting policing
in the public interest

Police Integrity and Corruption

Essex Police

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

The chief constable and all the chief officers show strong leadership on the importance of values, ethics and personal behaviour. Some policies and procedures address standards of behaviour and integrity. The force has a clear plan to implement the Code of Ethics under the force's 'passion in policing' brand. The force has an established anti-corruption unit and its staff have good knowledge, skills and understanding of the organisation and systems; however, it has insufficient capacity to work proactively. There are governance arrangements for integrity issues and an established joint process for monitoring contracts and related issues with Kent Police.

Summary

The chief constable and all the chief officers show strong leadership on the importance of values, ethics and personal behaviour. Some policies and procedures address standards of behaviour and integrity.

HMIC found that staff are aware of their responsibility to challenge and report misconduct and unprofessional behaviour, and that most leaders led by example and demonstrated their personal commitment to ethical behaviour. There is a well understood confidential process for individuals to report wrongdoing. The force has provided extensive communication and direction to staff regarding the misuse of police systems under the Data Protection Act 1998.

The force has a clear plan to implement the Code of Ethics under the force's 'passion in policing' brand.

There are governance arrangements for integrity issues and an established joint process for monitoring contracts and related issues with Kent Police. This has increased transparency and governance. The force regularly audits the gifts and hospitality register, and inappropriate entries are challenged or investigated by the PSD. The force publishes information on chief officer expenses, gifts and hospitality but it does not publish information concerning officers' business interests and secondary employment.

The force has a process for disseminating lessons learned from investigations, and makes use of Independent Police Complaints Commission (IPCC) bulletins to keep staff informed of the latest issues and learning.

The PSD maintain a register of professional standards investigations whether conducted by the PSD or local police area but there is no central process to monitor timeliness. HMIC found some evidence of effective record-keeping of the planning of investigations, and of the recording of the rationale for decisions.

The force has an established ACU and its staff have good knowledge, skills and understanding of the organisation and systems. The ACU has an intelligence department and is supported by an analytical and research function; this is shared with the PSD. The ACU has insufficient capacity to work proactively.

The risk that operations will be compromised by corruption is managed largely within the force. Where serious organised crime is concerned, the force operates, together with Kent Police, a joint security unit within the joint serious crime directorate. This joint security unit is responsible for operational security; it also completes corruption investigations on behalf of both forces.

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

HMIC highlighted two areas for improvement in the December 2012 report.

1. Introduce guidance and monitoring of social networking sites.

The force carries out monitoring of official social media accounts on a regular basis. It also carries out very limited monitoring of private social media accounts. Staff understand that standards of behaviour apply to off-duty use of social media as well as on duty.

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?

The chief officer team gives clear leadership, delivering messages using a variety of means, with staff demonstrating a good understanding of professional behaviour.

There is a clear plan to implement and embed the Code of Ethics.

Ethical principles have been incorporated into some, but not all, relevant policies.

Managers lead by example and challenge unprofessional behaviour.

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

The force reviews any misconduct and unprofessional behaviour before a decision is made to promote officers, or to allow them access to the accelerated promotion scheme.

Data and information is published in relation to the gifts and hospitality register. The force does not publish the register of business interests.

Occasional auditing takes place to ensure that investigations are justifiable, dealt with at the right level and escalated or de-escalated appropriately.

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

The force produces an annual risk assessment in relation to integrity, misconduct and anti-corruption risk but actions are not tracked.

There is access to specialist resources when required.

The ACU has staff with the right skills and experience to analyse, develop and covertly investigate but does not have the resources to be proactive.

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

2. Cross-reference contract and procurement registers with the registers of gifts and hospitality.

Essex Police and Kent Police have established a joint procurement process with increased monitoring of contracts and related issues. Processes had been tightened to give increased transparency and independence and all procurement staff have received additional training.

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?

There are good levels of governance in the force with external scrutiny being exercised by the police and crime commissioner.

The force does not cross-check chief officers' diaries against the gifts gratuities and procurement registers.

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

There is evidence of some record-keeping, the planning of investigations and the recording of rationale for decisions, however this is not the case for all investigations

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

The head of ACU does not have a clear and direct reporting line to the deputy chief constable/ chief officer lead on integrity and corruption.

The force/constabulary in numbers



Complaints

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

911

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

17.4

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

119

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

2.3

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

2.6



Business interests

Applications in 12 months
to March 2014

131

Approvals in 12 months
to March 2014

129



Resources

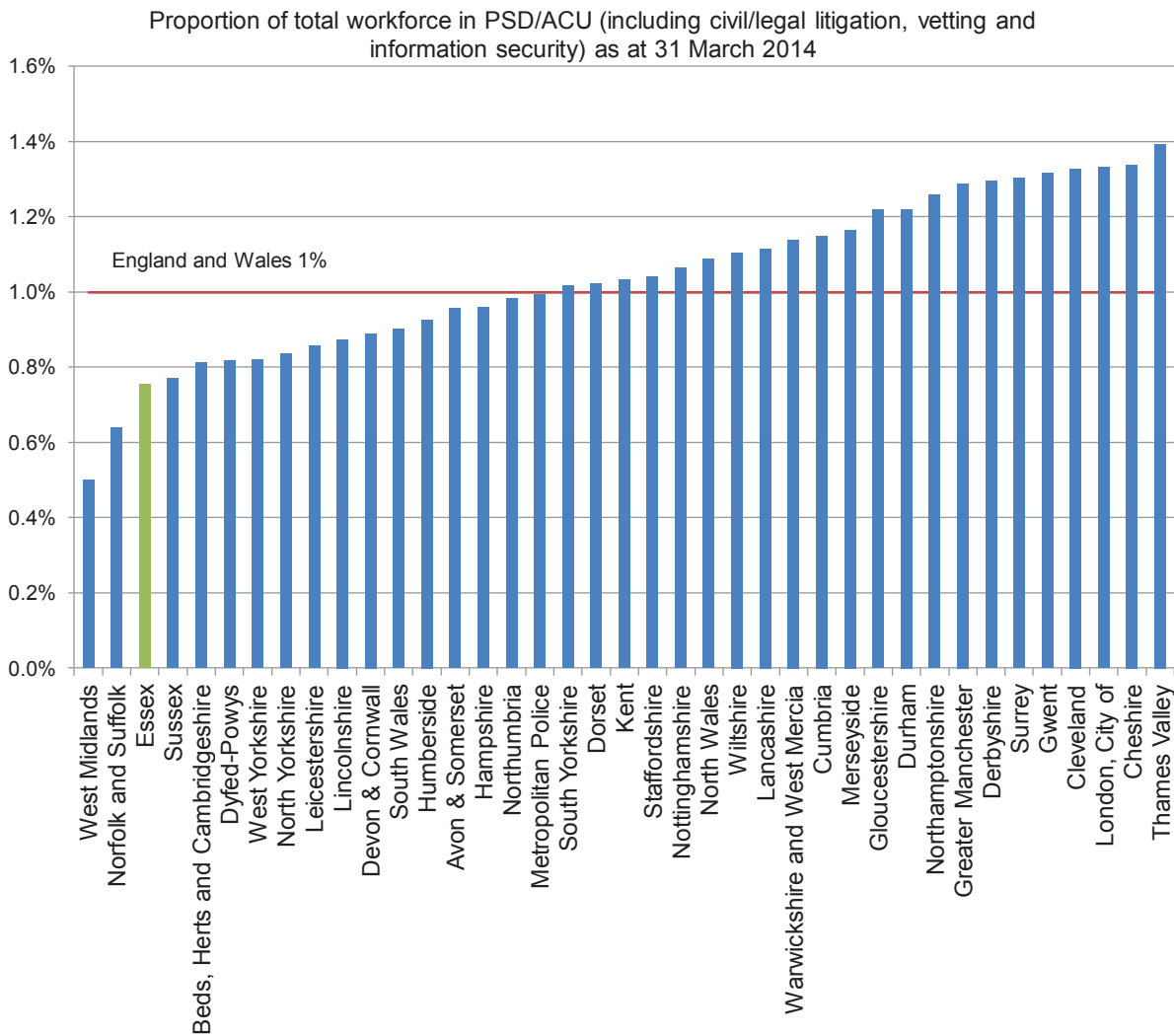
Proportion of workforce in
PSD/ACU

0.8%

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, two areas for improvement were identified for Essex Police:

- The force was required to introduce guidance and monitoring of social networking sites.
- The force was required to introduce a process for cross-checking contract and procurement registers with gifts and hospitality registers in order to ensure the integrity of the procurement process.

In relation to the first area for improvement, the force carries out monitoring of official social media accounts on a regular basis. It also carries out very limited monitoring of private social media accounts and has not identified any issues in the recent past. Staff understand that standards of behaviour apply to off-duty use of social media as well as on duty.

During this inspection, HMIC found the joint procurement unit with Kent Police is well established with a good understanding of the legal requirements for purchases and contracts.

HMIC also found that the appropriate registers such as gifts and hospitality, business and secondary employment have been improved and are all now searchable from one location. Monitoring is in place to cross-reference contract and procurement registers with the registers of gifts and hospitality and secondary employment. The IT system to track purchase orders and procurement to the point of payment is efficient and effective. The head of procurement is working with the training department to deliver training to appropriate police officers and police staff managers. This includes training on integrity issues.

HMIC found good links between the procurement departments and the anti-corruption unit.

Overall the force has made good progress in the two areas of improvement identified in the 2012 report.

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

The chief constable demonstrates strong leadership and has created a climate of ethical behaviour and willingness to challenge wrongdoing through, for example, his use of blogs and roadshows. Staff are aware of the 'plan on a page' and 'standards matter' poster campaign which are the chief constable's methods of communicating the force objectives, and his expectations regarding ethical behaviour and professionalism.

Officers and staff are aware of the boundaries between unprofessional and professional behaviour and some understand how it affects both the public and their colleagues. The force has provided extensive communication and direction to staff regarding misuse of police systems under the Data Protection Act 1998. Staff, however, still express some confusion over what constitutes appropriate use of police systems.

Ethical and professional behaviour standards have been incorporated into some but not all relevant policies and procedures and some policies are overdue for review. The wrongdoing reporting policy and business interests policy, both due for review in 2008, were only recently updated.

Most managers and first-line supervisors in Essex Police lead by example and demonstrate their personal commitment to ethical behaviour. The PSD has provided training to sergeants and inspectors to promote high standards and effective supervision. Supervisors check the understanding of their staff on what standards are expected in their private lives. The force has plans to embed the Code of Ethics into all aspects of the force under the wider local brand of 'passion in policing' which is being developed for release early in 2015.

The force is reviewing its governance structure and is developing a training plan to support the implementation of the code.

Staff are aware of their responsibility to challenge and report misconduct and unprofessional behaviour. Some staff feel they would not be supported if they reported misconduct. The wrongdoing reporting policy sets out the mechanisms for reporting wrongdoing; it does not specify what support would be available to those reporting.

There is a notifiable association and media relationships policy outlining the obligation to declare any change in circumstances in an officer's or staff member's personal associations and relationships. The force policy requires notification of relationships with individuals who the person reporting believes to be a criminal and potential corruptor. It does not cover other notifiable relationships, for example, relationships with journalists. Some officers and staff members are not aware of their responsibilities concerning personal associations and relationships.

The National Decision Model (NDM) is used widely across the force. Officers are trained and understand its application, however, most police staff have little understanding of the NDM. Some officers felt that the training that they had received was insufficient and had amounted to only a PowerPoint presentation and posters.

Training on ethical and professional behaviour is provided to all staff as an integral part of all courses, rather than as a standalone course. All new staff receive training on ethical and professional behaviour, which is reinforced through local policing area commander meetings with probationers where expectations of integrity, professionalism and standards are set out.

Chief officer leadership on integrity issues (including misconduct and unprofessional behaviour) is clear, visible and recognised by staff. There are clear messages on the internal website, on posters and in briefings to staff from chief officers which encourage positive behaviour and explain the boundaries of acceptable behaviour.

Chief officers provide information to the police and crime commissioner (PCC) to enable him to scrutinise integrity issues. The PSD have a quarterly meeting with the PCC which considers significant individual cases, trends and other relevant matters. In addition, a strategic direction board chaired by the PCC has been established which reviews ethics and integrity matters.

The deputy chief constable (DCC) chief officer lead chairs the force integrity and anti-corruption board, and the head of the PSD meets with the DCC once a week to discuss a range of integrity issues. Essex has a joint serious crime directorate (SCD) with Kent Police. Within this directorate, there is a joint operational security unit that specifically focuses on and investigates corruption risks related to serious and organised crime. There is a joint bi-monthly meeting involving this team and the PSD from both Kent and Essex to review their work.

Essex and Kent have established a joint process for monitoring procurement. Training has been provided to staff within the procurement unit, including how to detect fraud.

Policies or guidance set out the meaning of misconduct and unprofessional behaviour. They describe acceptable boundaries of conduct and what is expected of staff in their private and professional life. HMIC was provided with, and found good examples of, these policies, including the policy on private use of social media. Staff responsible for reviewing policy are unaware of any standard review timescale, and some important policies are overdue for review (see recommendation above).

Understanding integrity

Some work has been carried out to improve the force's understanding of how integrity issues affect public trust. The force has recently conducted a staff survey, which has had a response rate of 49 percent; this revealed that while 91 percent of staff knew how to challenge or report wrongdoing, only 59 percent would feel safe in doing so, and only 49 percent thought they would be supported.

Details of occasions where officers and staff were offered gifts or hospitality are recorded in a centrally held register. Entries are made where the gift or hospitality is not accepted. The register is audited regularly and inappropriate entries are challenged or investigated.

The register is held by the PSD, and is a standing agenda item on the integrity and anti-corruption board. The head of the PSD has an action from the integrity and anti-corruption board to promote more widely the policy on gifts and hospitality to ensure staff are aware of their responsibilities.

Details of all occasions where officers and staff have applied for authorisation for a business interest, secondary employment or membership of an organisation are recorded fully in a central register (which includes entries for those applications which are refused), held by the PSD. Annual reviews of authorised applications are allocated to the line manager for completion. Where a business interest is refused, follow up will take place only on an intelligence-led basis. Staff have a good understanding of the policy.

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

Misconduct and unprofessional behaviour

The force produces an annual risk assessment in relation to integrity, misconduct and anti-corruption risk with allocated actions, but these actions are not tracked to ensure completion.

Misconduct and unprofessional behaviour are considered when the force makes decisions to transfer officers to specialist roles and on promotion. Checks are made for those officers seeking to undertake the police national assessment centre or fast-track development scheme. The force always considers misconduct issues and unsatisfactory performance procedures during the transfer or promotion process.

The force assesses how investigations are conducted, how progress is recorded and how sanctions are imposed, in order to ensure that all staff, irrespective of rank or role, are treated fairly and equally. Kent and Essex operate a shared human resources (HR) service with an assistant chief constable lead. The force misconduct process changed in January 2014, when HR took the lead for all police staff misconduct matters.

There is a confidential system for officers to report wrongdoing which includes an anonymous email system and a confidential phone line. Staff understand the force system, however the recent staff survey indicated that staff have some reservations about reporting wrongdoing and concerns about the level of support they would receive if they did make a report. Staff have concerns that the anonymous email system, in particular, is traceable, despite messages of reassurance from the chief constable.

The force responds to reports of wrongdoing by staff in an effective and timely manner with staff at all levels of the force feeling the response to wrongdoing is effective and timely.

The force publishes data and information about the expenses and hospitality of chief officers, but does not publish such data or information for senior officers and police staff equivalent. The force does not cross-check the chief officers' diaries against the gifts, gratuities and procurement registers. The force does not publish the register of business interests. Minimal details of the results of misconduct hearings are released to the media.

Cases are appropriately referred to the Independent Police Complaints Commission (IPCC) and the IPCC statutory guidance is followed. There are good relationships with the IPCC and if there is any doubt about an issue a referral is made to them.

The force actively uses the IPCC bulletin to disseminate learning and collates responses, and the PSD also disseminates lessons learned including trends and series, via the force intranet. The force media team are not involved in the dissemination of IPCC bulletins or the PSD lessons learned release. The force has recognised the need for a more formal structure around information releases.

Professional standards training and resourcing

Members of staff in the PSD and the ACU, including the intelligence team within the ACU, receive some training for their role, but this does not happen regularly. Anti-corruption unit staff are either accredited detectives or are working toward accreditation. The PSD staff have all been on a PSD investigators' course and a course on death following police contact.

Succession planning, to make sure that the right staff are in place if someone leaves, has proven to be difficult due to a shortage of senior managers with a strong investigative background. Staff turnover is low within the units, but there has been a relatively low number of applicants for those posts that have occurred; the PSD management has tried to address this by networking with colleagues.

The PSD is sufficiently resourced to respond to reactive demands but any proactive and preventive capability is very limited. Any proactive work by the PSD is primarily focused on the education of the workforce via training and messages distributed to staff via email and the force intranet.

The force has a joint serious crime directorate (SCD) with Kent Police. Within this directorate, there is a joint operational security unit that focuses on and investigates corruption risks related to serious and organised crime. There is a joint bi-weekly meeting involving this team and the PSD from both Kent and Essex to review their work. Both forces commission the unit to investigate complex or serious organised crime related cases. There is some confusion in terms of line management. This arrangement, while appropriate in the early stages of the joint SCD, raises questions of efficiency and capacity to meet the needs of both forces.

Misconduct hearings are structured to ensure transparency, effectiveness, efficiency and legitimacy and are conducted in line with police (conduct) regulations. A barrister has provided training to chief officers, and a presenting counsel is engaged for all gross misconduct hearings.

The force makes use of fast-track dismissal where appropriate. Human resources provide guidance to the force on procedures and also provide one-to-one advice when required. Scrutiny of decisions is provided through the appeal process.

Quality assurance

The force conducts audits of the decisions of disciplinary hearings and management meetings resulting from allegations of misconduct or unprofessional behaviour against officers and staff.

Occasional audits take place to ensure that investigations are justifiable, dealt with at the right level and escalated or de-escalated appropriately.

The PSD maintains a register of professional standards investigations whether conducted by the PSD or local police area (LPA) but there is no central process to monitor timeliness, and each LPA has a different approach to management of these investigations. HMIC found some evidence of record-keeping, of the planning of investigations, and of the recording of the rationale for disposal decisions made in those files dip-sampled during the inspection, however this was not the case in all the files and three files of particular concern were referred back to the force via the DCC for review.

Recommendation

Within six months, the force should introduce a centralised process to monitor the timeliness, effectiveness and management of investigations into public complaints.

The force does not have a policy on the suspension, resignation and retirement of officers under investigations. A number of those files referred back to the DCC related to decisions made in this area.

Recommendation

Within six months, the force should publish a policy which clarifies the position on suspension, resignation and retirement of officers under disciplinary investigation.

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

Corruption investigation

The force does not identify staff or groups vulnerable to corruption by, for example, profiling officers and staff who may face debt problems, but it does carry out limited work to identify vulnerable staff/ groups in relation to sexually predatory behaviour.

Vetting arrangements comply with the national vetting policy and identify corruption risks at the recruitment stage for officers and staff. At the time of the inspection there was a backlog in re-vetting requirements due to staff moving to other roles and staff absences. The force has recruited additional staff to deal with the backlog.

The force does not routinely monitor force systems; this is, however, done on a targeted basis. Social media monitoring is carried out on both force and private accounts but on a very limited basis. Private social media use guidance has been published.

The PSD does not cross-check senior officers' diaries against the gifts and hospitality or procurement registers.

The force uses random and with cause substance testing to identify corruption, but it does not use intelligence-led integrity testing. The results of random and with cause substance testing are not communicated to staff.

The force has taken steps to ensure that organised crime investigations are not compromised by corruption risks and ensures that forthcoming operations are mitigated from the risk of corruption. The ACU has strong links with the joint operational security unit who are informed about major operations.

The force ensures the effective security of systems, exhibits and case papers in a way that complies with Home Office guidance, by the use of restricted access work areas, locked offices, approved locked cabinets and a separate secure exhibits store.

Intelligence

There is limited analytical, research and intelligence development capacity within the ACU and what does exist is used reactively. Any intelligence that requires further action is passed to the joint operational security unit for action.

There is an effective tasking and co-ordinating meeting structure by which new intelligence and other critical issues are assessed and prioritised for action. Any serious corruption intelligence is sent to the joint operational security unit for action. They will take the lead and make any arrest that might be necessary; the ACU will support by providing intelligence assessments and suspension papers if required.

The force is able to identify multiple suspects and multiple offences by a single suspect. There are insufficient resources to deal with the flow of intelligence.

Capability

The PSD and ACU have access to force specialist teams such as surveillance teams, and there is an agreement to use both Metropolitan Police and National Crime Agency resources.

The ACU has insufficient capability and capacity to provide a proactive element. The analyst attached to the ACU is shared with the PSD. Both Essex and Kent commission the joint operational security unit to investigate complex or serious organised crime related cases. There is some confusion in terms of line management of the unit, and the arrangements, while appropriate in the early stages of the joint SCD, raise questions of efficiency and capacity to meet the needs of both forces.

Recommendation

Within six months, the force should review and confirm the line management arrangements of the joint operational security unit and should, as far as is economically viable, ensure there is sufficient proactive capacity to prevent, identify and investigate corruption.

The performance of the PSD and ACU is monitored to some extent by the force and includes the quality of handling complaints, investigations, decision-making, outcomes and appeals. Some actions are tracked but action owners are not held to account in any meaningful way. The head of the PSD has weekly meetings with the DCC lead officer, and the PSD provides a performance pack for the anti-corruption board. The head of the ACU has a personal objective to review and reduce time taken to complete investigations.

The head of ACU does not have a clear and direct reporting line to the DCC chief officer lead, instead reporting to the head of the PSD. The head of ACU fulfils several other roles within the force, including that of being an operational commander; this could lead to a conflict of interest or loss of force capability if an operation he was involved in needed to be investigated.

Covert investigations are appropriately referred to the IPCC, in accordance with the statutory guidance. This was confirmed through the checks undertaken as part of the inspection.

Recommendations

- **Within six months, the force should introduce a centralised process to monitor the timeliness, effectiveness and management of investigations into public complaints.**
- **Within six months, the force should publish a policy which clarifies the position on suspension, resignation and retirement of officers under disciplinary investigation.**
- **Within six months, the force should review and confirm the line management arrangements of the joint operational security unit and should, as far as is economically viable, ensure there is sufficient proactive capacity to prevent, identify and investigate corruption.**