



Promoting improvements
in policing to make
everyone safer

PEEL: Police legitimacy 2016

An inspection of West Midlands Police



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Introduction

As part of our annual inspections of police effectiveness, efficiency, legitimacy and leadership (PEEL), Her Majesty's Inspectorate of Constabulary (HMIC) assesses the legitimacy of police forces across England and Wales.

Police legitimacy – a concept that is well established in the UK as 'policing by consent' – is crucial in a democratic society. The police have powers to act in ways that would be considered illegal by any other member of the public (for example, by using force or depriving people of their liberty). It is therefore vital that they use these powers fairly, and that they treat people with respect in the course of their duties.

Police legitimacy is also required for the police to be effective and efficient: as well as motivating the public to co-operate with the police and respect the law, it encourages them to become more socially responsible. The more the public supports the police by providing information or becoming more involved in policing activities (such as via Neighbourhood Watch or other voluntary activity), the greater the reduction in demand on police forces.

To achieve this support – or 'consent' – the public needs to believe that the police will treat them with respect and make fair decisions (while taking the time to explain those decisions), as well as being friendly and approachable.¹ This is often referred to as 'procedural justice'. Police actions that are perceived to be unfair or disrespectful can have extremely negative results for police legitimacy in the eyes of the public.

Police officers and staff are more likely to treat the public with fairness and respect if they feel that they themselves are being treated fairly and respectfully, particularly by their own police force. It is therefore important that the decisions made by their force about the things that affect them are perceived to be fair.² This principle is described as 'organisational justice', and HMIC considers that, alongside the principle of procedural justice, it makes up a vital aspect of any assessment of police legitimacy.

¹ *It's a fair cop? Police legitimacy, public cooperation, and crime reduction*, National Policing Improvement Agency, September 2011. Available at:
http://whatworks.college.police.uk/Research/Documents/Fair_cop_Full_Report.pdf

² *Fair cop 2: Organisational justice, behaviour and ethical policing*, College of Policing, 2015. Available at:
http://whatworks.college.police.uk/Research/Documents/150317_Fair_cop%20FINAL_REPORT.pdf

One of the most important areas in which internal organisational justice and external procedural justice principles come together is the way in which police forces tackle corruption. How this is done needs to be seen to be fair and legitimate in the eyes of both the police workforce and the general public.

HMIC's legitimacy inspection assessed all of these areas during 2016. More information on how we inspect and grade forces as part of this wide-ranging inspection is available on the HMIC website (www.justiceinspectorates.gov.uk/hmic/peel-assessments/how-we-inspect/). This report sets out our findings for West Midlands Police.

Reports on West Midlands Police's efficiency and leadership inspections are available on the HMIC website (www.justiceinspectorates.gov.uk/hmic/peel-assessments/peel-2016/west-midlands/). Our reports on police effectiveness will be published in early 2017.

Force in numbers



Workforce

Total workforce as of 31 March 2016

10,581

Total workforce breakdown as of 31 March 2016

officers	staff	PCSOs
6,944	3,131	506



Ethnic diversity

Percentage of BAME in workforce 31 March 2016

overall workforce

10.1%

officers	staff	PCSOs
8.8%	12.5%	12.5%

Percentage of BAME in local population, 2011 Census

29.9%



Gender diversity

Percentage of females in overall workforce 31 March 2016

West Midlands Police
40%

England and Wales population, 2011 Census
51%

Percentage of females by role 31 March 2016

West Midlands Police		
officers	staff	PCSOs
30%	61%	47%



Public complaints

Number of public complaints per 1,000 workforce 12 months to 31 March 2016

	West Midlands Police	England and Wales force average
Officers	161	268
Staff (including PCSOs)	25	61



Grievances

Number of grievances per 1,000 workforce raised and finalised 12 months to 31 March 2016

	West Midlands Police	England and Wales force average
Officers	4.8	4.8
Staff (including PCSOs)	4.9	6.8



Victim satisfaction

Victim satisfaction with their overall treatment by the police 12 months to 31 March 2016

	West Midlands Police	England and Wales force average
	94.6%	93.4%

For further information about the data in this graphic please see annex A

Overview – How legitimate is the force at keeping people safe and reducing crime?

Overall judgment³

West Midlands Police has been assessed as good in respect of the legitimacy with which it keeps people safe and reduces crime. Our findings this year are consistent with last year's findings, in which we judged the force to be good in respect of legitimacy.

The force responds to the needs of its communities and the public is encouraged to have a voice. Vetting processes are mostly compliant with national guidance and the force deals effectively with corruption related intelligence. Workforce wellbeing is important to the force and recent changes should help it respond more effectively. The force needs to do more to ensure that performance and development are managed consistently and fairly.

Overall summary

The force treats the people it serves with fairness and respect. The force has adopted a new set of values, which focus on compassion for the vulnerable and helping those in need. The force is responsive to its communities, including groups that are harder to reach, and adjusts its engagement activities to encourage the different communities to have a voice. The force records an adequate range of information from its engagement activity, but would benefit from more systematic analysis and a structured process for responding effectively to public feedback.

The force ensures its workforce behaves ethically and lawfully. The force's initial vetting arrangements are fair to all applicants and ensure it only recruits people with high ethical standards. Officers and staff show awareness of the required standards of behaviour. The force's counter-corruption unit gathers and acts on information which identifies potential corruption and is reviewing resource levels for this unit as part of its change programme. The force recognises officers and staff abusing their authority for sexual gain as serious corruption. The force could, however, make better use of its community links to restore trust following high profile cases.

The force seeks feedback and challenge from its workforce and takes action to address this. The force is increasing its occupational health support capacity and investing in a new medical IT system to allow it to understand and respond more effectively to the workforce's wellbeing needs. Its use of performance reviews to

³ HMIC judgments are: outstanding, good, requires improvement and inadequate.

manage professional development is, however, inconsistent and it does not have effective scrutiny arrangements in place to ensure performance is being managed fairly and consistently across the force.

Recommendations

HMIC has not identified any causes of concern and has therefore made no specific recommendations.

Areas for improvement

- The force should review the capacity and capability of its counter-corruption unit (CCU) to ensure the CCU can manage its work effectively.
- The force should improve how it manages individual performance.

To what extent does the force treat all of the people it serves with fairness and respect?

College of Policing research suggests that, in the eyes of the public, police legitimacy stems primarily from the concept of ‘procedural justice’: the expectation that officers will treat the public respectfully and make fair decisions (explaining them openly and clearly), while being consistently friendly and approachable.⁴

While HMIC recognises that police legitimacy stems from much broader experiences of the police than direct contact alone, our 2016 inspection focused specifically on public perceptions of fair treatment. Our inspection aims to assess how far the force can demonstrate the importance it places on maintaining procedural justice; and the extent to which it is seeking feedback to enable it to prioritise and act on those areas that have the greatest negative impact on public perceptions of fair and respectful treatment

(e.g. stop and search, surveillance powers or use of force). This should include how the force is approaching those groups that have the least trust and confidence in the police.

To what extent does the force understand the importance of treating the people it serves with fairness and respect?

It is important for the police to understand that it is procedural justice – making fair decisions and treating people with respect – that drives police legitimacy in the eyes of the public, over and above police effectiveness at preventing and detecting crime.⁵ HMIC assessed the extent to which the importance of procedural justice was reflected in the force’s vision and values, and the extent to which it was understood by the workforce.

Organisational values

Following the appointment of the new chief constable, and after extensive consultation with the workforce, West Midlands Police has recently adopted a revised vision and a new set of values. These values directly link to the values and behaviours set out in the Code of Ethics, and reflect the chief constable’s aim for West Midlands Police to be a modern police force with traditional values. The new values clearly explain the importance of treating people with fairness and respect,

⁴ *It’s a fair cop? Police legitimacy, public cooperation, and crime reduction*, National Policing Improvement Agency, September 2011. Available at: http://whatworks.college.police.uk/Research/Documents/Fair_cop_Full_Report.pdf

⁵ *Ibid.*

and ethical behaviour is well embedded in many force policies and practices. The new approach focuses on compassion for the vulnerable and emphasises the importance of helping those in need and being friendly to all.

A workforce consultation generated debate and interest in, and helped achieve widespread understanding of, the new vision and values. A substantial proportion of the workforce attended the new chief constable's road shows, which were held across the organisation. The force has developed further its already comprehensive code of ethics training and this aims to ensure that it treats the people it serves fairly and with respect. The force will, however, need to continue communicating with the entire workforce about the new values to ensure that they are fully understood as inspectors found a very small number of officers and staff who did not yet fully understand the force's values or their relationship to the code of ethics.

How well does the force seek feedback and identify those issues and areas that have the greatest impact on people's perceptions of fair and respectful treatment?

HMIC's 2015 legitimacy inspection found a positive picture of how forces were engaging with communities. This year HMIC's assessment focused specifically on the extent to which forces are working to identify and understand the issues that have the greatest impact on people's perceptions of fair and respectful treatment, including how well they seek feedback and challenge from the people they serve.

Seeking feedback and challenge

The force recognises the wide diversity of the communities in the West Midlands and is involved in a very broad and sometimes innovative range of activity, consistently and proactively seeking engagement with groups that are traditionally harder to reach. The force has an engagement steering group, chaired by a chief officer, to lead and

co-ordinate this work. Specific activities include a face-to-face forum with a large number of faith and community leaders, an established reference group for people of Jamaican descent and cultural briefings given to officers and staff by members of the Sikh and the Gypsy, Roma and Traveller communities. The force also maintains contact with the parents of gang members who provide feedback on how officers can improve their efforts to deter young people from crime.

The force adjusts its approach to engagement according to the needs of the community and the situation. For example, it understands that a high proportion of its population prefer to access services online. It has therefore prioritised the provision of digital channels as part of the WMP 2020 change programme and is researching how the banking industry improves digital engagement with older customers. The force has a 'rate us' section on its website, inviting feedback online. Other bespoke approaches include placing an officer to work in a refugee and migrant centre. The

force invites feedback from young people and involves them in stop and search training for officers through its 'stop and search commission'. The force meets monthly with a student tasking group to seek feedback and operates a 'Uni-Cop' initiative, designed to improve policing services for foreign students.

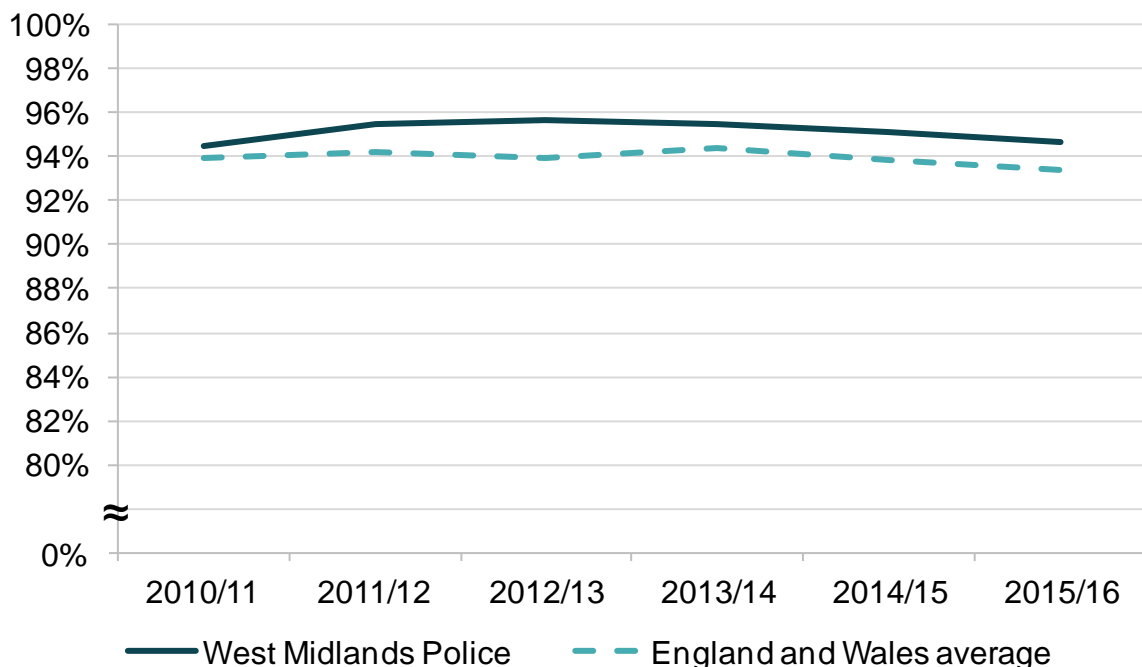
This wide range of activity demonstrates that the force is aiming to reflect the different aspects of its community. This could be strengthened by increasing its focus on specific feedback it receives about the way it treats people.

The force has initiated and funded an 'Active Citizen's project', to encourage the community to suggest ideas to help address its concerns. This project offers a further opportunity for the force to seek feedback and challenge, particularly by encouraging those communities that are less likely to complain or to have a voice.

Identifying and understanding the issues

All forces are required to conduct victim satisfaction surveys with specified victims of crime groups and provide data on a quarterly basis. The surveys take account of victims' experience of the service provided to them by the police and inform forces' improvements to their service provision, including examining how well victims feel they are treated.

Figure 1: Percentage of victims satisfied with overall treatment by West Midlands Police compared with England and Wales, from the 12 months to 31 March 2011 to the 12 months to 31 March 2016

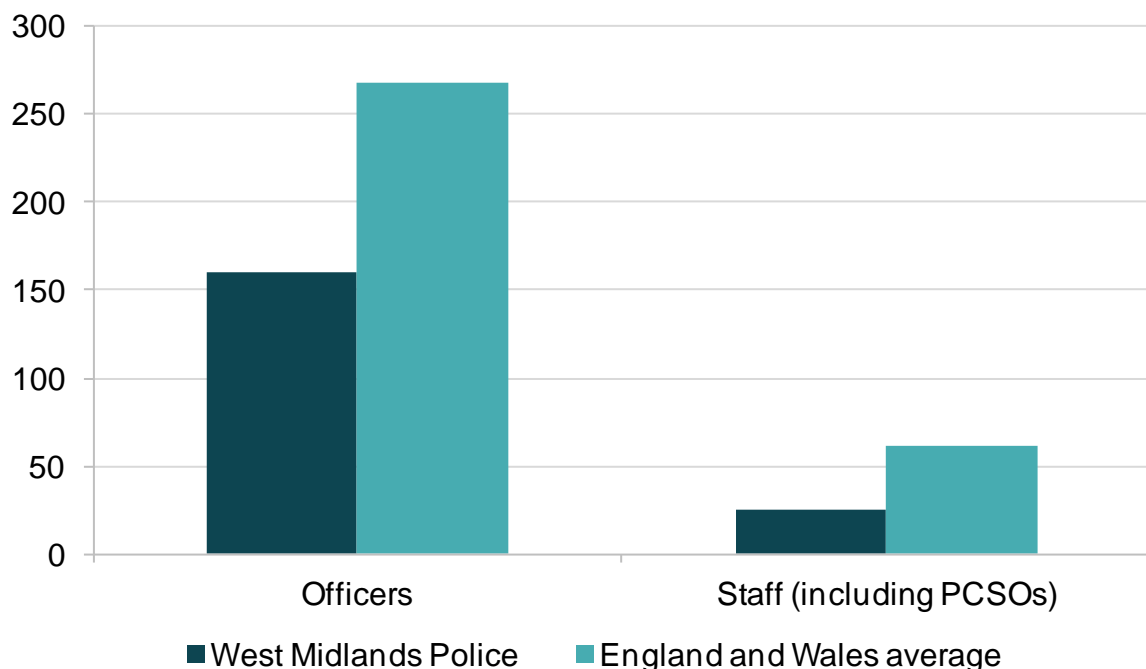


Source: Home Office Annual Data Requirement
For further information about the data in figure 1 please see annex A

In the 12 months to 31 March 2016, 94.6 percent of all victims of crime (excluding hate crime) who responded to the victim satisfaction survey were satisfied with the overall treatment provided by West Midlands Police, which was broadly in line with the England and Wales average of 93.4 percent; and lower than the 95.1 percent who were satisfied with the overall treatment that the force provided in the 12 months to 31 March 2015, this is not a statistically significant difference.

Each force in England and Wales is required to record the nature of complaint cases and allegations and be able to produce complaints data annually. The numbers and types of complaints are valuable sources of information for forces and can be used to help them identify areas of dissatisfaction with their service provision, and take steps to improve how they treat the public.

Figure 2: Number of public complaint cases recorded against officers (per 1,000 officers) or staff (per 1,000 staff, including police community support officers) in West Midlands Police compared with England and Wales, in the 12 months to 31 March 2016



Source: HMIC Legitimacy data collection

For further information about the data in figure 2 please see annex A

In the 12 months to 31 March 2016, West Midlands Police recorded 161 public complaint cases per 1,000 officers, which was lower than the England and Wales average of 268 cases per 1,000 officers. During this period, the force recorded 25 public complaint cases per 1,000 staff (including PCSOs), which was lower than the England and Wales average of 61 cases per 1,000 staff (including PCSOs).

West Midlands Police receives a wealth of information from its many engagement activities. It conducts analysis of some elements, but HMIC found that it did not do so consistently. The force routinely analyses its 'Feel the Difference' surveys and 'Contact Counts' victim satisfaction surveys to understand changes in public

perceptions over time. The force combines these survey results with other data, thereby enabling it to track variations in different demographic groups and identify confidence 'cold spots'. The force also works with local stop and search scrutiny panels and a stop and search commission, set up by the office of the police and crime commissioner, to encourage challenge from communities affected by use of this power. The force also has regular contact with its local independent advisory groups, consisting of members of the public from across the force area, in order to encourage feedback and challenge on a range of issues. Following an operation in Coventry to police a demonstration, the force sought feedback from the local Muslim community, which identified that its reassurance activity had been successful.

Notwithstanding all of the above, HMIC considers that the force would benefit from analysing all of the feedback it receives from its numerous activities in a more co-ordinated and structured way. This would enable the force to develop an overall understanding of the issues that have the greatest impact on public perceptions of fair and respectful treatment, and enable it to identify and prioritise its responses accordingly.

How well does the force act on feedback and learning to improve the way it treats all the people it serves, and demonstrate that it is doing so?

It is important that as well as actively seeking feedback from the public, the force also responds to that feedback. HMIC assessed the extent to which this response includes changes to the way the force operates to reduce the likelihood of similar incidents occurring in future, as well as resolving individual incidents or concerns, and how well the force communicates to the public the effectiveness of this action.

Making improvements

HMIC found several examples where the force acted on feedback to improve the way it treats the people it serves. For example, feedback from its independent advisory groups influenced local policy and practice in areas such as stop and search, counter terrorism preventative work and how the force communicates with the public about gun crime.

In August 2014, following HMIC's 2013 inspection on the effective and fair use of stop and search powers,⁶ the Home Office published guidance to police forces on

⁶ *Stop and Search Powers – are the police using them effectively and fairly?* HMIC, July 2013. Available from: www.justiceinspectors.gov.uk/hmic/publications/stop-and-search-powers-20130709/

how to implement the Best Use of Stop and Search (BUSS) scheme.⁷ The scheme aims to increase transparency and community involvement, and to support a more intelligence-led use of the powers leading to better outcomes. All police forces in England and Wales signed up to participate in the scheme. In 2015, HMIC's legitimacy inspection⁸ considered the extent to which West Midlands Police was complying with the scheme and found that it did not comply with all features of the scheme. In autumn 2016, HMIC will re-assess the force's compliance with those features of the scheme that it was not complying with in 2015. We will publish our findings in early 2017.

The force analyses trends in complaints and highlights any significant concerns to senior management. The force also publishes internally the learning from complaints and reports from the Independent Police Complaints Commission, in order to promote improvements in the way its workforce treats the people it serves.

However, HMIC found that the force's process for responding to public feedback is inconsistent and the force acknowledges that it is not systematic. The chief constable has initiated a 'procedural justice' project to learn lessons from both research and from other forces, including forces in Australia and Canada, with a view to learning how to increase public confidence in, and the legitimacy of, the force.

Demonstrating effectiveness

West Midlands Police communicates with the public, including those who have less trust in the police, about the action it takes in response to feedback. The force uses a variety of communication methods including social media, community meetings and media releases. One way in which the force is striving to be more effective is in its efforts to increase representation in its workforce from black and minority ethnic groups. HMIC also found evidence of the force providing feedback to local communities on controversial policing issues such as the policing of marches and counter-terrorism activity. However, we found limited evidence that the force assessed how well or widely these messages were received or understood. HMIC found that the force has more work to do both to analyse how much its efforts to improve the way it treats people are making a difference, and to demonstrate this to the public across the whole of the West Midlands.

⁷ Best Use of Stop and Search Scheme, Home Office, August 2014. Available at: www.gov.uk/government/uploads/system/uploads/attachment_data/file/346922/Best_Use_of_Stop_and_Search_Scheme_v3.0_v2.pdf

⁸ *PEEL: Police legitimacy 2015 – A national overview*, HMIC, February 2016. Available at: www.justiceinspectorates.gov.uk/hmic/publications/police-legitimacy-2015/

Summary of findings



Good

West Midlands Police treats the people it serves with fairness and respect. The force has recently adopted a revised vision and a new set of values, which link directly to the values set out in the Code of Ethics. The new approach focuses on compassion for the vulnerable, and emphasises the importance of helping those in need and being friendly to all. The force is building on its existing comprehensive Code of Ethics. It equips the workforce with the knowledge and understanding it needs to treat the people they serve with fairness and respect.

The force is involved in a broad and innovative range of communication activity, including contact with groups that are harder to reach. It is responsive to its diverse communities and adjusts its engagement approach to encourage the public to communicate with the force.

The force obtains a wide range of information from its engagement activities. It would benefit from more systematic analysis to develop a broader understanding of issues and a structured process to respond effectively to public feedback and challenge. The force also has more work to do to evaluate and communicate the effectiveness of its actions.

How well does the force ensure that its workforce behaves ethically and lawfully?

In 2014, HMIC inspected the extent to which the police were acting with integrity and guarding against corruption.⁹ Given the continued importance of this topic, we are returning in this question to those national recommendations emerging from the 2014 report from that inspection, that our 2015 legitimacy inspection did not cover. Our inspection focus this year also reflects research showing that prevention is better than cure: the best way to ensure that police workforces behave ethically is for the forces to develop an ethical culture and to have systems in place to identify potential risks to the integrity of the organisations, so that forces can intervene early to reduce the likelihood of corruption.¹⁰

How well does the force develop and maintain an ethical culture?

One of the first things forces can do to develop an ethical culture is to use effective vetting procedures to recruit applicants who are more likely to have a high standard of ethical behaviour, and to reject those who may have demonstrated questionable standards of behaviour in the past, or whose identities cannot be confirmed.

Once recruited, one of the best ways to prevent corruption from occurring among the workforce is by establishing an ethical working environment or culture. To achieve this, forces need to clarify and continue to reinforce and exemplify acceptable and unacceptable standards of behaviour, including the Code of Ethics.¹¹ This year, HMIC focused on assessing progress in those areas highlighted for improvement in our 2015 legitimacy inspection and our 2014 integrity and corruption inspection.

⁹ *Integrity matters*, HMIC, January 2015. Available from: www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/

¹⁰ *Promoting ethical behaviour and preventing wrongdoing in organisations*, College of Policing, 2015. Available at: http://whatworks.college.police.uk/Research/Documents/150317_Integrity_REA_FINAL_REPORT.pdf

¹¹ *Promoting ethical behaviour and preventing wrongdoing in organisations*, College of Policing, 2015. Available at: http://whatworks.college.police.uk/Research/Documents/150317_Integrity_REA_FINAL_REPORT.pdf and *The role of leadership in promoting ethical police behaviour*, College of Policing, 2015. Available at: http://whatworks.college.police.uk/Research/Documents/150317_Ethical_leadership_FINAL_REPORT.pdf and *Literature review – Police integrity and corruption*, HMIC, January 2015. Available at: www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/

Initial vetting

West Midlands Police has comprehensive vetting arrangements for new recruits. Initial vetting is applied to new recruits, volunteers and contractors in compliance with the national vetting policy.¹² However, due to capacity issues within the vetting unit, there are currently backlogs. The force recognises this as a potential risk and in the short term is using other resources from the professional standards department to increase its capacity. Chief officers have approved a business case to add eight dedicated vetting officers to the unit.

Following the constable recruitment processes in 2015, which did not improve the proportion of recruits with protected characteristics, the force reviewed its recruitment process to ensure that it was appropriate and fair. Consequently, the force decided to conduct vetting much earlier in the recruitment process and to provide applicants with more information on the vetting process.

The College of Policing's 'disapproved register' contains details of those officers and staff who have been dismissed from the service or who either resigned or retired while subject to a gross misconduct investigation where it had been determined there would have been a case to answer. The force complies with its obligations to provide the College of Policing with details of those officers and staff who have been dismissed from the service for inclusion on the current disapproved register.

Clarifying and reinforcing standards of behaviour

When the force was inspected in 2014, HMIC recommended it should ensure that it has communicated to the entire workforce the requirements for complying with policies relating to notifiable associations, secondary employment, business interests, gifts and hospitality. A notifiable association policy is designed to identify those individuals who could pose a risk to the integrity of an individual employee or the force itself. It requires the officer or staff member to report such associations which then allows a full evaluation of the risk posed to both the individual and the force to be undertaken. The force has responded positively to this recommendation. As well as publishing these policies in an easily accessible way, the force posts regular reminders on the force intranet to reinforce the required standards.

During our inspection of legitimacy in 2015, HMIC found that the chief officer team had clearly set out their vision and values for developing and maintaining an ethical culture. 'The Pride in our Police' initiative set out objectives to encourage this across the organisation. These included the use of monthly online debates about 'ethical dilemmas', where the workforce was encouraged to debate ethical decision making in real life scenarios. The 'dilemma of the month' often attracted in excess of 3,000

¹² ACPO / ACPOS *National Vetting Policy for the Police Community*, Association of Chief Police Officers (now the National Police Chiefs' Council), 2012. Available from:

www.app.college.police.uk/app-content/information-management/linked-reference-material/

views on the force intranet site. HMIC found this was an effective means of communicating acceptable behaviour and reinforcing an ethical culture across the force.

Officers and staff interviewed by HMIC in 2016 displayed an awareness of the required standards of ethical behaviour. The force continues to reinforce standards through its professional standards department (PSD) newsletters, corruption briefings to local policing senior leadership teams and the publication of outcomes of misconduct cases. The Police Federation and PSD also provide guidance to new recruits prior to their induction training. The force's learning and development department ensures that all training includes relevant references to the Code of Ethics. Formal training on professional standards issues is specifically aimed at student police officers, supervisors as part of quarterly mandatory training events and officers in roles at higher risk of corruption. However, the use of the 'dilemma of the month' online debates, which had been so effective, have been suspended for approximately six months, although the force now has plans to re-introduce them.

All of the senior leadership team have taken an active part in the development of the force's new vision and values and the 'leadership promise' to outline leadership expectations. The force website contains details of chief officer pay, business interests, and any gifts and hospitality.

How well does the force identify, understand and manage risks to the integrity of the organisation?

HMIC's 2014 police integrity and corruption inspection emphasised the need for forces to make arrangements for continuous monitoring of their ethical health, through active monitoring of force systems and processes to spot risks to their integrity, including – but not limited to – business interests, gifts and hospitality, and public complaints.¹³ These findings reflect the research commissioned by the College of Policing, which highlights the importance of taking a problem-solving approach to preventing wrongdoing, by scanning and analysing police data to identify particular officers or hotspots for targeting prevention activity.

This year HMIC was particularly interested in how well forces – from dedicated anti-corruption units to individual supervisors – are identifying and intervening early to reduce individual and organisational vulnerabilities (i.e. those individuals, groups or locations that may be susceptible to corruption). We also assessed how well forces are seeking and assessing intelligence on potential corruption, with a focus on those areas for improvement identified in our previous inspections.

¹³ *Integrity matters*, HMIC, January 2015. Available from: www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/

Identifying and understanding risks to integrity

When HMIC inspected West Midlands Police in 2014, it recommended the force should ensure that it had the capability to proactively and effectively gather, respond and act on information that identifies patterns of unprofessional behaviour and corruption.

A further recommendation was that the force should ensure it had formal arrangements in place to manage integrity and corruption-related issues, with clear lines of reporting and accountability.

The force has responded positively to these recommendations. Its changes to force processes both within PSD and the counter-corruption unit (CCU) over the last twelve months, have resulted in improvements. For instance, the CCU has new terms of reference and standard operating procedures, which include a new risk assessment and tasking process. The CCU holds an internal tasking meeting every two weeks and updates the deputy chief constable every four weeks.

The force has produced a draft anti-corruption strategic assessment to update the previous version, which outlines the various local threats and risks to force integrity. This work remains ongoing and the force has not yet developed a control strategy to determine how to mitigate the risks contained in its draft strategic assessment.

In 2014 HMIC recommended that the force should ensure it carries out regular audits of integrity related registers, including those relating to: gifts and hospitality; business interests; notifiable associations; expense claims; procurement activity; and, other records to identify potentially corrupt activity. The force now completes monthly audits in respect of gifts and hospitality, which are cross referenced against procurement activity by the force. It also reviews membership of notifiable associations and business interests, but does not carry out audits of expenses. The force's notifiable association policy is designed to identify those individuals who could pose a risk to the integrity of an individual employee or the force itself. It requires the officer or staff member to report such associations, which then allows a full evaluation of the risk posed to both the individual and the force. This recommendation therefore remains outstanding, although it is partially complete.

Limited capacity issues within PSD, which are in part due to resources being used to support vetting, mean that the force currently does not conduct an annual compliance check of business interests. The decision whether or not to approve an individual business interest is usually linked to performance or sickness absence, and is communicated to local managers. There is however, no formal process for checking compliance.

The force uses specialist software to identify individual and organisational risk by routinely monitoring use of its digital systems. The force has identified some areas of

business where this monitoring capability needs to be strengthened, in order for the force to be satisfied with its digital security arrangements.

The force carries out vetting health checks before officers are promoted with some higher risk posts being subject to additional 'management vetting'. The force has been unable to carry out 'vetting aftercare' (i.e. periodic reviews of individual vetting, irrespective of the individual's career path) due to the vetting unit being under-staffed. The force reports that some individuals have been posted into sensitive posts without the required vetting. The force is now taking steps to increase the number of staff in its vetting unit to address this shortfall and the associated risks.

Intervening early to manage risks to integrity

West Midlands Police has processes and governance arrangements to manage a range of individual and organisational risks once identified. The force acknowledges that the CCU's ability to conduct covert investigations is currently constrained by lack of capacity. In the short term, the force is using internal secondments to increase resources to meet demand. Chief officers have recently agreed to review these arrangements and is considering an increase of resources in CCU as part of the force's change programme.

As a preventative measure, the force records learning from its own cases to provide advice to line managers, senior leadership teams and vulnerable groups, such as officers working in public protection roles, on trends that have been identified and details of the various causes of corruption.

Looking for, reporting and assessing intelligence on potential corruption

The force's CCU intelligence cell receives information from a wide variety of sources, including other law enforcement agencies, and uses its new risk assessment process to identify, assess and prioritise the highest risks. The CCU then uses its system auditing and surveillance capabilities to gather, assess and develop the intelligence it receives.

The force operates a confidential hotline for the workforce to report potential corruption, which is widely known, regularly used, and trusted for preserving anonymity. This is accessible via the intranet and can also be used by members of the public to report concerns. Occasionally, members of the workforce choose to reveal their identity on the reporting system, which indicates a high degree of confidence in the system. The force is currently drafting a whistle blowing policy on which it has consulted the workforce extensively. The new policy contains sections specifically covering support for staff and clearer information on support networks for those who report wrongdoing.

The CCU has been restructured in line with the National Intelligence Model,¹⁴ to provide an intelligence cell and a separate investigation function. Members of the CCU are trained for their specific roles and a disclosure officer is appointed at the outset of all corruption investigations, to ensure sensitive material is managed professionally.

The force has successfully used ‘intelligence-led integrity testing’ to investigate and prosecute officers suspected of stealing during the course of their duties. Force policy enables both random and ‘with cause’ drug testing of the workforce.

How well is the force tackling the problem of officers and staff abusing their authority for sexual gain?

In 2012 the Independent Police Complaints Commission (IPCC) and Association of Chief Police Officers (ACPO) published *The abuse of police powers to perpetrate sexual violence*.¹⁵ This report states that “the abuse of police powers for purposes of sexual exploitation, or even violence, is something that fundamentally betrays the trust that communities and individuals place in the police. It therefore has a serious impact on the public’s confidence in individual officers and the service in general.” The report identified this behaviour as a form of serious corruption that forces should refer to the IPCC for its consideration of how it should be investigated.

The Code of Ethics¹⁶ – which sets out the standards of professional behaviour expected of all policing professionals – explicitly states that they must “not establish or pursue an improper sexual or emotional relationship with a person with whom [they] come into contact in the course of [their] work who may be vulnerable to an abuse of trust or power”.

¹⁴ The National Intelligence Model is a process used by police forces and other law enforcement bodies to provide focus to operational policing and to ensure resources are used to best effect. The model is set out in a Code of Practice. *Code of Practice: National Intelligence Model*, Home Office, National Centre for Policing Excellence and Centrex, 2005, paragraph 3.1.1, page 6. Available at: <http://library.college.police.uk/docs/npia/NIM-Code-of-Practice.pdf>

¹⁵ *The abuse of police powers to perpetrate sexual violence*, jointly published by IPCC and ACPO (now the National Police Chiefs’ Council), September 2012. Available at: www.ipcc.gov.uk/sites/default/files/Documents/research_stats/abuse_of_police_powers_to_perpetrate_sexual_violence.PDF

¹⁶ 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, London, July 2014. Available at: www.college.police.uk/What-we-do/Ethics/Documents/Code_of_Ethics.pdf

The most recent national counter-corruption assessment,¹⁷ in 2013, highlighted corruption for the purposes of sexual gratification as a major threat to law enforcement. HMIC's 2015 report *Integrity matters*¹⁸ identified police sexual misconduct as an area of great concern to the public. We share the public's disquiet and so we looked at this issue specifically as part of our 2016 inspection. Our work was given additional emphasis in May 2016 by a request from the Home Secretary that we inspect forces' response to the issue of officers and staff developing inappropriate relationships with victims of domestic abuse and abusing their position of power to exploit victims.

Recognising abuse of authority for sexual gain as serious corruption

West Midlands Police has dealt with several cases of officers abusing authority for sexual gain, which have included victims of domestic abuse. The force recognises this behaviour as serious corruption. It is included in the draft anti-corruption strategic assessment and the force treats cases of abuse of authority for sexual gain as a mandatory referral to the Independent Police Complaints Commission (IPCC). The force reports that it takes a very robust stance on members of the workforce suspected of this type of behaviour, and usually suspends them from duties, pending the outcome of any investigation.

Looking for and receiving intelligence on potential abuse of authority for sexual gain

The force does not proactively seek intelligence on potential abuse of authority for sexual gain from external sources such as women's refuges, sex worker groups, websites and gymnasiums. Nor does the force routinely or proactively monitor its own IT systems for suspicious patterns of behaviour, such as trawling force systems to identify vulnerable victims.

The force is generally made aware of suspicious behaviour either during other unrelated investigations or confidential reporting from colleagues, victims or partners. Once suspicions have been raised, the matter can be treated as a formal complaint and openly investigated as a criminal offence and/or gross misconduct. In some circumstances, however, the CCU decides that a covert investigation is warranted. In either case, the force reviews the use of all force systems by the suspect.

¹⁷ Every three years, the National Counter-Corruption Advisory Group commissions a strategic assessment of the threat to law enforcement from corruption. The most recent assessment was completed in June 2013 by the Serious Organised Crime Agency. The assessment was based upon three years of intelligence reports on possible corruption gathered by forces in England and Wales, supplemented by information from other forces and national agencies.

¹⁸ *Integrity matters*, HMIC, January 2015. Available from: www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/

Taking action to prevent abuse of authority for sexual gain

As previously mentioned, West Midlands Police has included officers and staff abusing authority for sexual gain in its current draft strategic assessment. It is aware of the extent of the problem, having identified it as one of its most common areas of gross misconduct. It assesses that the problem mainly occurs when officers attend domestic abuse incidents as first responders.

The force's training on awareness of this problem is based on the force's values and provides the workforce, including line managers, with information to help identify early warning signs. Development days for student officers and supervisors include information on the risks associated with this type of behaviour and the required standards of behaviour, some of which has been taken from the force's own case studies. In addition, PSD supervisors provide regular information to departments, frontline officers and supervisors about the Code of Ethics and the Standards of Professional Behaviour. This includes information on police employees having inappropriate relationships with members of the public, especially the vulnerable.

The force ensures lessons learned from the IPCC are shared throughout the workforce, as well as being used to review force processes, to prevent occurrences. However, the force acknowledges that, to date, such activity has not specifically addressed the issue of officers abusing their authority for sexual gain. It has used internal messages to emphasise that this type of behaviour is unacceptable, but the force will need to persevere with its communication methods to ensure this is widely understood throughout the whole workforce. The force intends to use the issue of inappropriate relationships as a scenario when it reintroduces its online 'dilemma of the month' debates. The force has identified the public protection unit as a group that may be particularly vulnerable to this type of corruption and, as a consequence, is undertaking targeted preventative activity in that unit.

The force publicises the outcomes of cases on its intranet and has conducted audits which show that this information is widely accessed by the workforce. The force is therefore satisfied that this is an effective means of internally publicising outcomes to prevent occurrences of such behaviour.

Building public trust

HMIC found no evidence of any specific initiatives aimed at reassuring communities regarding sexual abuse by officers. The force acknowledges that it could make better use of its community links and partnership work with victims' groups to rebuild the trust of the wider community, either following or in advance of, a high profile incident involving police misconduct.

How well does the force engage with the public and its workforce about the outcomes of misconduct and corruption cases?

HMIC's 2014 literature review on police integrity and corruption emphasised the importance of collection and dissemination of information about misconduct to the public, on the basis that it shows police forces are taking the problem seriously, and detecting and punishing wrongdoing.¹⁹ This information also forms the basis for deterring misconduct and enhancing integrity within police forces themselves. This year, HMIC looked at how well forces engage with the public online and through police officer misconduct hearings in public, and also more widely following high profile incidents with the potential to undermine public perceptions of police integrity. We also looked at how aware the workforce is of these outcomes.

Working with the public

West Midlands Police publishes all outcomes of complaints and misconduct cases relating to police officers on its website. In line with its current conditions of service, only cases involving criminal behaviour by police staff are published. The force also publicises forthcoming police officer misconduct hearings on its website, and unless the chair of the misconduct panel decides that it is not appropriate, misconduct hearings are held in public.

The force recognises the impact of high-profile misconduct on public trust and confidence. This is reflected in force media releases, which acknowledge the public's expectation of high standards and seek to reassure the public that the force takes misconduct very seriously. We found one example of the force's engagement with a particular community in Birmingham to restore trust following a recent high profile misconduct case, but this was an isolated instance and the force could do more of this type of engagement activity.

Working with the workforce

The force informs its workforce about the outcomes of misconduct and corruption cases. This includes publishing details of complaint and misconduct investigations on the PSD intranet page, in PSD newsletters, blog messages and using case studies in training, to demonstrate expected standards and the consequences of not adhering to those standards. Officers and staff have a very clear understanding of the required standards of behaviour and believe the force's communication methods effectively raise awareness across the whole force.

¹⁹ *Literature review – Police integrity and corruption*, HMIC, January 2015. Available at: www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/

Summary of findings



Good

The force has established recruit vetting arrangements. The force has reviewed its processes to ensure that vetting is effective and fair to all applicants, including those with protected characteristics, and is dealing with backlogs.

Officers and staff show awareness of the required standards of ethical behaviour. Relevant policies are easily accessible on the force intranet and the force publishes reminders for the workforce. Senior leaders have taken an active part in developing the 'leadership promise', linked to the force's new vision and values.

The counter-corruption unit has introduced new structures and procedures to improve its capability to gather, respond to and act on information that identifies potential corruption. The unit's intelligence cell uses its new risk assessment process to assess and prioritise intelligence. Current capacity limits the force's ability to mount covert corruption investigations, so it is reviewing resource levels as part of its 2020 change programme.

The force recognises officers and staff abusing their authority for sexual gain as serious corruption. The force uses internal messages to raise awareness of the unacceptability of such behaviour, concentrating on units where individuals are at most risk. The force publicises the hearings and outcomes of misconduct cases involving police officers to the public, but could make better use of its community links to help restore trust after high profile cases.

Areas for improvement

- The force should review the capacity and capability of its counter-corruption unit (CCU) to ensure the CCU can manage its work effectively.

To what extent does the force treat its workforce with fairness and respect?

A workforce that feels it is treated fairly and with respect by its employers is more likely to identify with the organisation, and treat the public in a similarly fair and respectful way. Conversely, perceived unfairness within police organisations can have a detrimental effect on officer and staff attitudes and behaviours.²⁰ As such, this concept of 'organisational justice', and its potential impact on 'procedural justice' forms an important part of HMIC's assessment of police legitimacy. As there is no comparative data on how fairly officers and staff perceive forces to have treated them, we focused our assessment on how well forces identify these perceptions within their workforces and act on these findings. In particular, we looked at the extent to which organisational 'fairness' is reflected through the way individual performance is managed, and how 'organisational respect' is reflected through how forces provide for the wellbeing of their workforces, particularly through preventative and early action.

How well does the force identify and act to improve the workforce's perceptions of fair and respectful treatment?

Research suggests that forces that involve officers and staff in decision-making processes, listen to their concerns, act on them, and are open about how and why decisions were reached, may improve workforce perceptions of fair and respectful treatment.²¹ On this basis, HMIC assessed how well the force engages with its staff to identify and understand the issues that affect them, and how well it acts on these issues and demonstrates it has done so.

Identifying and understanding the issues

The most recent Independent Police Complaints Commission (IPCC) data from forces show that, for April, May and June 2016, the types of complaint most frequently recorded by West Midlands Police are 'other neglect or failure in duty',

²⁰ *Fair cop 2: Organisational justice, behaviour and ethical policing*, College of Policing, 2015.

Available at:

http://whatworks.college.police.uk/Research/Documents/150317_Fair_cop%202_FINAL_REPORT.pdf
f Organisational justice: Implications for police and emergency service leadership, Herrington C and Roberts K, AIPM Research Focus, Issue 2, 2013. Available at: www.aipm.gov.au/wp-content/uploads/2013/08/Org-Justice-Final.pdf

²¹ *Fair cop 2: Organisational justice, behaviour and ethical policing*, College of Policing, 2015, page 11. Available at:

http://whatworks.college.police.uk/Research/Documents/150317_Fair_cop%202_FINAL_REPORT.pdf
f

'incivility, impoliteness and intolerance' and 'other assault'.²² It is important to note, however, an issue identified during our 2014 police integrity and corruption inspection;²³ complaint allegation categories used by different forces may overlap with each other. For instance, similar allegations might be recorded by one force as 'other neglect or failure in duty', and by another force as 'other irregularity in procedure' or 'lack of fairness and impartiality'. This means there is no definitive way of establishing accurately the number of public complaints about certain behaviours.

West Midlands Police monitors a wide range of data and uses a variety of effective methods to identify the areas which have an effect on the workforce's perceptions of fair and respectful treatment. These include staff surveys and consultation exercises, as part of its 2020 change programme. As well as its 'ask the boss' online feedback process, the force conducts cultural health checks within local policing teams and departments. This involves the use of focus groups and one-to-one interviews.

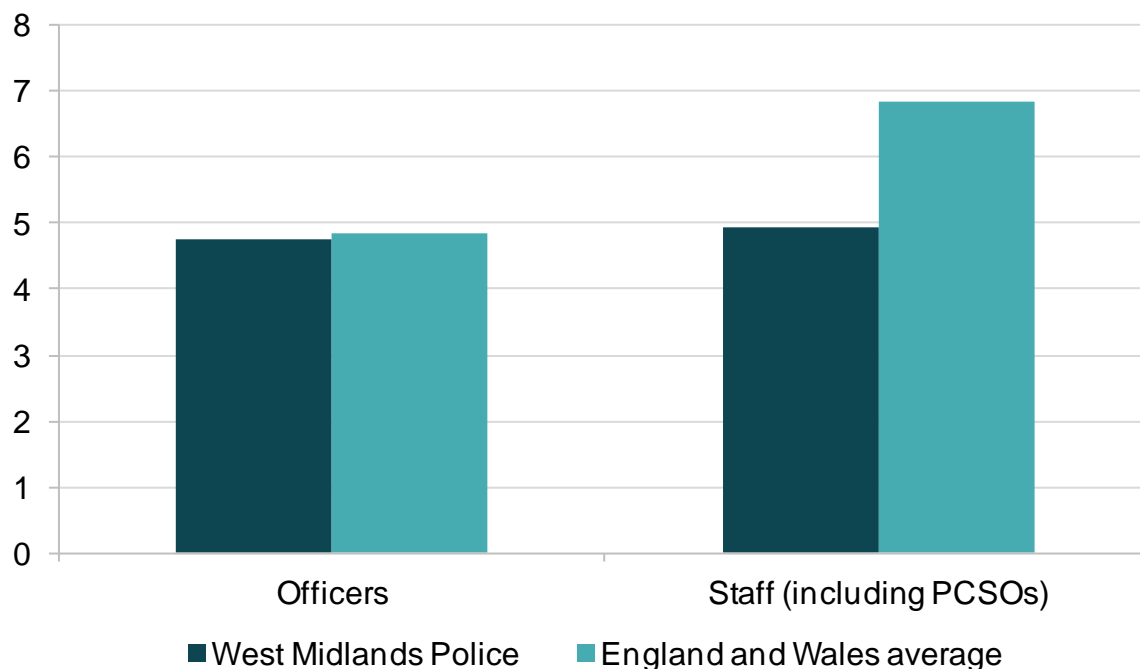
The force also has very productive relationships with staff associations and networks, and encourages them to challenge and provide feedback. Staff associations have shared the results of their own member surveys with the force. The force has formed a PSD internal scrutiny group consisting of a broad range of staff networks and this group is encouraged to provide timely and relevant feedback.

Grievances are concerns, problems or complaints raised formally to employers by officers or staff. Data on numbers and types of grievances provide forces with a useful source of information about the sorts of issues that staff and officers are concerned about.

²² Independent Police Complaints Commission data is available at:
www.ipcc.gov.uk/reports/statistics/police-complaints/police-performance-data

²³ *Integrity matters*, HMIC, January 2015. Available from:
www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/

Figure 3: Number of grievances raised by officers (per 1,000 officers) or staff (per 1,000 staff, including police community support officers) that West Midlands Police finalised compared with England and Wales, in the 12 months to 31 March 2016



Source: HMIC Legitimacy data collection

For further information about the data in figure 3 please see annex A

In the 12 months to 31 March 2016, West Midlands Police finalised 4.8 formal grievances raised by officers per 1,000 officers, which was in line with the England and Wales average of 4.8 per 1,000 officers. During this period, the force finalised 4.9 formal grievances raised by staff per 1,000 staff (including PCSOs), which was broadly in line with the England and Wales average of 6.8 per 1,000 staff (including PCSOs).

Making improvements and demonstrating effectiveness

The force conducts analysis of its data to ensure full understanding of issues raised by the workforce, and takes effective and timely action to address the feedback it receives. For example, the force is responding very positively to feedback about the disproportionate number of complaints made about black and minority ethnic officers, conducting in-depth analysis of its complaints, misconduct and protected characteristics data. The force has also started to survey all officers under investigation, to gauge their first hand experience of the complaints system. In doing so, the force is demonstrating that it takes this issue very seriously. Senior officers have clearly stated the importance of addressing concerns relating to unfairness, in their ongoing efforts to increase black and minority ethnic representation within the force.

PSD investigators have received unconscious bias training and information from faith groups on relevant cultural matters. The PSD also consults regularly with staff networks through its scrutiny group. These consultations led directly to changes in force processes related to suspension. As a consequence, these processes are now more open and transparent. PSD also consults with the supervisors of those who are the subject of complaints, to understand better the context and background of each complaint.

The force has a well established grievance process and, in response to staff feedback, has made several improvements. The force now provides better support and information for both managers and those who investigate the grievance. This includes a dedicated intranet site with guidance for handling difficult conversations and a reminder of how to deal with the outcome of a grievance for both employees and managers. The force has trained 20 mediators in accordance with its increased emphasis on this process as a way of resolving issues quickly, effectively and locally. This avoids excessively lengthy and, potentially unsatisfactory, formal investigations.

How well does the force support the wellbeing of its workforce?

Police forces need to understand the benefits of having a healthier workforce – a happy and healthy workforce is likely to be a more productive one, as a result of people taking fewer sick days and being more invested in what they do. Last year our inspection was concerned with what efforts forces were making to consider, and provide for, the wellbeing needs of their workforce. This year we looked at the progress the force had made since the last inspection, with a particular focus on preventative activity to encourage wellbeing.

Understanding and valuing the benefits

Until recently, due to pressure on budgets, the force reduced the size of its occupational health unit. Some officers and staff reported that they received good levels of support from supervisors, but this view was not universally held. We also heard that some supervisors lacked knowledge and understanding of available support.

Long-term sickness for officers and staff, as well as short and medium term sickness for police community support officers in West Midlands Police, are higher than the average for England and Wales. The force is increasingly aware of the value of improved staff wellbeing, including mental and emotional wellbeing. As a result, the force has added health and wellbeing initiatives to its change programme. These include an enhanced wellbeing section on the force intranet, surveys to identify the main risks to staff, counselling support for those in higher risk roles, and the introduction of a menopause support group. However, despite these positive steps,

the current provision of support for mental health does not meet the standards set out in the Blue Light Programme,²⁴ which are increasingly seen as the requirement for welfare in policing.

Recognising the benefits of improved staff wellbeing the force has reviewed its provision of occupational health support. As a result, several additional occupational health unit posts have been approved, for which the force is currently recruiting. These include a head of wellbeing to oversee activity, an occupational health nurse manager, a mental health lead, two employee support counsellors and two additional nursing posts.

Identifying and understanding the workforce's wellbeing needs

West Midlands Police is giving more attention to mental and emotional wellbeing. It has formed a force mental health governance board, under the leadership of a chief officer, to manage additional activity.

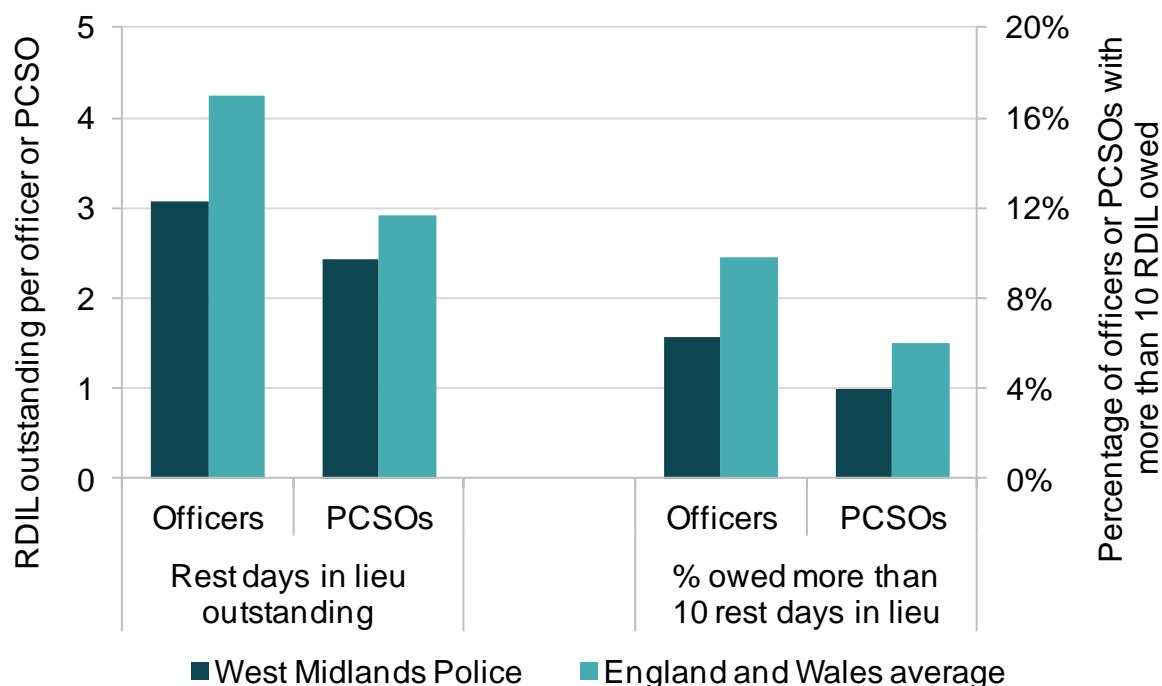
In order to understand the current risks, the force has conducted health surveys, including both a cancer survey and a menopause survey. The force has previously used a change tracker survey to understand the impact on the workforce of its organisational change programme, and it plans to repeat this. The force is starting to use other methods to supplement the findings of these surveys, such as monitoring sickness absence and misconduct data to look for patterns, which may highlight areas where there are particular problems. This work, along with ongoing communication with staff associations and networks has enabled the force to identify some high-risk roles, where it may need to provide greater support. The force has also identified members of the workforce who may be vulnerable to stress because they have carer responsibilities and has set up a support network.

The force has recently purchased a new medical IT system, designed to improve the availability of wellbeing data and promote greater understanding of trends and emerging wellbeing issues.

Rest days in lieu (RDIL) are leave days owed to officers or police community support officers when they have been required to work on their scheduled rest day due to operational reasons. Long working hours can have a detrimental impact on the health and wellbeing of the workforce, so it serves as a useful point of comparison for assessing the extent to which the force is managing the wellbeing of its workforce. Analysis of the numbers of RDIL accrued, but not yet taken, can be useful tools for forces to identify and understand potential wellbeing concerns for individuals and teams.

²⁴ The mental health charity MIND is running a Blue Light programme to provide mental health support for emergency services staff and volunteers from police, search and rescue, fire and ambulance services across England. For more information see: www.mind.org.uk/campaigns/bluelight

Figure 4: Number of rest days in lieu outstanding per officer or police community support officer (PCSO) and the percentage of officers or PCSOs with more than 10 rest days in lieu owed to them in West Midlands Police compared with England and Wales, as at 31 March 2016



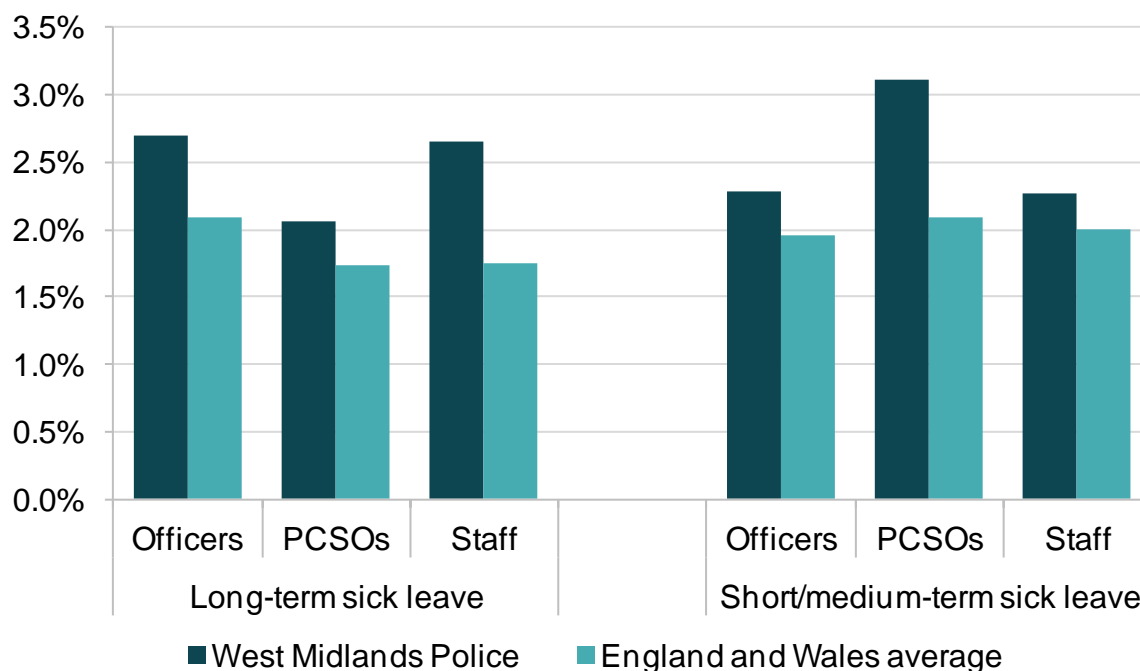
Source: HMIC Legitimacy data collection

Note: For some police forces data about the number of rest days in lieu outstanding are estimated from data on hours owed. For further information about the data in figure 4 please see annex A.

As at 31 March 2016, there were 3.1 rest days in lieu outstanding per officer in West Midlands Police, which was broadly in line with the England and Wales average of 4.2 days per officer. On the same date, there were 2.4 rest days in lieu outstanding per PCSO in the force, which was broadly in line with the England and Wales average of 2.9 days per PCSO. As at 31 March 2016, 6.3 percent of officers in West Midlands Police had more than 10 rest days in lieu owed to them, which was broadly in line with the England and Wales average of 9.8 percent. As at 31 March 2016, 4.0 percent of PCSOs in the force had more than 10 rest days in lieu owed to them, the England and Wales average was 6.0 percent of PCSOs. The data on PCSOs did not allow a comparison with the average.

Sickness data can provide a useful point of comparison for assessing the wellbeing of police workforces. Analysis of this data can also help forces to identify and understand the nature and causes of sickness at individual and organisational levels, and inform targeted activity to prevent and manage sickness.

Figure 5: Percentage of officers, police community support officers and staff on long-term and short/medium-term sick leave in West Midlands Police compared with England and Wales, as at 31 March 2016



Source: Home Office Annual Data Requirement

Note: Long-term sickness is defined as an absence due to sickness that has lasted for more than 28 days as at 31 March 2016. For further information about the data in figure 5 please see annex A.

Figure 5 provides data on the proportion of officers, PCSOs and staff who were absent due to sickness on 31 March 2016.

- 2.7 percent of officers were on long-term sick leave, which is higher than the England and Wales average of 2.1 percent.
- 2.3 percent of officers were on short or medium-term sick leave, which is broadly in line with the England and Wales average of 2.0 percent.
- 2.1 percent of PCSOs were on long-term sick leave, which is broadly in line with the England and Wales average of 1.7 percent.
- 3.1 percent of PCSOs were on short or medium-term sick leave, which is higher than the England and Wales average of 2.1 percent.
- 2.7 percent of staff were on long-term sick leave, which is higher than the England and Wales average of 1.7 percent.
- 2.3 percent of staff were on short or medium-term sick leave, which is broadly in line with the England and Wales average of 2.0 percent.

Taking preventative and early action to improve workforce wellbeing

West Midlands Police uses a wide range of preventative measures to improve the workforce's wellbeing. These include the 'health MOT', which is included in fitness tests for police officers, and 'family matters sessions' which provides advice and support on maternity, paternity and work/life balance. Health screening vans, operated by an external provider carry out ad hoc visits to police stations, and the force has also started 'mindfulness' meditation training to assist in managing stress and anxiety.

The force is planning to develop additional initiatives, and is currently piloting a trauma risk management programme with Essex University. In conjunction with a cancer charity, and following the results of its cancer survey, the force is planning to provide additional support for members of the workforce affected by cancer. Some of these initiatives will be subject to evaluation, although the force's ability to assess the overall success of its various initiatives is hampered by the inadequacy of its current medical data system.

Stress management awareness has been given in some areas. The force is in the process of writing a health and wellbeing element into the training programme for newly promoted police officers, which is also intended to form part of the training given to all line managers. We found that some supervisors were adequately equipped to recognise the warning signs of stress and ill health in individual members of staff, but that this was not universally the case, as some supervisors lacked knowledge and understanding in this respect.

The force's new vision and values, 'people deal' and the 'leadership promise' all emphasise the importance of wellbeing and focus on the requirement of the workforce to offer support and compassion to each other. The force change programme has been adjusted to improve the provision of wellbeing support to the workforce.

How fairly and effectively does the force manage the individual performance of its officers and staff?

College of Policing research on organisational justice suggests that lack of promotion opportunities and not dealing with poor performance may adversely affect workforce perceptions of fairness, which in turn may lead to negative attitudes and behaviours in the workplace.²⁵ HMIC assessed how fairly and effectively the force manages the individual performance of its officers and staff, including the extent to which the process aligns with guidance produced by the College of Policing.²⁶

The performance assessment process

The completion of an electronic development review (eDR) is not mandatory for either police officers or staff within West Midlands Police. However, the force expects that at least one dedicated discussion should take place each year to ensure all contribution and performance of each team member is formally recognised. The force's own monitoring suggests that completion of eDR varies widely across the organisation. HMIC found examples where the eDR process helped line managers manage performance and professional development. However, this was not consistently the case and inspectors heard that many supervisors were neither completing an eDR nor having the performance conversations which the force expected.

The results of performance assessment

The eDR is used in some parts of the force as a matter of routine, but in others it is used only for those who are either regarded as under-performing or aspiring for promotion. HMIC found little evidence to demonstrate that the force has effective scrutiny arrangements in place to ensure fairness and consistency of its use across the force. The performance review process in its current form is not widely valued by the workforce. The force is planning to develop an alternative process, which focuses on managing the performance of teams. A PDR process that is consistently used across the force could promote an inclusive approach to development and provide opportunities for promotion.

²⁵ *Fair cop 2: Organisational justice, behaviour and ethical policing*, College of Policing, 2015.
Available at:

http://whatworks.college.police.uk/Research/Documents/150317_Fair_cop%202_FINAL_REPORT.pdf

²⁶ College of Policing guidance on the police performance development review process is available at: www.college.police.uk/What-we-do/Support/Reviewing-performance/Pages/PDR.aspx

Summary of findings



Requires improvement

The force uses a variety of effective methods to identify the areas that affect the workforce's perceptions of fair and respectful treatment. The force seeks feedback and challenge from staff associations and networks including a PSD internal scrutiny group. The force also conducts staff surveys, consultation exercises, 'ask the boss' online feedback and cultural health checks.

The force has taken action to address feedback, such as changing misconduct processes to increase transparency and providing additional guidance and support to supervisors. This has enabled the force to address grievances and sickness absence more effectively.

West Midlands Police has higher sickness absence levels than the England and Wales average for officers and staff on long-term sickness and police community support officers on short and medium-term sickness. As well as increasing occupational health support capacity, a range of health and wellbeing initiatives are being implemented. The force is investing in a new medical IT system to increase availability of wellbeing data and assist it to understand the highest risks.

Completion of individual performance reviews (eDR) is not mandatory. Although some areas of the force use eDR to manage performance and professional development, this is not consistent. Many supervisors do not complete eDRs or have performance conversations with the workforce, and the force does not have effective scrutiny arrangements to ensure fairness and consistency across the force.

Area for improvement

- The force should improve how it manages individual performance.

Next steps

HMIC assesses progress on causes of concern and areas for improvement identified within its reports in a number of ways. We receive updates through our regular conversations with forces, re-assess as part of our annual PEEL programme, and, in the most serious cases, revisit forces.

HMIC highlights recurring themes emerging from our PEEL inspections of police forces within our national reports on police effectiveness, efficiency, legitimacy and also leadership. These reports identify those issues that are reflected across England and Wales and may contain additional recommendations directed at national policing organisations, including the Home Office, where we believe improvements can be made at a national level.

Findings and judgments from this year's PEEL legitimacy inspection will be used to direct the design of the next cycle of PEEL legitimacy assessments. The specific areas for assessment are yet to be confirmed, based on further consultation, but we will continue to assess procedural and organisational justice aspects of police legitimacy to ensure our findings are comparable year on year.

Annex A – About the data

Please note the following for the data presented throughout the report.

The source of the data is presented with each figure in the report, and is listed in more detail in this annex. For the source of force in numbers data, please see the relevant section below.

Methodology

Please note the following for the methodology applied to the data.

Comparisons with England and Wales average figures

For some data sets, the report states whether the force's value is 'lower', 'higher' or 'broadly in line with' the England and Wales average. To calculate this, the difference to the mean average, as a proportion, is calculated for all forces. After standardising this distribution, forces that are more than 0.675 standard deviations from the mean average are determined to be above or below the average, with all other forces being broadly in line.

In practice this means that approximately a quarter of forces are lower, a quarter are higher, and the remaining half are in line with the England and Wales average for each measure. For this reason, the distance from the average required to make a force's value above or below the average is different for each measure so may not appear to be consistent.

Statistical significance

When commenting on statistical differences, a significance level of 5 percent is used.

For some forces, numbers described in the text may be identical to the England and Wales average due to decimal place rounding, but the bars in the chart will appear different as they use the full unrounded value.

Where we have referred to the England and Wales average, this is the rate or proportion calculated from the England and Wales totals.

Population

For all uses of population as a denominator, unless otherwise noted, we use the ONS mid-2015 population estimates.

Force in numbers

Workforce figures (based on full-time equivalents) for 31 March 2016

These data are obtained from the Home Office annual data return 502. The data are available from the Home Office's published Police workforce England and Wales statistics, www.gov.uk/government/collections/police-workforce-england-and-wales, or the Home Office police workforce open data tables, www.gov.uk/government/statistics/police-workforce-open-data-tables. Figures may have been updated since the publication.

Projections for March 2020 are budget-based projections and therefore are likely to take into account a vacancy rate depending on a force's planning strategy. In some instances an increase in budgeted posts may not actually indicate the force is planning to increase its workforce. In other cases, forces may be planning to reduce their workforce but have a current high vacancy rate which masks this change.

Police staff includes section 38 designated officers (investigation, detention and escort).

Data from the Office for National Statistics 2011 Census were used for the number and proportion of black, Asian and minority ethnic people within each force area. While the numbers may have since changed, more recent figures are based only on estimates from surveys or projections.

Figures throughout the report

Figure 1: Percentage of victims satisfied with overall treatment compared with England and Wales, from the 12 months to 31 March 2011 to the 12 months to 31 March 2016

Forces are required by the Home Office to conduct satisfaction surveys with specific victim groups. Victim satisfaction surveys are structured around core questions exploring satisfaction with police responses across four stages of interactions: initial contact, actions, follow up, treatment plus the whole experience. The data in figure 1 use the results to the question on treatment, which specifically asks "Are you satisfied, dissatisfied or neither, with the way you were treated by the police officer and staff who dealt with you?"

When comparing with the England and Wales average, the standard methodology described above has been used. When testing whether the change in percentage of respondents who were satisfied between the 12 months to 31 March 2015 and the 12 months to 31 March 2016 is statistically significant, a chi square hypothesis test for independence has been applied.

Figure 2: Number of public complaint cases recorded against officers (per 1,000 officers) or staff (per 1,000 staff, including police community support officers) compared with England and Wales, in the 12 months to 31 March 2016

The Independent Police Complaints Commission (IPCC) defines a complaint for the purposes of recording as “an expression of dissatisfaction by a member of the public with the service they have received from a police force. It may be about the conduct of one or more persons serving with the police and/or about the direction and control of a police force”. A police complaint can be about more than one officer or member of staff and can refer to one or more allegations.²⁷

Data used in figure 2 are data extracted from the Centurion case recording and management system for Police Professional Standards data. We were able to collect the majority of this data through an automated database query, written for us by the creators of the software, Centurion (FIS Ltd). Forces ran this query on their systems and returned the outputs to us. This system is used in 41 of the 43 forces inspected. In order to collect the appropriate data from the two forces not using Centurion (Greater Manchester Police and Lancashire Constabulary), they were provided with a bespoke data collection template designed to correspond to information extracted from the Centurion database.

Although the IPCC categories used to record the type of public complaint and the accompanying guidance are the same in all police forces, differences in the way they are used still may occur. For example, one force may classify a case in one category while another force would classify the same case in a different category. This means that data on the types of public complaint should be treated with caution.

Figure 3: Number of grievances raised by officers (per 1,000 officers) or staff (per 1,000 staff, including police community support officers) finalised compared with England and Wales, in the 12 months to 31 March 2016

The data refer to those grievances that were subject to a formal process (not including issues informally resolved with a line manager). Some of the grievances finalised in this period may have been raised in a previous year. Finalised refers to grievances where a resolution has been reached, after any appeals have been completed. Differences between forces in the number of finalised grievances may be due to different handling and recording policies. Data used in figure 3 were provided to HMIC by individual forces via a bespoke data collection in April 2016 prior to inspection.

²⁷ Guidance on the recording of complaints under the Police Reform Act 2002, Independent Police Complaints Commission. Available at: www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/guidance_on_recording_of_complaints_under_PRA_2002.pdf

Figure 4: Number of rest days in lieu outstanding per officer or police community support officer (PCSO) and the percentage of officers or PCSOs with more than 10 rest days in lieu owed to them compared with England and Wales, as at 31 March 2016

Rest days in lieu are leave days owed to officers or police community support officers when they have been required to work on their scheduled rest day due to operational reasons. Data used in figure 4 were provided to HMIC by individual forces via a bespoke data collection in April 2016 prior to inspection.

Figure 5: Percentage of officers, police community support officers and staff on long-term and short/medium-term sick leave compared with England and Wales, as at 31 March 2016

Long-term sickness is defined as an absence due to sickness that has lasted for more than 28 days as at 31 March 2016. Data used in figure 5 were obtained from Home Office annual data returns 501 and 551. Data on long-term absences can be found in the Home Office police workforce open data tables:

www.gov.uk/government/statistics/police-workforce-open-data-tables