

PEEL: Police legitimacy (including leadership) 2017

An inspection of City of London Police



December 2017

© HMICFRS 2017

ISBN: 978-1-78655-485-7

www.justiceinspectors.gov.uk/hmicfrs

Contents

Introduction	3
Force in numbers	5
Overview – How legitimate is the force at keeping people safe and reducing crime?	7
To what extent does the force treat all of the people it serves with fairness and respect?	10
To what extent does the force understand the importance of treating people with fairness and respect?	10
How well does the force understand the extent to which its workforce treats people with fairness and respect?	12
How fairly does the force use stop and search powers?.....	14
Summary of findings	19
How well does the force ensure that its workforce behaves ethically and lawfully?	20
How well does the force develop and maintain an ethical culture?.....	20
How accessible is the complaints system to all members of the public?	23
How well does the force identify and investigate potential discrimination by officers and staff?	24
Summary of findings	26
To what extent does the force treat its workforce with fairness and respect?	27
How well does the force identify and act to improve fairness at work?	27
How well does the force support the wellbeing of its workforce?	34
How fairly and effectively does the force manage and develop both the performance of its individual officers and staff and its selection processes?	38
Summary of findings	40
Next steps	41
Annex A – About the data	42

Introduction

As part of its annual inspections into police effectiveness, efficiency and legitimacy (PEEL), HM Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS)¹ assesses the legitimacy and leadership 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). Therefore, it is 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 by 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 why they are making those decisions), as well as being friendly and approachable.² This is often referred to as ‘procedural justice’. Police actions that are perceived to be unfair or disrespectful can have an extremely negative effect on 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 are being treated fairly and respectfully, particularly by their own police force. Therefore, it is important that the decisions made by their force about matters that affect them are perceived to be fair.³ This principle is described as

¹ This inspection was carried out before 19 July 2017, when HMIC also took on responsibility for fire & rescue service inspections and was renamed HM Inspectorate of Constabulary and Fire & Rescue Services. The methodology underpinning our inspection findings is unaffected by this change. References to HMICFRS in this report may relate to an event that happened before 19 July 2017 when HMICFRS was HMIC. Citations of documents which HMIC published before 19 July 2017 will still cite HMIC as the publisher.

² *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

³ *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

'organisational justice', and HMICFRS considers that, alongside the principle of procedural justice, it makes up a vital aspect of any assessment of police legitimacy.

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 ensure that their workforce behaves ethically and lawfully. In HMICFRS' 2017 legitimacy inspection, we continued our assessment of how well forces develop and maintain an ethical culture and we re-examined how forces deal with public complaints against the police. 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.

As part of this year's inspection, we also integrated aspects of leadership into our assessment of legitimacy, as the two areas are closely linked. We assessed the role that leadership plays in shaping force culture, the extent to which leadership teams act as role models, and looked at how the force identifies and selects its leaders.

While our overarching legitimacy principles and core questions remain the same as last year, our areas of specific focus continue to change to ensure we are able to assess a full range of police legitimacy topics, including emerging concerns or Home Office commissions. As such, it is not always possible to provide a direct comparison with last year's grades. Where it is possible to highlight emerging trends in our inspection findings between years, we do so in this report.

A separate report on the force's efficiency inspection findings is available on our website (www.justiceinspectorates.gov.uk/hmicfrs/peel-assessments/peel-2017/city-of-london/efficiency/). Our reports on police effectiveness will be published in early 2018. Our 2016 reports on forces' effectiveness, efficiency, and legitimacy are available on our website: www.justiceinspectorates.gov.uk/hmicfrs/peel-assessments/peel-2016/city-of-london/.

More information on how we inspect and grade forces as part of this wide-ranging inspection is available on our website (www.justiceinspectorates.gov.uk/hmicfrs/peel-assessments/how-we-inspect/).

Force in numbers



Workforce

Total workforce (full time equivalents) as of 31 March 2017

1,101

Total workforce breakdown (full time equivalents) as of 31 March 2017

officers

684

staff (including section 38)

404

PCSOs

13



Ethnic diversity

Percentage of BAME in workforce 31 March 2017

overall workforce

11.8%

officers

5.8%

staff

22.2%

PCSOs

23.1%

Percentage of BAME in local population, 2011 Census

21.4%



Gender diversity

Percentage of females in overall workforce 31 March 2017

35%

City of London Police

England and Wales population, 2015 estimate

51%

Percentage of females by role 31 March 2017

24%

officers

56%

staff

PCSOs

14%

City of London Police



Grievances

Number of grievances per 1,000 workforce raised and finalised 10 months to 31 March 2017

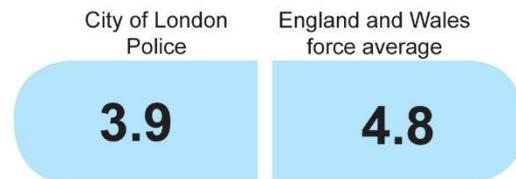


Stop and search

Number of stops and searches carried out in 2015/16 (excluding 'vehicle only' searches)

1,574

Number of stop and searches per 1,000 population in 2015/16



Note: All figures exclude section 38 staff unless stated otherwise. For further information about the data used, including information about section 38 staff, please see annex A.

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

Overall judgment⁴



Requires improvement

City of London Police is judged to be requiring improvement in how legitimately it keeps people safe and reduces crime. For the areas of legitimacy we looked at this year, our overall judgment is less positive than last year, when we assessed the force as good overall. The force is judged to require improvement in some aspects of how it treats all of the people it serves with fairness and respect and in ensuring its workforce behaves ethically and lawfully. However, it is judged as good at treating its workforce with fairness and respect.

Overall summary

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



Requires improvement

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



Requires improvement

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



Good

City of London Police requires improvement in the legitimacy with which it keeps people safe and reduces crime. It needs to improve some aspects of how it treats people. Although it is clear that its leadership understands the importance of treating people fairly, some officers are not effectively recording grounds for stop and search and the force is failing adequately to supervise officers' recording of these grounds. It has not provided enough training on unconscious bias for its workforce, or completed stop and search training for all frontline officers. The workforce has good communication skills, which include showing empathy and listening. External scrutiny has improved considerably since last year but could be further developed if the force appointed an independent chair to the community scrutiny group.

⁴ HMICFRS judgments are outstanding, good, requires improvement and inadequate.

More should be done to ensure its workforce behaves ethically and lawfully. Although we have seen outstanding practice from the force's leadership in building a strong base in ethical decision-making through its ethics panel and membership of the London police challenge forum – and also through the ethical decision-making training that the entire workforce has received – this is not reflected in how the force investigates allegations of discrimination. The force learns from the outcomes of grievance cases, communicating the resulting lessons effectively to the workforce in terms of learning rather than censure. The complaints process can be easily found and understood, and additional help is offered to people who have difficulty in using it, for instance in assistance with language or with people wishing to be spoken to in their own home. However, the service that all parties receive during investigations of discrimination is unsatisfactory.

The force is good at treating its workforce with fairness and respect. Its leaders actively seek feedback and challenge from the workforce and make changes as a result. Although the force has yet to put its wellbeing strategy fully into practice, the support it offers to its workforce is good. It values wellbeing and provides good support to its workforce, although it could understand more clearly the risks and threats to its personnel in this respect, and prioritise the services it provides accordingly. The force needs to develop its system for assessing performance (performance development review process, or PDR) and link this to the career aspirations of individuals and the offer of development opportunities. The force has used external recruitment effectively to address gaps in its capability.

Areas for improvement

- The force should ensure that all relevant officers have received appropriate training on the use of stop and search powers.
- The force should maintain and monitor a comprehensive set of data to understand the impact of its use of stop and search powers.
- The force should ensure that all relevant officers and supervisors understand what constitutes reasonable grounds for stop and search and how to record them.
- The force should improve how it investigates allegations of discrimination and take action to ensure that all complainants and officers and staff subject to allegations of discrimination receive a good service from the force.
- The force should improve the quality and timeliness of updates to complainants and witnesses during investigations in line with IPCC statutory guidance.

- The force should improve its ability to monitor and improve the fairness and effectiveness of its process for managing individual performance and development and communicate this to the workforce.
- The force should improve its understanding of its workforce's wellbeing and use this to prioritise the services it provides.

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 their reasons openly and clearly), while being consistently friendly and approachable.⁵

While HMICFRS recognises that police legitimacy stems from broader experiences of the police than by direct contact alone, our inspection focuses specifically on assessing the extent to which forces make fair decisions and treat people with respect during their interactions with the public. To do this, we looked at how well leaders can demonstrate the importance they place on procedural justice and how well the workforce understands these principles and applies them. Also, we assessed how well the force scrutinises the extent to which procedural justice takes place, particularly with regard to coercive powers, including the use of force and stop and search.

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

HMICFRS assessed the extent to which leaders of the force understand the importance of procedural justice, and the arrangements they have made to provide the workforce with the knowledge, skills and understanding they need to treat all the people they serve fairly and with respect. We examined the workforce’s understanding of the principles of procedural justice (being friendly and approachable, treating people with respect, making fair decisions, and taking time to explain these decisions). We did this by checking their understanding of the concept of unconscious bias,⁶ their awareness of effective communication skills⁷ in all

⁵ *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

⁶ Personal biases are influenced by factors including people’s background, personal experiences and occupational culture, and they can affect our decision-making. When we make quick decisions, these biases can, without us realising, disadvantage particular groups of people. It is vital that police officers understand their own biases and how to overcome them, to ensure the decisions they make are fair.

⁷ Research into the effect of communication skills training in Greater Manchester Police (e.g. showing empathy, building rapport, signposting and using positive and supportive language) showed this improved officer attitudes and behaviours and had a “significant positive effect” on the quality of interactions between police officers and victims. See: <http://library.college.police.uk/docs/college-of-policing/Technical-Report.pdf>

interactions with the public and their appropriate use of coercive powers (with a specific focus on stop and search and use of force).⁸

Understanding the importance of treating people with fairness and respect

City of London Police policy and procedure make clear the importance of fair decision making and respectful treatment, and these principles are well understood by senior leaders. The force has built on the work it carried out in 2015 and 2016 to make explicit reference, and adherence, to the Code of Ethics and procedural justice principles a routine part of the force communications and guidance – which set out the ethical expectations of senior leaders. City of London Police has arrangements in place to provide officers and staff with the knowledge and skills they need to treat all the people they serve fairly and with respect. The officers and staff we spoke with understood the importance of doing so.

Understanding of unconscious bias

In early 2017, City of London Police started a programme of equipping supervisors, and all frontline officers and staff with the skills they need to recognise and overcome unconscious bias. This programme required the provision of external training on the subject for all supervisors in 2017. It also required that, by the end of June 2017, all frontline officers should have received unconscious bias training as part of their training in ensuring that stop and search practices were compliant with College of Policing requirements. However, we established that not all officers and staff had received the relevant training at the time of our inspection. Some of the staff and officers we spoke with said they had been unable to attend the training due to staff shortages, particularly in frontline supervisor roles. Nonetheless, most of the personnel we spoke to were aware of the importance of understanding unconscious bias, and could explain how they put this understanding to practical effect.

Communication skills

City of London Police does not provide specific training in communication skills. However, we found that good communication skills (including the more passive skills of displaying empathy and listening properly, not just the ability of officers to speak clearly) are an important part of most other training that the force provides. In particular, this includes Servator,⁹ the provision of training in how to recognise

⁸ *Authorised Professional Practice on Stop and Search*, College of Policing, February 2017. Available from: www.app.college.police.uk/app-content/stop-and-search/; *Authorised Professional Practice on Use of Force*, College of Policing, October 2013. Available from: www.app.college.police.uk/app-content/public-order/core-principles-and-legislation/police-use-of-force/; and *College of Policing and National Police Chiefs' Council, Personal safety manual*, 2016. Available from: <http://library.college.police.uk/docs/college-of-policing/PSM/PSM-MOD-01-INTRODUCTION.pdf>

⁹ Project Servator is a tactic used by the force to help deter and detect a wide range of criminality from picking pockets through to terrorism, while providing a reassuring presence to the public.

vulnerable people and help them, and how to deal more effectively with people who have mental health issues, and also the leadership training that all officers and staff have received. Training in call handling skills and making THRIVE¹⁰ assessments has been provided to all control room and front office staff, and this includes an element of communication training; staff are taught, for instance, how explaining decisions to members of the public can build trust and rapport. Officers and staff who we spoke with were able to demonstrate how they apply these communication skills during their interactions with the public.

Use of coercive powers

Through officer safety training, which is mandatory for all officers and follows the national personal safety training manual, the force provides training and guidance on how to use force fairly and with respect. All officers must successfully complete this as part of their initial training, and it is then refreshed regularly each year. The officers we spoke to understood the use of force and could describe conflict resolution and communication in line with the National Decision Model (NDM)¹¹ and the Code of Ethics. Specific stop and search training, however, had not been completed by all officers at the time of our inspection.

How well does the force understand the extent to which its workforce treats people with fairness and respect?

HMICFRS continues to examine the extent to which forces work to identify and understand what affects people's perceptions of fair and respectful treatment. This year we re-assessed a specific aspect of fair and respectful treatment that we examined in PEEL 2015: the use of force¹² and stop and search powers. Specifically, we inspected the extent to which forces record data and how well they scrutinise

¹⁰ THRIVE is a structured risk assessment tool used by police forces to inform decisions on the most appropriate response needed. It is based on the threat, harm, investigative opportunities, vulnerability of those involved, and opportunities to engage.

¹¹ The National Decision Model (NDM) is a model used by police and other agencies to structure decision making or to review decisions and actions and promote learning.

¹² In 2015 HMICFRS found a generally positive picture of force oversight arrangements for use of Taser. However, in 2016, we found that many forces did not have similar levels of oversight for other types of use of force. As a result of a review undertaken by the National Police Chiefs' Council, all forces have been required to collect a minimum data set in respect of use of force since April 2017. The review is available at: www.npcc.police.uk/documents/uniformed/2016/Use%20of%20Force%20Data%20Report%20to%20Home%20Sec.pdf. Also see *Authorised Professional Practice on Use of Force*, College of Policing, October 2013. Available from: www.app.college.police.uk/app-content/public-order/core-principles-and-legislation/police-use-of-force/

data and other information, including through external scrutiny,¹³ to understand and improve the use of these powers. In the case of stop and search, the next section sets out our findings. It includes our assessment of the reasonableness of recorded grounds for stop and search.

Scrutiny of use of force

City of London Police complies with the national recording standard on the use of force. The force regularly scrutinises data on all types of force, including information about the age, ethnicity and gender of the recipient. The force very seldom deploys Taser and so can scrutinise each case in which it is used. It is undertaking a pilot project, to be evaluated by Cambridge University, to help it decide whether to provide all uniformed officers with this equipment. It has processes in place for supervisors to review body-worn video (BWV) footage, and recognises that it could make even more comprehensive use of this data and BWV footage to improve policy and practice. It intends to do so following the introduction of a new IT system. The force dashboards, which currently contain use of force data, were under review at the time of our inspection while the force prepared for the introduction of new IT software later in 2017. Until the force dashboards are fully developed and used to identify unfair or good practice, we cannot be confident that the force is consistently making improvements and sharing learning about them.

External scrutiny

The force has effective external scrutiny groups. The independent advisory group (IAG) has an independent chair and a diverse membership, which is representative of the local community. The commissioner regularly attends the group's meetings, while members have observed Servator deployments of City of London Police officers. The force website promotes the IAG. The application process is clear and simple, although the small number of permanent residents within the force area, compared to the large transient population of workers and visitors, makes it difficult to attract new IAG members. Feedback from the group is discussed at senior management meetings and it is kept updated on progress. A member of the IAG sits on the force's equality and inclusion board and the community scrutiny group.

City of London Police has recently established a youth independent advisory group, which draws its members from schools in the local area. Once this group is fully operational, it will be independent of the police and of adults and will provide scrutiny on such issues as young people in custody, use of force and the use of stop and search powers on young people.

¹³ *Independent Advisory Groups: considerations and advice for the police service on the recruitment, role and value of IAGs*, College of Policing, 2015. Available at: www.college.police.uk/What-we-do/Support/Equality/Documents/Independent_advisory_groups_advice_2015.pdf

The force does not publish minutes from its external scrutiny groups. To communicate with the public, it uses Twitter. There is a newsletter for local residents, which publishes, among other things, the results of some stop and search incidents, but this is limited in scope and circulation. The force could do more to attract external scrutiny and challenge from people who may have less trust and confidence in the police (for instance, recent immigrants and black and ethnic (BAME) minority communities, and from visitors and people who work but do not live in the City of London.

How fairly does the force use stop and search powers?

The purpose of stop and search powers is to enable officers to eliminate or confirm suspicions that individuals may be in possession of stolen or prohibited items, without exercising their power of arrest. Except in exceptional circumstances, an officer must have reasonable grounds for carrying out such a search. While this can be valuable in the fight against crime when based on genuinely objective reasonable grounds, the powers to stop and search people are some of the most intrusive available to the police. Their disproportionate use in respect of black, Asian and minority ethnic communities threatens to undermine police legitimacy. As such, it is crucial that all forces use these powers fairly, and demonstrate to the public that they are doing this.¹⁴

HMICFRS has assessed the police's use of its stop and search powers on a number of occasions.¹⁵ Our 2015 legitimacy inspection¹⁶ found that too many forces were not always recording reasonable grounds on their stop and search records. In 2017, we reviewed the reasonableness of the grounds again to assess how fairly forces are using stop and search in line with national guidance.¹⁷ Also, we assessed how the forces scrutinise use of these powers.

¹⁴ *Authorised Professional Practice on Stop and Search*, College of Policing, February 2017. Available from: www.app.college.police.uk/app-content/stop-and-search/

¹⁵ *Stop and Search Powers – are the police using them effectively and fairly?* HMIC, July 2013. Available at: www.justiceinspectorates.gov.uk/hmicfrs/publications/stop-and-search-powers-20130709/ and *Best Use of Stop and Search revisits*, HMIC, September 2016. Available from: www.justiceinspectorates.gov.uk/hmicfrs/publications/best-use-of-stop-and-search-revisits/

¹⁶ *Police legitimacy 2015 – a national overview*, HMIC, February 2016. Available from: www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/

¹⁷ See annex A for more information about the methodology for our review of stop and search records.

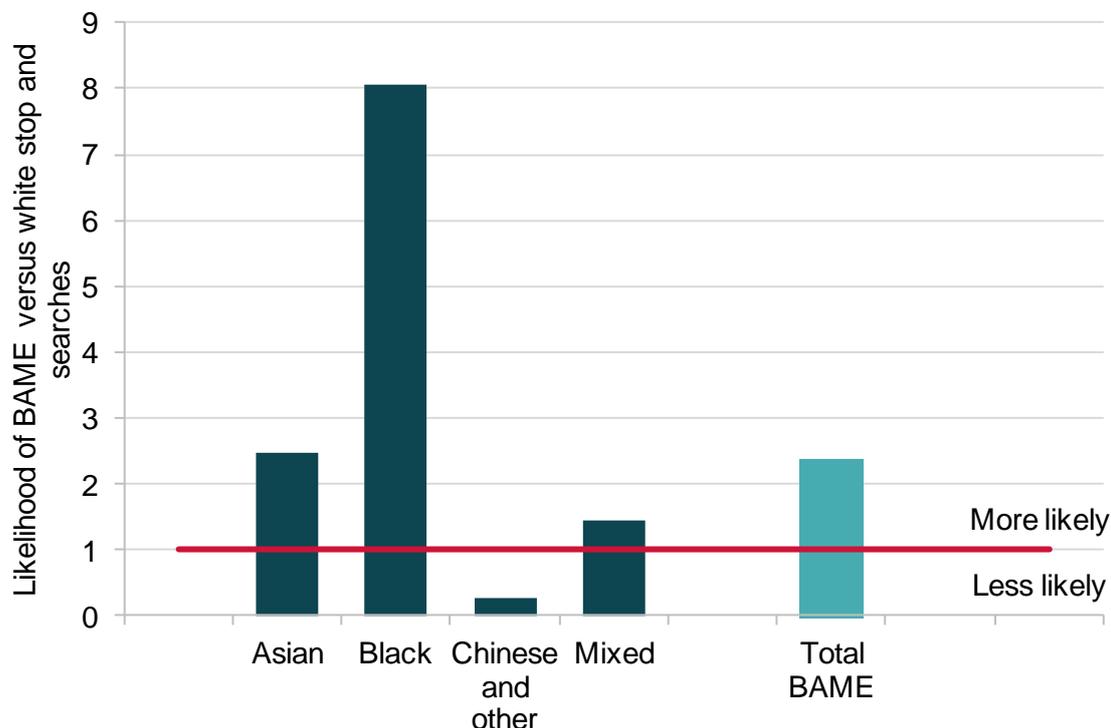
Understanding of national guidance

The stop and search training package from the College of Policing has been adapted in the light of the specific circumstances of City of London Police (a small resident population but a very large and diverse daily influx) and all officers were expected to have received this training, which includes recognising unconscious bias and the Code of Ethics, by July 2017. At the time of inspection, the programme had not been completed. Until it is, the force cannot be sure, or provide us with assurance, that all its officers have a good understanding of how to use stop and search powers fairly and respectfully, or how to record their use. Our review of 200 stop and search records (see section below: Reasonable grounds for stop and search) suggests that some officers and supervisors do not understand what constitutes reasonable grounds.

Monitoring use of stop and search powers to improve treatment

In order to monitor the use of stop and search powers effectively, forces should use a range of data to help them understand how the powers are being used and the subsequent effect on crime, disorder and perceptions in the community. In particular, forces should consider whether the use of stop and search powers is disproportionately affecting one group compared with another. In 2015/16, in the local population of City of London Police, BAME people were 2.4 times more likely to be stopped and searched than white people. Black people were 8.1 times more likely to be stopped and searched than white people.

Figure 1: Likelihood of black, Asian and minority ethnic (BAME) people being stopped and searched (under section 1, PACE)¹⁸ compared with white people, in the local population of City of London Police in the 12 months to 31 March 2016



Source: Home Office 2016

The force is aware of the data showing that black people are eight times more likely to be stopped and searched than white people. However, the data are calculated using the resident population data from the 2011 census. The resident population of the City of London is small, at approximately 11,000 people. The force contends that the massive influx of people, including black people, travelling to the area daily for work or pleasure, changes the profile of the population of the area and skews the data. While this is likely to be true, as the increase takes the population to around 400,000, and so is a significant change, the force has not yet carried out research to confirm this.

In 2015, we found that the force did not comply with the Home Office’s Best Use of Stop and Search Scheme. However, when we re-visited the force in late 2016, we found it to be fully compliant. The working group on stop and search and use of force provides internal challenge and a link to organisational learning; it discusses feedback from the external community scrutiny group while having access to a wide range of stop and search data and BWV footage. However, we found that the force must improve its scrutiny and understanding of this data, so that it can identify and act on concerns. We recognise that the introduction of a new IT system later in 2017 will allow the force to present all its stop and search and use of force data in a way

¹⁸ Police and Criminal Evidence Act 1984. Available at: www.legislation.gov.uk/ukpga/1984/60/section/1

that makes it easier to scrutinise, but an understanding of how this material can improve individual and organisational learning needs to be developed. The working group should also monitor the reasonableness of the grounds for search more closely.

External scrutiny of stop and search powers to improve treatment

In 2015, we said that independent scrutiny of the force's use of stop and search powers was not sufficiently developed for a number of reasons; among those was that the force did not comply with the Best Use of Stop and Search Scheme, or provide the public with information about Taser use. Since then, independent scrutiny has improved significantly and the community scrutiny group provides appropriate challenge to the force on stop and search and use of force. The group is currently chaired by a senior officer from City of London Police. However, now that it is fully functioning, the force should consider appointing a truly independent chair. The force has had difficulties in attracting members to this group (see section above: External scrutiny to improve treatment), but has taken positive steps to attract a wide and diverse membership, including contacting local residents using social media.

The force provides the group with clear data and explanations. The group considers the force's stop and search data and examines a random sample of stop and search forms, paying attention to the ethnicity of people who have been stopped and searched and the grounds for the search. The feedback from the group is discussed at the force's stop and search working group. When the youth independent advisory group (see section above: External scrutiny to improve treatment) is fully operational, it will be completely independent of the police and of the force's full independent advisory group, and will provide specific challenge from local young people on matters of particular concern to them, including young people in custody, use of force and the use of stop and search powers on young people. This is a positive development.

Reasonable grounds for use of stop and search

The Police and Criminal Evidence Act 1984 requires that, to stop and search a person, the grounds to suspect that person of being in possession of a stolen or prohibited article must be reasonable and must be recorded on the stop and search record.¹⁹

¹⁹ Police and Criminal Evidence Act 1984. Available from: www.legislation.gov.uk/ukpga/1984/60/contents

In our 2013 inspection into use of stop and search powers,²⁰ we were concerned to see that 27 percent of the 8,783 stop and search records we examined across all forces in England and Wales did not include sufficient reasonable grounds to justify the lawful use of the power. For City of London Police, that inspection showed that 36 of 200 records reviewed did not include grounds that we considered reasonable. In 2015, as part of our PEEL legitimacy inspection,²¹ we carried out a further review of the recorded grounds in a sample of stop and search records. In that inspection, our review found that 15 of 100 records did not demonstrate reasonable grounds. We said the force should improve its recording of reasonable grounds to search, along with the supervisory arrangements in place, to assess whether it uses the power correctly.

During our 2017 inspection, we reviewed 200 stop and search records; 42 did not record grounds that we considered reasonable. While the records we reviewed may not be representative of all stop and search records completed by the force, our findings indicate that some officers and supervisors either still do not understand fully what constitutes reasonable grounds or do not know how to record them properly. The position has not improved since 2013; indeed, it has worsened slightly.

It is important to note that a lack of reasonable grounds on the stop and search record does not necessarily mean that reasonable grounds were not present at the time of the stop and search.

In 55 of the 200 records we reviewed, the item searched for was found. This is an important measure, as confirming or allaying an officer's suspicions is the primary purpose of the powers. Finding the item searched for is one of the best indications that the grounds for the suspicions are likely to have been strong.

Table 1: Results of HMICFRS stop and search records review 2013-17

	2013	2015	2017
Records not containing reasonable grounds	36 of 200	15 of 100	42 of 200
Item searched for found	-	-	55 of 200

The force moved from paper stop and search forms to a new electronic hand-held device, a 'tough pad', in 2016, which officers, staff and supervisors found difficult to use to record and supervise stop and search. Officers and supervisors spoken to

²⁰ *Stop and Search Powers: Are the police using them effectively and fairly?* HMIC, 2013. Available from: www.justiceinspectorates.gov.uk/hmicfrs/publications/stop-and-search-powers-20130709/

²¹ *PEEL: Police legitimacy 2015*, HMIC, 2016. Available from: www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/

said they were confident that they understood what grounds were reasonable, but that recording of stop and search on the tough pads was time-consuming and complicated compared with the use of paper records.

Since our review of stop and search records earlier this year, the force has made changes in the recording and supervision of stop and search. During our fieldwork, we were told that processes had now been put in place for improved supervision of officers when completing stop and search entries, and that shift handover documents now make reference to stop and searches that have been carried out and whether these had been supervised. Until these processes are part of routine practice, and the force has assessed whether the changes in procedure have been effective, it cannot be sure that officers and supervisors are carrying out and recording stop and search effectively and fairly.

Summary of findings



Requires improvement

Force leaders can demonstrate the value and benefits of procedural justice, and the workforce understands the importance of treating the people it serves with fairness and respect. All frontline officers receive training in communication skills, including empathy and listening. External scrutiny of the force is good and benefits from a wide and diverse membership (particularly considering the small resident population of the force area), but the community scrutiny group would be improved by having an independent chair.

The force's recording of reasonable grounds to stop and search people must improve. Some officers do not understand what constitutes reasonable grounds or do not know how to record reasonable grounds correctly on stop and search records. The force does not have adequate internal scrutiny of stop and search.

Areas for improvement

- The force should ensure that all relevant officers have received appropriate training on the use of stop and search powers.
- The force should maintain and monitor a comprehensive set of data to understand the impact of its use of stop and search powers.
- The force should ensure that all relevant officers and supervisors understand what constitutes reasonable grounds for stop and search and how to record them.

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

In HMICFRS' 2017 legitimacy inspection, we continued to focus on the extent to which forces develop and maintain an ethical culture to reduce unacceptable types of behaviour among their workforces. We also returned to look at how well forces are handling complaints and misconduct cases,²² as opposed to last year's focus on how well forces are guarding against corruption.²³

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

Research tells us that the best way to prevent wrongdoing is to promote an ethical working environment or culture.²⁴ Police leaders need to promote ethical principles and behaviour and act as role models, in line with the Code of Ethics.²⁵ Officers and staff should feel confident that they can apply these principles to their decision making. This year, we focused on the way that the leaders of forces demonstrate ethical behaviour and the way that forces approach ethical decision-making across the entire workforce. In addition, where forces had failed to comply with all aspects of the national vetting standards in 2016, we assessed whether their plans are credible and are likely to be compliant by December 2018.²⁶

²² *Police legitimacy 2015 – a national overview*, HMIC, February 2016. Available from: www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/

²³ We did, however, undertake a review of forces' plans in response to our PEEL legitimacy 2016 national report recommendation. The report of our findings is available here: www.justiceinspectorates.gov.uk/hmicfrs/publications/peel-police-legitimacy-2016/

²⁴ *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
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

²⁵ *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, 2014. Available from: www.college.police.uk/What-we-do/Ethics/Pages/Code-of-Ethics.aspx; *Literature review – Police integrity and corruption*, HMIC, January 2015. Available from: www.justiceinspectorates.gov.uk/hmicfrs/publications/integrity-matters/

²⁶ HMICFRS' recommendation in December 2016 was that (i) Within six months, all forces not already complying with current national vetting policy should have started to implement a sufficient plan to do so and (ii) Within two years, all members of the police workforce should have received at least the lowest level of vetting clearance for their roles. The ACPO/ACPOS National Vetting Policy as

Leaders as ethical role models

In December 2016, City of London Police, with British Transport Police and the Metropolitan Police Service, co-founded the London police challenge forum. This forum meets quarterly to discuss and form a view on ethical dilemmas or policies and procedures suggested by the three forces. The force intends to make its workforce aware of the results, and the three forces expect over time to build a compendium of guidance on various issues to which their personnel can refer. The forum invites non-police attendees to take part. In support of this forum, the force has established ethics associates; these are members of the force's internal ethics panel, which is chaired by the assistant commissioner, and considers ethical problems submitted by the workforce in line with the Code of Ethics. The panel forms a view, or refers the problem to the London police challenge forum. The officers and staff who we spoke with felt confident about challenging leaders, and we were given examples of policies that had changed after staff challenged leaders' decisions on matters relating to promotion. This is a positive development and demonstrates a strong commitment by senior leaders to ethical decision making.

The force publishes the registers of chief officer expenses, salaries, and gifts and hospitality on its website. The force's quarterly integrity standards board is chaired by the assistant commissioner, which includes a member of the Police Committee. The board considers a range of integrity indicators and shares its insight with the rest of the force.

Ethical decision making

Like all public sector bodies, the police are bound by the equality duty.²⁷ The force has in place easily available and comprehensible policies and procedures that comply with this duty, including the use of equality impact assessments.²⁸ Policies and procedures are checked against the Code of Ethics and approved by the integrity standards board.²⁹ During our inspection, we found that the force stresses the importance of ethical decision making to all levels of the workforce, and that the professional standards department uses findings from grievances and discipline

replaced in October 2017 by the Vetting Code of Practice and Vetting Authorised Professional Practice. Available at: www.app.college.police.uk/app-content/professional-standards/vetting/

²⁷ Under the Equality Act 2011, public sector bodies are bound to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between people who share a protected characteristic (for instance, disability) and those who do not.

²⁸ A tool to help employers analyse their policies and practices to make sure they do not discriminate or disadvantage people.

²⁹ An internal City of London Police board, chaired by the assistant commissioner, considering ethical behaviour in the force in areas such as employment tribunals, grievances, public complaints, irregularities in the use of mobile phones, credit cards and expenses. It also considers issues arising from the use of force, the business interests of its personnel, media contacts and drug testing.

matters to improve performance through learning as opposed to punishment. These outcomes are discussed at the integrity standards board and in Code of Ethics training sessions. All senior management meetings have a standing agenda item that refers specifically to the Code of Ethics.

The force trains all officers, staff and volunteers in ethical decision making and in how to respond to ethical dilemmas. This training is supported by advice that reminds the workforce of the ethical standards expected by senior leaders, and by the appointment to each directorate of ethics associates to whom officers and staff can refer ethical dilemmas. At the time of inspection, this structure was due to receive further support from the introduction of a new confidential reporting system in 2017. This will provide the workforce with another way of reporting ethical matters about which they feel senior leaders should be aware.

Vetting

During our 2016 legitimacy inspection, we considered the extent to which the force was ensuring that it was developing and maintaining an ethical culture through effective vetting of officers and staff. We found that City of London Police was complying with all aspects of the national vetting standards. In January 2017, we found that the force had a vetting backlog and that it could not provide data on security clearances in its workforce. This was due in part to the recruitment of additional national Action Fraud³⁰ staff. It was due also to the 'historical databases', between which it had not been possible to transfer records readily. The force was aware of this issue and had recruited additional vetting staff to address the backlog. By the time of the inspection, the force had reduced the backlog considerably. Including the new Action Fraud staff, the force had 85 cases pending, 29 of which awaited action by the force's vetting department, with the remainder awaiting completion of security service checks. Only one person employed by the force is awaiting further vetting, having been vetted as a contractor and then employed as a permanent member of staff in the same position. None of the others awaiting clearance are employed by the force yet.

³⁰ Action Fraud is the UK's national reporting centre for fraud and internet-based crime.

How accessible is the complaints system to all members of the public?

An accessible complaints system is crucial to building public confidence in the police and to a force's ability to improve the extent to which its workforce acts ethically and lawfully. As such, we assessed how easy it is for the public to make a complaint – including how well forces support those people that may require additional help to gain access to the complaints process.³¹ Also, we used a review of case files to assess the level of information provided to complainants and looked at how well forces keep complainants updated about the progress of their complaints.

Ease of making a complaint

Members of the public can find information on how to make a complaint on the force's website. They may also make a complaint on the site. The material is easy to understand and includes information about additional assistance, including language assistance, that is available to people who require it. The force makes particular provision for vulnerable complainants, which includes meeting complainants at home or in a police station. City of London Police is working with an equality and diversity specialist to review the accessibility of the complaint system, as the nature of the force's transient population means that it receives complaints from foreign nationals who have since returned home. The force tells us it is in the process of producing an easy-to-read guide for the visually impaired.

The force includes advice about how to make a complaint following a stop and search on its stop and search forms and business cards. It also posts details of how to make a complaint in its front offices. Front office staff we spoke with were knowledgeable about the process. The force has worked with the local community to identify vulnerable people living in the force area, in order to provide them with detailed information about the complaints process, including how to complain.

Keeping complainants updated

Forces should provide the complainant with a copy of the complaint record, an explanation of the possible ways the complaint may be dealt with, and advised who will be dealing with it (including contact details). We found that 17 out of 25 complaint files contained evidence that all of these legal requirements had been met. Forces should also provide their determinations at the end of the investigation and explain

³¹ These could include people with learning difficulties, mental health issues, young people or people whose first language is not English. *IPCC Statutory Guidance to the police service on the handling of complaints*, IPCC, May 2015. Available at: www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/2015_statutory_guidance_english.pdf and *Access to the police complaints system*, IPCC, September 2015. Available at: www.ipcc.gov.uk/sites/default/files/Documents/research_stats/Access_to_the_police_complaints_system.pdf

the complainant's right of appeal. These were recorded in 21 of the 25 cases we reviewed. While the auditors found that investigations were completed promptly, the progress tab showed that the force failed to consistently update complainants and subjects of complaints on progress within the 28-day deadline.

Our review found that the force used a formal investigation for the majority of the complaints it receives, rather than dealing with some of them in an informal way; a consequence of this may be that unnecessary investigations are undertaken, staff are left feeling worried without reason and complainants do not get the appropriate level of service. HMICFRS shared these findings with the force following our review in early 2017. When we carried out our full inspection in May 2017, we found processes now in place to address the lack of informal resolutions of complaints and keep complainants updated.

How well does the force identify and investigate potential discrimination by its officers and staff?

For the public to have confidence in the police and the police complaints system, it is vital that allegations of discrimination arising from police complaints, conduct matters, and death and serious injury investigations are handled fairly and appropriately. We reviewed complaint, misconduct and grievance files to assess the extent to which forces identify and respond to discrimination appropriately and at the earliest opportunity (including referrals to the IPCC), and the extent to which these allegations are investigated in accordance with the IPCC guidelines for handling allegations of discrimination.³²

Identifying and responding to potential discrimination

The workforce has a good understanding of discrimination and its impact. The officers and staff we spoke to during our inspection could describe their understanding of discrimination and the negative effect it can have. During our case file review, we looked at 11 complaints and one internal misconduct case that the force had identified as containing an allegation of discrimination. We also looked at 14 other complaints and 10 misconduct cases which we considered might contain unidentified allegations of discrimination. We were pleased to find that none of these cases contained allegations of discrimination which the force had failed to identify.

Our review also found that the force had correctly referred to the IPCC all cases that we considered met the mandatory criteria for referral. However, we found also that the force referred too many discrimination cases. We were told that this was due to

³² See annex A for more information about our case file review. *IPCC guidelines for handling allegations of discrimination*, IPCC, September 2015. Available at: www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/Guidelines_for_handling_allegations_of_discrimination.pdf

an agreement with the IPCC, reached in part because of the very small numbers of cases that meet the mandatory criteria. Since the file review took place, the IPCC has trained professional standards department (PSD) officers and the force has put in place a new referral process to address this.

The PSD also reviews allegations of discrimination and attempts to identify any unconscious bias in the recording or reporting of such allegations. In addition, the PSD reviews cases involving accusations of police incivility to determine whether they involved BAME victims and identify any potential patterns of discrimination.

Investigating allegations of discrimination

As part of our case file review, we looked at ten public complaint cases that the force had recorded as containing an allegation of discrimination. We considered whether these allegations had been investigated satisfactorily in accordance with the IPCC guidelines for handling such allegations. We were disappointed to find that only one of these cases had been investigated satisfactorily. The main reasons for failure related to understanding the allegation, obtaining and probing the officer's account, and evidence gathering. We also considered whether the complainant making an allegation of discrimination received a good service from the force overall, and found that no complainants had received a good service from the force.

The force has responded positively to these findings and has carried out an immediate review within the PSD. At the time of our fieldwork we found a much improved picture. The IPCC has trained PSD officers in applying IPCC guidelines for handling allegations of discrimination, and the force has changed the way it refers cases to the IPCC. Investigating officers will now inform officers subject to allegations of discrimination of the nature of the allegation. The force is also considering changing the information given to complainants and officers at the point of complaint. The force should review the changes to the process and continue to monitor how the PSD investigates allegations of discrimination, so that it can reassure itself that these investigations are being carried out satisfactorily.

Summary of findings



Requires improvement

We found some areas of good practice in how City of London Police ensures that its workforce behaves ethically and lawfully. Particularly useful is the London police challenge panel forum, which is supported by the strong base for ethical decision making that the force has built up through its integrity standards board and ethics associates. The force also provides initial ethics training for the entire workforce, who receive support and training when they make mistakes; leaders can demonstrate that they consider the ethical implications of their decisions in the context of an established referrals system.

The force's policies and procedures are accessible, comply with the Code of Ethics, and have been checked for quality. Its complaints system is accessible to the public. However, the force needs to improve how it keeps complainants updated in line with regulations. Further, while the force is good at identifying allegations of discrimination, it does not always respond to them appropriately or investigate the allegation fully, and the service that people receive from the force during investigations into allegations of discrimination is unsatisfactory.

Areas for improvement

- The force should improve how it investigates allegations of discrimination and take action to ensure that all complainants and officers and staff subject to allegations of discrimination receive a good service from the force.
- The force should improve the quality and timeliness of updates to complainants and witnesses during investigations in line with IPCC statutory guidance.

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 types of behaviour.³³ As such, this concept of ‘organisational justice’, and its potential effect on ‘procedural justice’ forms an important part of HMICFRS’ assessment of police legitimacy and leadership. As no comparative data exist on how fairly officers and staff perceive forces have treated them, we continue to focus our assessment on how well forces identify individual and organisational concerns within their workforces and act on these findings.

In our 2017 inspection, we focused specifically on how well forces identify and act to improve fairness at work, including what action they are taking to make their workforces more representative of the communities they serve. We continued to look at how well forces provide for the wellbeing of their workforces, particularly through preventative and early action, and at the way individual performance is managed and developed.

How well does the force identify and act to improve fairness at work?

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.³⁴ HMICFRS assessed how well force leaders seek feedback from their workforces and use this, alongside other data and information – including that on grievances³⁵ – to identify, understand, prioritise and resolve their workforces’

³³ *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 and *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

³⁴ *Ibid.*

³⁵ Grievances are concerns, problems or complaints that a member of staff raises formally with an employer, so data on numbers and types of grievances can provide forces with useful information about matters of concern to their workforces.

concerns. Part of our assessment involved reviewing a small number of grievance cases to assess if these adhere to Acas guidance and the Code of Practice.³⁶

Unfairness, or perceived unfairness in recruitment processes, opportunities and limited career progression can lead to good officers and staff leaving the service prematurely and fewer women and people from black, Asian and minority ethnic (BAME) communities wanting to join the police in the first place. As such, we re-examined how well forces address disproportional workforce representation in a variety of areas – including recruitment, retention and progression for those people with protected characteristics.³⁷ We looked at the treatment of BAME officers and staff subject to allegations of misconduct – to improve fairness at work and to make forces more representative of the communities they serve.³⁸

Leaders seeking feedback and challenge from the workforce

During our inspection, we found that leaders in the force are effectively seeking and responding to feedback and challenge from all parts of the workforce. ‘Ask the AC [assistant commissioner]’ and the ‘AC Breakfast’ events are held every eight weeks with a cross-section of officers and staff from every directorate up to the rank of Inspector or equivalent. Staff have breakfast with the assistant commissioner and ask him questions, assured that all questions will be responded to. These meetings were described by officers and staff as ‘refreshing and open’. The force also runs regular events in which the commissioner or assistant commissioner discusses issues relating to the force and takes questions and feedback. We found these events were well attended and valued by officers and staff.

The last staff survey was undertaken in 2014. At the time of our inspection, the 2017 staff survey was open for the workforce to complete, and the force told us the results would be available to the workforce in early June. While the interval between surveys may appear long, we were given numerous examples of officers and staff challenging senior leaders and having their feedback acted on; for example, the force has changed the promotion process so that all application forms are now

³⁶ *Code of Practice on Disciplinary and Grievance Procedures*. Acas 2015. Available from www.acas.org.uk/media/pdf/f/m/Acas-Code-of-Practice-1-on-disciplinary-and-grievance-procedures.pdf. Also *Discipline and grievances at work: The Acas guide*, Acas, August 2017. Available from: www.acas.org.uk/media/pdf/9/g/Discipline-and-grievances-Acas-guide.pdf

³⁷ The Equality Act 2010 defines the following characteristics as protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation. Available from: www.legislation.gov.uk/ukpga/2010/15/section/4

³⁸ We last examined these issues as part of our 2015 PEEL legitimacy inspection. See *Police legitimacy 2015 – a national overview*, HMIC, February 2016. Available from: www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/

anonymised and acting ranks cannot endorse application forms. In general, members of the workforce were confident that their supervisors and the senior management of the force would listen to them.

Identifying and resolving workforce concerns

Data on the numbers and types of concerns, problems or complaints (collectively known as grievances) that have been raised by officers or staff can provide forces with useful information about matters of concern to their workforces.

All forces have grievance procedures but the number of grievances in each force differs widely across England and Wales. We requested data for the ten months from 1 April 2016 to 31 January 2017 on the number of grievances raised by the workforce. Figure 3, below, shows that City of London Police had 5.4 grievances raised per 1,000 workforce. This is broadly in line with the England and Wales average of 4.9 grievances raised per 1,000 workforce.

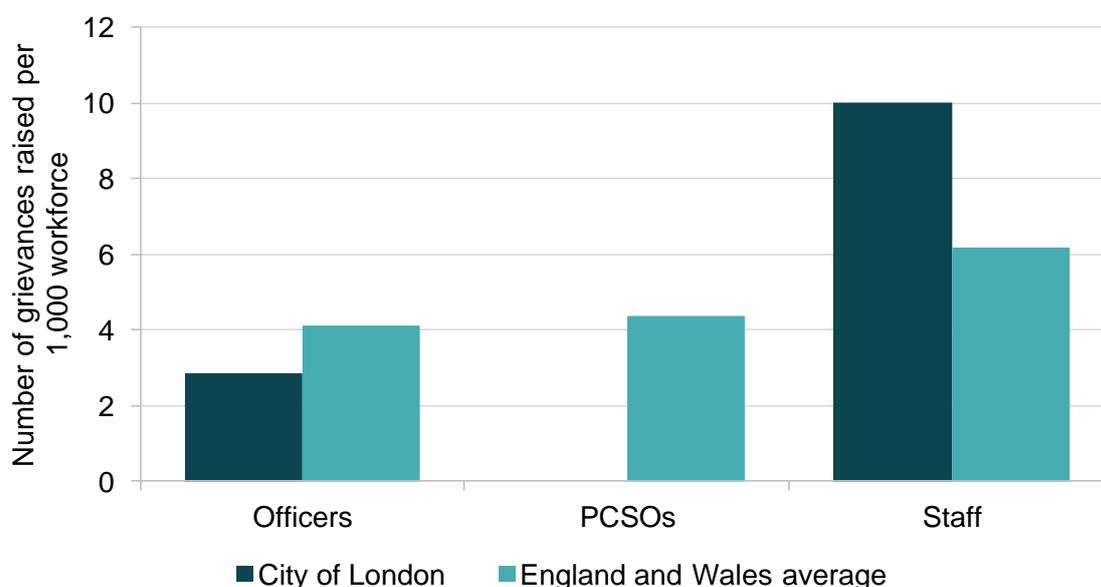
Figure 4 shows that the number of grievances raised by officers in City of London Police was 2.8 grievances per 1,000 officers, and the average for England and Wales was 4.1 grievances per 1,000 officers. In the same period, PCSOs raised no grievances; the England and Wales average was 4.4 grievances per 1,000 PCSOs. Police staff raised 10.0 grievances per 1,000 staff in the same period; and the England and Wales average was 6.2 grievances per 1,000 staff.

Figure 3: Grievances raised per 1,000 workforce, in City of London Police in the ten months from 1 April 2016 to 31 January 2017



Source: HMICFRS Legitimacy data collection

Figure 4: Grievances raised by officers, PCSOs and staff (per 1,000 officers, PCSOs and staff) in City of London Police in the ten months from 1 April 2016 to 31 January 2017



Source: HMICFRS Legitimacy data collection

The force has a clear written grievance procedure, which is managed by the human resources department. However, we were told that it is difficult to locate on the force intranet, and some of the officers we spoke to were not aware of how to access it other than by referring the matter to the Police Federation representative. During our file review, we found that in all but one case the force had properly identified, investigated and resolved the grievance in line with the ACAS Code of Practice and Guidance. However, we also found that less than half of grievance cases had a record of appropriate arrangements having been put in place to support the employee or witness throughout the process.

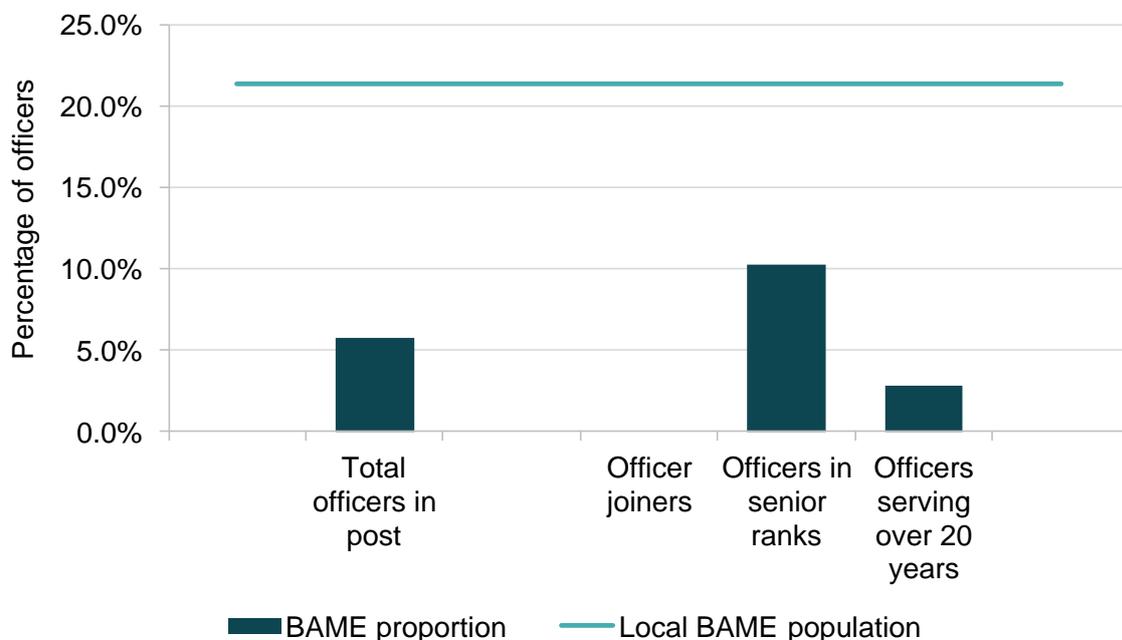
All grievances are discussed at the integrity standards board, and senior leaders are made aware of workforce concerns raised through grievances, civil cases and employment tribunal cases. Our file review also found that City of London Police evaluates the subsequent effect of action taken regarding grievances effectively. The force identified the outcomes for grievances and displayed suggestions for revised and improved practices for both individuals and the organisation; to us, these approaches demonstrated the force's open approach to grievance resolution. We found that its general approach to grievances appears to be effective, with evidence of clear engagement with the aggrieved with a view to resolving issues at the earliest opportunity.

Creating a more representative workforce

To assess how well the force reflects the local population, we considered data on the number of women and people from BAME communities recruited to the force, the number at senior officer level and the number who have served for over 20 years. We used these data to compare the make-up of the force with the make-up of the community it serves.

In the geographical areas served by City of London Police, the 2011 census indicates that BAME people made up 21.4 per cent of the local population. In 2016/17, in City of London Police, 5.8 percent of officers were BAME (see Figure 5). In relation to officers, none of those joining the force, 10.3 percent of those in senior ranks and 2.8 percent of those who had served over 20 years were BAME.

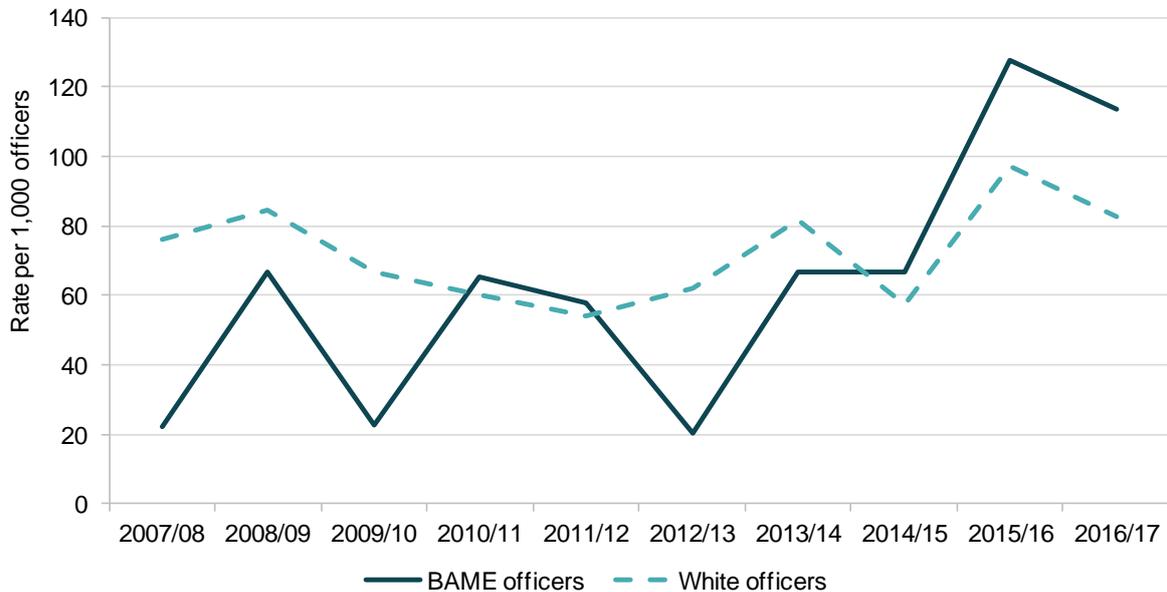
Figure 5: Percentage of officer joiners, officers in post, officers in senior roles and officers serving over 20 years who are black, Asian or minority ethnic (BAME) in City of London Police in 2016/17, compared with the percentage of BAME people in the local population



Source: Home Office Annual Data Requirement

Note: High percentages may be due to low overall numbers. The figure above represents officers whose ethnicity was stated.

Figure 6: Comparison of officer leaving rates between white and black, Asian or minority ethnic (BAME) officers (per 1,000 white or BAME officers) in City of London Police from 2007/08 to 2016/17

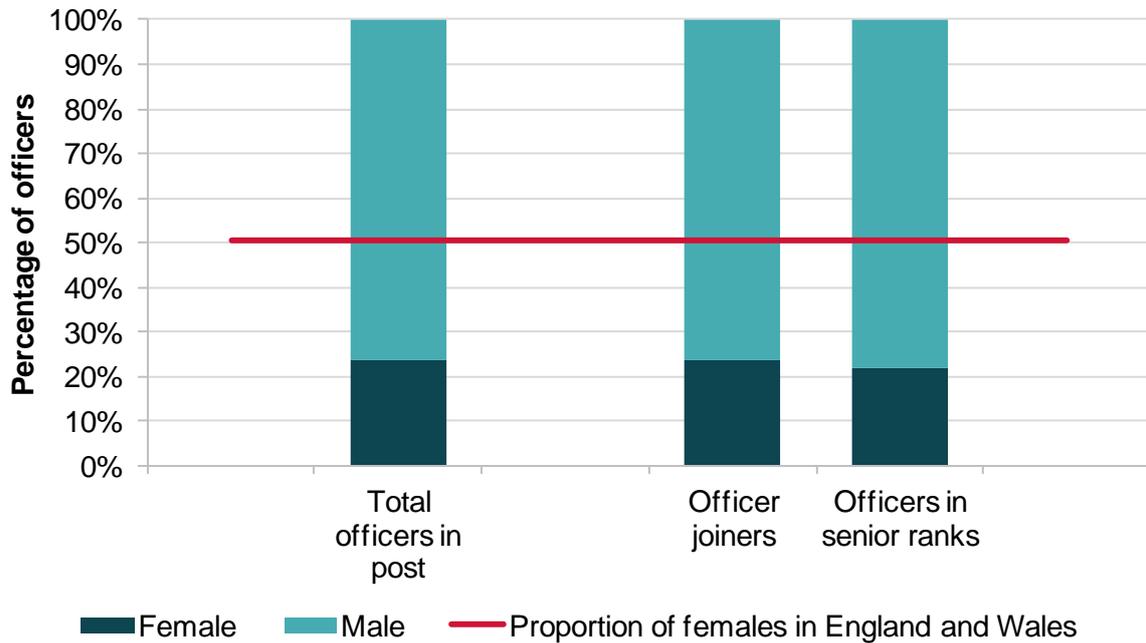


Source: Home Office Annual Data Requirement

In 2016/17, in City of London Police, 114 of the equivalent of every 1,000 BAME officers left the force (see Figure 6), while 83 of every 1,000 white officers left. As with joiners, fluctuations in the BAME officer leaver rate may be due to low numbers of BAME officers in the force.

The proportion of female officers, at 24 percent, is lower than the proportion of females in the general population (51 percent). In the 12 months to 31 March 2017, 24 percent of those joining City of London Police and 22 percent of those in senior ranks were female (see Figure 7).

Figure 7: Percentage of officer joiners, officers in post and officers in senior ranks, by gender, in City of London Police in 2016/17 compared with the percentage of women in the England and Wales population



Source: Home Office Annual Data Requirement

Figure 8: Comparison of officer leaving rates between male and female officers (per 1,000 male or female officers) in City of London Police from 2007/08 to 2016/17



Source: Home Office Annual Data Requirement

In 2016/17, in City of London Police, 66 female officers per 1,000 officers left the force, compared with 89 male officers per 1,000 officers.

The force is aware that the workforce is not representative of the local population in terms of protected characteristics defined in the Equality Act 2010,³⁹ and has a plan to address this. It monitors representation at its equality and inclusion board (chaired by the assistant commissioner). The force's People Strategy 2016/17 focuses on the four areas of inclusion: employee engagement; strategic workforce planning; and leadership and management capability. This strategy includes the BME 2018 progression plan, which aims to improve black and minority ethnic and female representation at all police officer and police staff ranks within the force, and improve confidence in the fairness of selection and promotion processes. The force is working closely with the staff networks to encourage more people from ethnic minorities and women to apply for jobs in the force, and is working with the occupational health department to attract more applications from disabled staff.

The force's human resources department carries out an annual peer review of complaint and misconduct cases that have been managed and investigated by the PSD. It considers whether the department has taken a consistent approach to decision making in its investigations into officer and staff misconduct cases and whether BAME officers and staff and those with other protected characteristics are treated fairly – in particular, whether they are likely to be treated fairly when they are the subject of complaints or misconduct allegations'. The peer review did not find any evidence of disproportionality.

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.⁴⁰ HMICFRS assessed how well force leaders understand and promote these benefits by developing a culture that fosters workforce wellbeing, and how well forces use data and information – including feedback from the workforce – to identify and understand their wellbeing. Also, we assessed how well forces use this information to take preventative and early action to support workforce wellbeing at both an individual and organisational level.

³⁹ The Equality Act 2010 defines the following characteristics as protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation. Available from: www.legislation.gov.uk/ukpga/2010/15/section/4

⁴⁰ *Well-being and engagement in policing: the key to unlocking discretionary effort*, Ian Hesketh, Cary Cooper and Jonathan Ivy, 2016, Policing. pp. 1–12. Available from: <https://oscarkilo.org.uk/wellbeing-and-engagement-in-policing-the-key-to-unlocking-discretionary-effort/> Also see <https://fitforwork.org/employer/benefits-of-a-healthy-workforce/>

Understanding and promoting wellbeing

In 2016, we said that City of London Police should improve how it identifies and understands its workforce's wellbeing needs. We were encouraged to find that the force has worked hard to address this. It is praiseworthy that a superintendent, overseen by the assistant commissioner, is now responsible for the force's provision in this area, and the personnel now has a better understanding of the many initiatives available. The health and wellbeing network is very active and the whole workforce is aware of it. The force regards emotional and mental health as being as important as physical health; all of them are a priority. However, we found that the force needs to go beyond its specific initiatives by developing a better understanding of the effect on health and welfare of such issues as workload, accrual of rest days and the general contentment of officers and staff. It also needs to monitor the extent of the use of existing provision: some of the uniformed officers we spoke with said they were aware of wellbeing events but had been unable to attend them due to staff shortages. We were pleased during our inspection to observe the force's recognition of the wider issues surrounding wellbeing.

Identifying and understanding workforce wellbeing needs

The force has recognised the importance of addressing its workforce's wellbeing needs but it is trying to address all aspects at once, rather than identifying priorities, based on an understanding of the greatest risks and threats to the wellbeing of its workforce.

Analysis of sickness data can give an indication of whether there are problems relating to wellbeing within a police force. It provides a useful point of comparison between forces, who can also use sickness data to help them understand the nature and causes of sickness across the organisation, to help them prevent sickness and manage it when it occurs.

We compared force data on the percentage of police officers, PCSOs and police staff on long-term and short/medium-term sickness absence. On 31 March 2017, in City of London Police, 1.3 per cent of officers were on short or medium-term sick leave. The England and Wales average was 1.8 per cent.

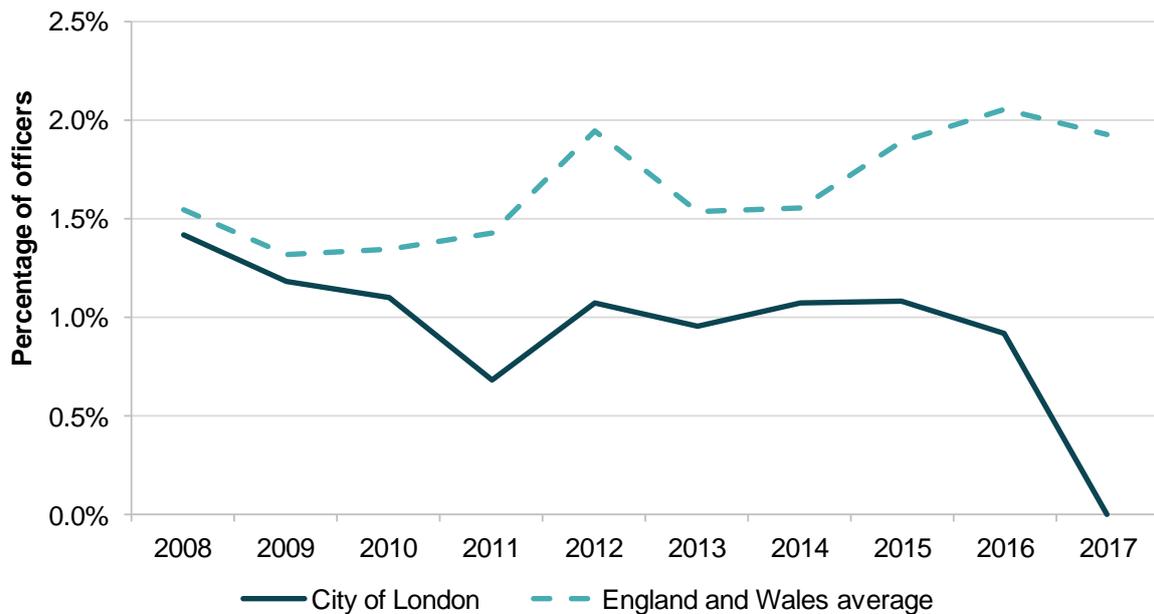
Figure 9: Percentage of officers on short or medium-term sick leave in City of London Police compared with the England and Wales average, on the 31 March from 2008 to 2017



Source: Home Office Annual Data Requirement

On 31 March 2017, there were no City of London officers on long-term sick leave, whereas the England and Wales average was 1.9 per cent. This year saw a decrease of 0.9 percentage points from the previous year, which is a notably larger decrease than in the previous ten-year period.

Figure 10: Percentage of officers on long-term sick leave in City of London Police compared to the England and Wales average, as at 31 March from 2008 to 2017



Source: Home Office Annual Data Requirement

Taking preventative and early action to improve workforce wellbeing

If staff need assistance, the force provides support through supervisors. Support and guidance is available on the intranet for staff to refer to, and the force has processes and resources in place to take early action to improve wellbeing following any incident; these include care plans, welfare support and prioritised treatment. For example, all traumatic incidents are subject to a supervisor's debrief to identify welfare issues and organise referral to the trauma risk management (TRiM)⁴¹ process if necessary. This support process has been offered to all officers and staff following the terrorist attacks at Westminster and London Bridge. The force takes preventative measures to improve the wellbeing of its workforce and has an officer with responsibility for mental health and vulnerability, who works closely with the mental health charity MIND. Supervisors are offered MIND 'blue light' training, which provides guidance on recognising early signs of stress and mental health problems.

HMICFRS gathered data on referrals between 1 April 2016 and 31 January 2017. We found that members of City of London Police's workforce waited four days on average between referral and appointment, for occupational health, physical health and mental health referrals; this was lower than the average waiting time of 15 days for the other forces that could provide data.

Unless internal misconduct is referred to the IPCC, forces have full control over the way that they handle internal allegations of misconduct. City of London Police offers support to staff who are the subject of complaints and misconduct proceedings by equipping supervisors with information and guidance. We reviewed 11 internal misconduct cases to see whether witnesses and those subject to the allegations received a satisfactory service from the force, from the initial allegation through to the final assessment. We found that in all 11 cases a satisfactory service was provided, although sufficient updates were not provided in four cases.

⁴¹ TRiM is a process used to assess officers and staff involved in traumatic incidents to identify if they need further support.

How fairly and effectively does the force manage and develop both the performance of its individual officers and staff and its selection processes?

College of Policing research on organisational justice suggests that the process for promoting people and failure to deal with poor performance may have an adverse affect on workforce perceptions of fairness, and this in turn may lead to negative attitudes and types of behaviour in the workplace.⁴² In addition, effective performance management and development mitigate risks to the force and ensure continuous improvement. HMICFRS assessed how fairly and effectively forces manage the performance of individual officers and staff, including the value that forces place on continuing professional development (CPD), in line with guidance from the College of Policing.⁴³ Also, we looked at how fairly forces identify and select their leaders, and the extent to which these decisions result in leaders who represent a range of styles, approaches and backgrounds.

Managing and developing individual performance

In 2016, we said that City of London Police should improve the way it manages individual performance of its officers and staff. Work will continue throughout 2017 to review the PDR process,⁴⁴ implement the performance framework and link PDRs to the talent management process. At the time of our inspection, we found that the force's process for managing individual performance includes encouraging officers and staff to have regular conversations with their supervisors, to assess and manage performance against objectives. The force's PDR meeting pro forma highlights the force's expectation that supervisors should be fair, honest and effective, supports them in this, and sets out the main types of behaviour expected of all officers and staff. The force's assessment process records and tracks individual performance and progression.

⁴² *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.

⁴³ College of Policing guidance on the police performance development review (PDR) process is available from www.college.police.uk/What-we-do/Support/Reviewing-performance/Pages/PDR.aspx. See also the College of Policing's competency and values framework. Available from: www.college.police.uk/What-we-do/Development/competency-and-values-framework/Pages/Competency-and-Values-framework.aspx

⁴⁴ Performance Development Review is a process used by police forces to monitor workforce performance and development.

Nonetheless, the PDR process has flaws. Although the force is due to move to an electronic system soon, PDRs are currently completed on paper, which makes them more difficult to analyse. Further, the process of scrutiny of the PDRs of officers and staff is not consistent. Staff are employed by the City of London Corporation, and their PDRs are moderated under Corporation policy, but the PDRs of officers are not. The officers and staff we spoke with felt the current PDR system was not being used to record and respond to career development and aspirations. Until the process is electronic, and until consistent governance and common scrutiny arrangements are in place across the whole workforce, the force cannot be assured that its process for managing individual performance is fair and effective.

Identifying potential senior leaders

In 2016, we said that City of London Police should evaluate its leadership programme and talent management schemes to ensure a structured, comprehensive and transparent approach is being taken to identify potential leaders. Work is still continuing to address this matter as part of the force leadership development programme; all officers, staff and volunteers have now received the initial element of this programme. The force is developing a talent management scheme, drawing on good practice from other forces and organisations within the technology industry. At the time of our inspection, we found some evidence of staff development through the leadership programme. However, the force has more work to do to communicate to its workforce that it has established a fair, effective process for identifying potential senior leaders. The force should implement its talent management scheme and link this to staff development schemes, PDRs and the promotion process.

Selecting leaders

In the last 18 months, the force has opened up the promotion processes to external candidates. This is a very positive step, although clear and transparent communication is needed to explain this to the workforce, some of whom perceive it as unfair. HMICFRS recognises that City of London Police is one of very few police forces that have done this to date.

Members of the workforce told us that police staff have no obvious career pathway, and only limited opportunities for promotion. All the officers and staff that we spoke with thought this needed to be remedied. Despite this, there was general agreement that promotion processes have improved, with anonymised application forms and increased involvement by staff associations in the process. All those we asked felt that the force provides support to those applying for promotion. The force is currently reviewing its promotion and subsequent posting processes, and, at the last promotion board, staff networks and the Police Federation were invited to sit in on interviews and panel discussions, to encourage an open and transparent approach. Feedback was also provided for candidates.

Summary of findings



Good

City of London Police leaders have a range of ways to seek feedback and challenges from its workforce. Staff and officers are confident in their use of these methods, and the force has made changes as a direct result of this feedback. It has used external recruitment to address gaps in its capability and we saw improvements in the ways in which the force identifies and selects future leaders.

Although we recognise the work that the force has done to improve the way it manages individual performance, it needs to do more to improve the workforce's confidence in its performance development review process, and to link career aspirations and progression.

The force uses outcomes from grievances to highlight learning for the organisation and for individuals, and communicates this to its workforce effectively. The force values wellbeing and provides various wellbeing initiatives to the workforce. However, the force could understand the risks and threats to workforce wellbeing more clearly and use this understanding to prioritise the services it provides, instead of attempting to address all risks and threats at once.

Areas for improvement

- The force should improve its ability to monitor and improve the fairness and effectiveness of its process for managing individual performance and development, and communicate this to the workforce.
- The force should improve its understanding of its workforce's wellbeing and use this to prioritise the services it provides.

Next steps

HMICFRS will assess progress on any recommendations and areas for improvement identified within its reports in a number of ways. We either re-visit those forces where we have identified a serious cause of concern, go back to assess them as part of our annual PEEL inspection programme or receive updates on their progress through regular conversations with forces.

HMICFRS highlights recurring themes emerging from our PEEL inspections of police forces within our national reports on police effectiveness, efficiency, legitimacy and leadership. These reports identify problems 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 need to be made at a national level.

Annex A – About the data

Data used in this report

The source of the data is presented with each figure in the report, and is set out in more detail in this annex. The source of Force in numbers data is also set out below.

Methodology

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

Comparisons with England and Wales averages

For some datasets, the report states whether the force's value is 'lower', 'higher' or 'broadly in line with' the England and Wales average. This is calculated by using the difference from the mean average, as a proportion, 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.

The England and Wales averages will differ slightly from the Value for Money Profiles because we have included City of London Police and the Metropolitan Police Service within the average in this publication.

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.

Population

For all uses of population as a denominator, unless otherwise noted, we use the Office for National Statistics (ONS) mid-2015 population estimates.

Note on workforce figures

All workforce figures are from the Home Office Annual Data Return (ADR) published in the Home Office's published police workforce England and Wales statistics (available from www.gov.uk/government/collections/police-workforce-england-and-wales), or the Home Office police workforce open data tables (available from www.gov.uk/government/statistics/police-workforce-open-data-tables).

This year we have tried to align our workforce categories with those in the Home Office workforce Statistics publication.

This means data presented on the gender and ethnic diversity of the workforce we have not included Section 38-designated officers within the 'Police Staff' category so that these figure will read across to the workforce publication more easily. However we have included Section 38-designated officers within descriptions of the total workforce to be consistent with HMICFRS Efficiency reports.

Please note that all workforce figures are in full-time equivalent (FTE) unless otherwise stated and exclude traffic wardens and special constables.

Force in numbers

Workforce (FTE) for 2016/17

Data may have been updated since the publication. Workforce includes Section 38-designated investigation, detention or escort officers, but does not include Section 39-designated detention or escort staff⁴⁵. The data are the actual full-time equivalent (FTE) and data for 2016/17 are as at 31 March 2017.

For FTE, these data include officers on career breaks and other types of long-term absence, and excludes those seconded to other forces.

Ethnic diversity and gender diversity

Data may have been updated since the publication. As noted above to align categories with Home Office publication the Police Staff category does not include Section 38-designated officers. Staff ethnicity data are derived from headcount rather than FTE.

Grievances

Data are derived from the HMICFRS data collection conducted prior to inspection. The data refer to those grievances that were raised and subject to a formal process (not including issues informally resolved with a line manager).

⁴⁵ See sections 38 and 39 of the Police Reform Act 2002. Available at: www.legislation.gov.uk/ukpga/2002/30/section/38

Stop and search

Data are derived from the Home Office Police Powers and Procedures England and Wales year ending 31 March 2016 publication (available at www.gov.uk/government/statistics/police-powers-and-procedures-england-and-wales-year-ending-31-march-2016). Stop and search totals used exclude vehicle only searches and those searches where the ethnicity of the subject was 'not stated'. The population data used is usual residents by ethnicity from the 2011 census.

Figures throughout the report

Figure 1: Likelihood of black, Asian and minority ethnic (BAME) people being stopped and searched (under section 1, PACE) compared with white people, in the local population of City of London Police in the 12 months to 31 March 2016

Data are derived from the Home Office Police Powers and Procedures England and Wales year ending 31 March 2016 (available at www.gov.uk/government/statistics/police-powers-and-procedures-england-and-wales-year-ending-31-march-2016). Stop search totals used exclude vehicle only searches and those searches where the ethnicity of the subject was 'not stated'. Data may have been updated since publication. The likelihood of a stop and search is based on the number of stop searches per 1,000 population for each ethnic group. The population data used is usual residents by ethnicity from the 2011 census. These are the most robust and up-to-date population breakdowns by ethnicity.

Figure 2: Grievances raised per 1,000 workforce, in City of London Police in the ten months from 1 April 2016 to 31 January 2017

Figure 3: Grievances raised by officers, PCSOs and staff (per 1,000 officers, PCSOs and staff), in City of London Police in the ten months from 1 April 2016 to 31 January 2017

Data are derived from the HMICFRS data collection conducted prior to inspection. The data refer to those grievances that were raised and subject to a formal process (not including issues informally resolved with a line manager). Differences between forces in the number of raised grievances may be due to different handling and recording policies.

Figure 4: Percentage of officer joiners, officers in post, officers in senior roles and officers serving over 20 years who are black, Asian or minority ethnic (BAME), in City of London Police in 2016/17, compared with the percentage of BAME people in the local population

These data are derived from ADR 511, 512 and 521. Data may have been updated since the publication. Officer ethnicity totals are based on numbers of people (referred to in the Home Office data as headcount) rather than FTE.

Figure 5: Comparison of officer leaving rates between white and black, Asian or minority ethnic (BAME) officers (per 1,000 white or BAME officers), in City of London Police from 2007/08 to 2016/17

These data are derived from ADR 511 and 531. Data may have been updated since the publication. Officer ethnicity totals are headcount rather than FTE.

Figure 6: Percentage of officer joiners, officers in post and officers in senior ranks, by gender, in City of London Police in 2016/17 compared with the percentage of women in the England and Wales population

These data are derived from ADR 502 and 521. Data may have been updated since the publication.

Figure 7: Comparison of officer leaving rates between male and female officers (per 1,000 male or female officers), in City of London Police from 2007/08 to 2016/17

These data are derived from ADR 502 and 531. Data may have been updated since the publication.

Figure 8: Percentage of officers on short or medium-term sick leave, in City of London Police compared with the England and Wales average, on 31 March from 2008 to 2017

Data used in the above data were obtained from Home Office annual data returns 501 and 552 and published in the Home Office police workforce open data tables (available from www.gov.uk/government/statistics/police-workforce-open-data-tables).

Figure 9: Percentage of officers on long-term sick leave, in City of London Police compared with the England and Wales average, as at 31 March from 2008 to 2017

Data used in the above data were obtained from Home Office annual data returns 501 and 552. (available from www.gov.uk/government/statistics/police-workforce-open-data-tables). Long-term sick leave is defined as an absence due to sickness that has lasted for more than 28 days as at 31 March 2017. Data may have been updated since the publication.

Stop and search record review methodology

HMICFRS was commissioned by the Home Office to conduct a further assessment of reasonable grounds, building on the assessments we carried out in 2013 and 2015 so that we could demonstrate any changes over time. We used a similar methodology to do this: forces provided details of stop and search records by

working back in time from 7 January 2017 until a total of 200 was reached.⁴⁶ This amounted to a total of 8,574 records – some records provided were not actually records of stop and search encounters, and these were excluded. As part of our assessment, we gave forces the opportunity to review our findings and make representations.

As in 2013 and 2015, HMICFRS reviewed each record to assess the reasonableness of the recorded grounds. However, this year we also identified how many of the records reviewed were carried out to search for drugs and whether stop and search was carried out for drugs, whether the suspicion involved possession only or the more serious supply-type offence. Currently forces are not required to differentiate between the two. We did this so that we could ascertain how many in our sample were for possession of drugs, rather than supply, as high rates of possession-only searches are unlikely to fit with force priorities.

This year, for the first time, we assessed whether or not the use of stop and search powers prevented an unnecessary arrest. We did this to ascertain how many of the records reviewed involved allaying the officer's suspicion in circumstances where the person would otherwise have been arrested, thereby representing a positive use of the powers. Allaying suspicion and preventing an unnecessary arrest is as valuable as confirming suspicion by finding the item searched for.

Professional standards case file review methodology

During February and March 2017, inspection teams from HMICFRS visited the individual or professional standards departments working collaboratively of each force to conduct a case file review. We asked forces to provide us with the last case files they had finalised up to 31 December 2016; but going back no further than two years. We asked to see:

- 10 complaints the force had recorded as containing an allegation of discrimination
- 15 complaints the force had recorded in categories we felt may contain unidentified allegations of discrimination
- 10 service recovery complaints (if the force operated a separate service recovery scheme)
- 10 internal misconduct allegations the force had recorded as containing an allegation of discrimination

⁴⁶ City of London Police was unable to provide records up to 7 January 2017 but instead provided 200 records from 4 October 2016 to 26 November 2016.

- 10 other internal misconduct allegations (so that we could ascertain if they contained unidentified allegations of discrimination)
- 10 grievances (and 10 workplace concerns if the force recorded these separately)

We assessed these case files against the relevant legislation, guidance and code of practice⁴⁷ to answer the following questions:

- Access to the system – Has the force identified those cases where the complainant requires additional support to make their complaint, and has that support been provided?
- Initial information – When the complaint was recorded, did the force provide the complainant with a copy of the complaint record, an explanation of the possible ways the complaint may be dealt with, and advised who will be dealing (including contact details)?
- Keeping complainants updated – Has the force provided complainants, witnesses, and those who are the subject of the complaints with regular, meaningful updates?
- Final outcome – Did the force provide the complainant with the findings of the report, its own determinations and the complainant’s right of appeal?
- Handling discrimination – Has the force failed to identify any allegations of discrimination? Have any discrimination cases that meet the IPCC mandatory referral criteria been so referred? Has the force investigated the complaints alleging discrimination satisfactorily? Overall, has the complainant making an allegation of discrimination received a good service from the force?
- Grievances/workplace concerns – Has the force identified, investigated and resolved the grievance satisfactorily? Has the force put arrangements in place to support the employees or witnesses throughout the process? Did the witness and those who are subject to the allegations receive a satisfactory service from the force?

⁴⁷ Relevant police complaints and misconduct legislation, IPCC statutory guidance, IPCC guidelines for handling allegations of discrimination, Acas code of practice on disciplinary and grievance procedures and Acas discipline and grievance guide.