

PEEL: Police legitimacy (including leadership) 2017

An inspection of Devon and Cornwall Police



December 2017

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ISBN: 978-1-78655-489-5

www.justiceinspectors.gov.uk/hmicfrs

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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/devon-and-cornwall/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/devon-and-cornwall/.

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

4,691

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

officers

staff (including section 38)

PCSOs

2,914

1,465

311



Ethnic diversity

Percentage of BAME in workforce 31 March 2017

overall workforce

1.3%

officers

staff

PCSOs

1.5%

0.9%

1.3%

Percentage of BAME in local population, 2011 Census

2.5%



Gender diversity

Percentage of females in overall workforce 31 March 2017

39%

England and Wales population, 2015 estimate

51%

Percentage of females by role 31 March 2017

29%

Devon and Cornwall Police

officers

staff

PCSOs

58%

44%



Grievances

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

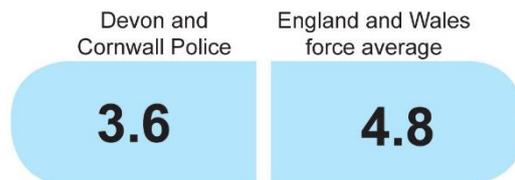


Stop and search

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

6,116

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



Devon and Cornwall Police is judged to be good at how legitimately it keeps people safe and reduces crime. For the areas of legitimacy we looked at this year, our overall judgment is the same as last year. The force is judged to be good at treating all of the people it serves with fairness and respect and good at treating its workforce with fairness and respect. However, it is judged as requiring improvement at ensuring its workforce behaves ethically and lawfully.

Overall summary

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



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



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



The importance of treating people with fairness and respect is reflected well in the Devon and Cornwall Police mission statement. The force works hard to ensure that its officers and staff understand the need, and are trained to provide, a good service to the public. There are various internal and public scrutiny processes that monitor how officers and staff interact with the public. These work well, but the force needs to continue improving the way it manages the oversight of how coercive powers are used. In particular, the force needs to maintain a strong focus on monitoring how its staff use and record their stop and search powers and make use of body-worn video footage as it becomes more widely available.

The commitment to developing a strong ethical culture in the force is evident. Leaders at all levels promote the need to make policing decisions that are ethical and lawful and the workforce is able to recognise different forms of discrimination. It

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

is relatively easy for the public to make a complaint about Devon and Cornwall Police and complaints are generally managed to an acceptable standard. However, improvements need to be made in the quality of discrimination investigations, how complainants are kept updated, and ensuring that all appropriate cases are referred to the IPCC.

There are established and well-used processes by which the workforce can provide feedback and challenge to the force leadership which means that their concerns are identified and resolved. The force understands that its workforce is not representative of the wider community, and is taking action to increase representation of people with different backgrounds across the organisation, but it has more to do. Elements of the way that the force treats its workforce are outstanding. The force takes wellbeing seriously and acts positively to identify, understand and respond to the workforce's wellbeing needs. The majority of the workforce has responded positively and there is good engagement with the wellbeing agenda. However, the force needs to improve some of its other people management activity (most notably individual performance assessment), which is not as effective as it needs to be.

Areas for improvement

- The force should ensure that all stop and search records have reasonable grounds recorded.
- The force should ensure that all allegations of discrimination are investigated to a consistent and acceptable standard following IPCC guidelines.
- The force should improve the quality and timeliness of updates to complainants, in line with IPCC statutory guidance.
- The force needs to improve the management of its PDR process to increase its understanding of workforce performance, development and outcomes.

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

The importance of treating people with fairness and respect is reflected clearly in the force's mission statement. The force is explicit about what it expects from the workforce, the high standards of conduct it requires, and the importance of behaving in line with the national Code of Ethics for policing.⁹ Officers and staff receive appropriate ethics and values training when they join the force, and this continues during their service. The force conducts regular surveys to understand community perceptions of how people feel they are treated by the police, and the force has high levels of public confidence. We found that officers and staff at all levels understand the importance of fair and respectful treatment and the concept is well-established across the organisation.

Understanding of unconscious bias

There is a good level of understanding of unconscious bias across the force. Most members of the workforce have received unconscious bias training or other guidance to help them understand what it is and how to overcome it. It is good that the force uses a variety of methods (such as officer safety training, computer packages and internal conferences) to make sure that officers and staff are aware of how important it is to make decisions that are fair and unbiased. Specific training has also been provided to officers and staff involved in recruitment and selection processes. Even where staff have not received specific training, we found there was a good understanding of the concept of unconscious bias, which means that the community can expect to be treated fairly when dealing with the police.

Communication skills

Officers and staff are good at communicating with the public and the force understands the importance of effective communication skills. It has provided different forms of training to frontline officers, staff and call handlers to help them perform their roles more effectively. For example, 'being understood' training has helped staff to have a better understanding of how their communication style is received and perceived by others. Additional training is provided for specialist roles

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 *Code of Ethics – A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales*, College of Policing, London, July 2014. Available at: www.college.police.uk/What-we-do/Ethics/Documents/Code_of_Ethics.pdf

(such as ‘enhanced communicator’ skills to provide a better response to distressed callers on the 999 service or interviewing vulnerable victims of crime). We found that most staff are aware of varying types of communication (for example verbal and non-verbal) and could explain the importance of responding appropriately to different situations to get the best results and outcomes where possible. The force should continue to focus on this important area to ensure that the workforce receives training that is regularly updated and relevant to their role.

Use of coercive powers

The workforce has a good understanding of how to use coercive powers. Regular training and guidance is provided in the use of force and stop and search, along with understanding of the consequences for both the police and public confidence if such powers are used incorrectly. The use of coercive powers is supported by ethical decision making. During our inspection we found that good levels of understanding of ethical issues helped officers when deciding whether and how to use force. Training in all forms of use of force emphasises the need for clear and consistent decision making in accordance with the National Decision Model.¹⁰ Officers and staff are trained and equipped to use coercive powers fairly and only when necessary.

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 force¹¹ and stop and search powers. Specifically, we inspected the extent to which forces record data and how well they scrutinise data and other information, including through external scrutiny,¹² to understand and

¹⁰ *College of Policing - Authorised Professional Practice on National Decision Model*, College of Policing, December 2014. Available from: www.app.college.police.uk/app-content/national-decision-model/?s

¹¹ 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/

¹² *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

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 to improve treatment

Devon and Cornwall Police monitors how its officers and staff use force, but needs to continue to develop its monitoring processes. The force records incidents of use of force by its staff in line with the national recording standard, but its internal monitoring processes need to be more consistent. It has established review processes for when force is used in custody offices across the force. Similarly, we found that the use of Taser is well-supervised and subject to high levels of scrutiny. The force is developing the application of body-worn video in collaboration with Dorset Police. The project is currently in the trial phase. At the time of our inspection, body-worn video equipment was being issued to all firearms officers, in recognition of the need to provide higher levels of scrutiny in firearms situations. The force should ensure that body-worn video footage is made available as quickly as possible to support the internal and external review of how members of the public are treated by officers in operational situations.

There is an internal use of force scrutiny group in Devon and Cornwall which considers all types of use of force by the police, but this was formed only shortly before our inspection and has not yet shown any improvements for the public. Devon and Cornwall Police has yet to analyse trend data such as the use of force on people from different backgrounds or on those with poor mental health. The public needs to be assured that all use of force in Devon and Cornwall is proportionate and justified.

External scrutiny to improve treatment

There are a number of effective and well-supported external scrutiny groups in place at force and local level to review police activity and to improve treatment. There is a strong independent advisory group structure in place which examines subjects such as positive action, violence against women and access to the police across the force. Each of the three basic command units (Devon, Cornwall and Plymouth) has local reference groups made up of community members who review specific subjects (including hate crime), give advice on local problems and offer feedback on the way that policing services are provided. To increase their knowledge of the force, members are given information packs, are able to observe relevant training (such as stop and search, domestic abuse or Taser) and are invited to join officers on patrol or in specialist departments. Each year the force holds a conference where information about new and emerging problems such as modern slavery and online crime is presented. When major local or national incidents occur, members are asked for advice about how best to manage the effect on local communities. The police and crime commissioner (PCC) is working with the Dorset PCC to set up an independent use of force scrutiny group to cover both forces. The contributions made by the community members improve public confidence and trust in the police.

The force has a strong commitment to working with the community to review the way it operates. The involvement of officers and staff in scrutiny processes at all levels is evident. There is a structured approach to external review with agreed plans and regular meetings that set out what areas the groups will examine and what information they need to see. At a scrutiny meeting attended by HMICFRS, the independent members were confident and were able to ask challenging questions of the police. Some meetings are chaired by police officers and others by independent community members. We acknowledge the range and breadth of the external scrutiny taking place, which would be enhanced by increased use of independent chairs to give the groups greater autonomy. The groups would also benefit from increased representation of young people. The force should continue working to promote the independence of external scrutiny groups and broaden their membership to ensure that the force remains open and accountable.

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 about individuals carrying unlawful items, without exercising their power of arrest. An officer must have reasonable grounds for carrying out a search.

While it can be a valuable tool in the fight against crime when based on genuinely objective reasonable grounds, the power to stop and search people is one of the most intrusive powers available to the police, and its disproportionate use among 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 so.

HMICFRS has assessed police use of stop and search on a number of occasions,¹³ and our 2015 legitimacy inspection¹⁴ found that too many forces were not always recording reasonable grounds on their stop and search forms. 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,¹⁵ and we also assessed force scrutiny mechanisms.

¹³ *Stop and Search Powers – are the police using them effectively and fairly?* HMIC, July 2013. Available at: www.justiceinspectorates.gov.uk/hmicfrs/media/stop-and-search-powers-20130709.pdf 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/

¹⁴ *Police legitimacy 2015 – a national overview*, HMIC, February 2016. Available from: www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/

¹⁵ See annex A for more information about the methodology for our review of stop and search forms.

Understanding of national guidance

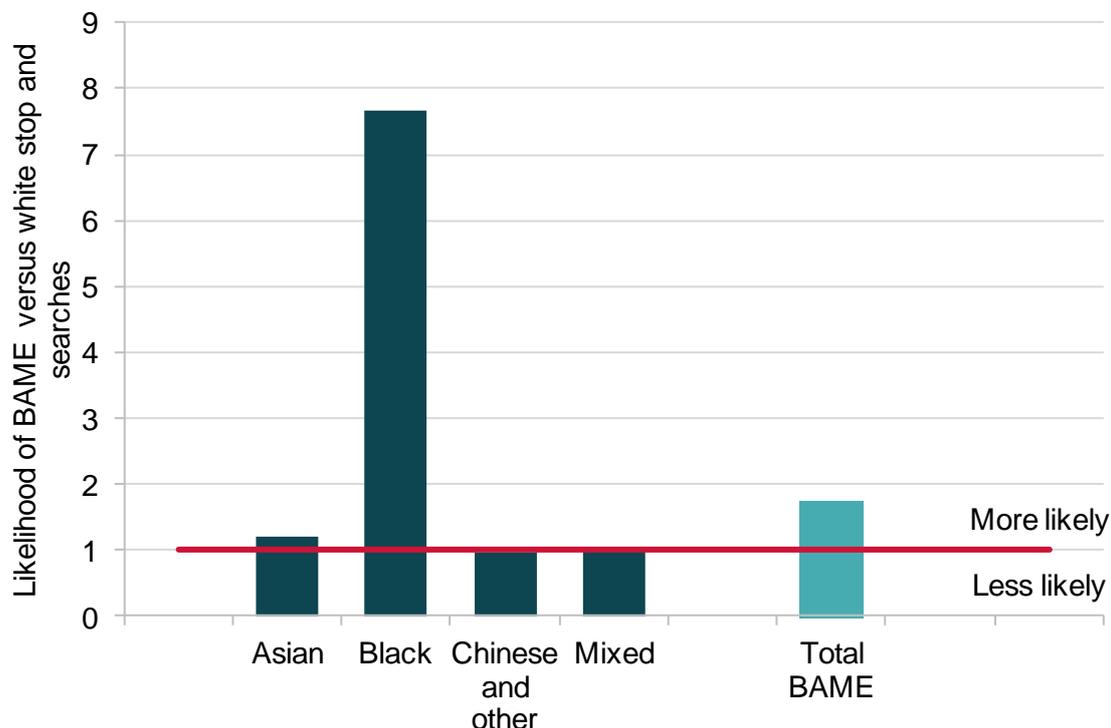
Devon and Cornwall Police officers have a good understanding of the national guidance on how to use stop and search powers, but need to improve the accuracy of search records. An internal review in 2016 by the force found that officers' knowledge and recording practices needed to improve. An HMICFRS audit of a sample of search records carried out after the force review (as part of this inspection), found that some officers and supervisors either did not understand, or did not know what constituted reasonable grounds for a search or how to record them correctly (see 'reasonable grounds for use of stop and search' section below).

In response to its internal review, the force designed training to incorporate national guidance and prioritised its provision to all relevant staff. The training included unconscious bias, the identification of reasonable grounds and the effect that being searched can have upon the subject. We reviewed the training material and spoke to officers who attended the course. We found that the course was well received and presented in a style that improved understanding. Officers told us they felt more confident about using their stop and search powers correctly. However, when we reviewed 200 stop and search records we found that 26 did not have grounds recorded that were reasonable (see 'reasonable grounds' below). We acknowledge that the force has given updated training to officers since our review, but until there is progress upon the quality of recorded searches this will remain an area for improvement.

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 Devon and Cornwall Police, black, Asian and minority ethnic (BAME) people were 1.7 times more likely to be stopped and searched as white people. Black people were 7.7 times more likely to be stopped and searched than white people, which is the greatest difference in any ethnic group in the force area when looking at the likelihood of being stopped and searched compared with white people.

Figure 1: Likelihood of black, Asian and minority ethnic (BAME) people being stopped and searched (under section 1, PACE)¹⁶ compared with white people, in the local population of Devon and Cornwall Police in the 12 months to 31 March 2016



Source: Home Office 2016

Devon and Cornwall Police has appropriate processes in place for monitoring stop and search activity. The force records stop and search information on its data systems. A series of review and scrutiny processes then take place at local and force level to check for accuracy and identify any trends or themes that need to be addressed or improved. We examined why black males are disproportionately more likely to be stopped and searched, and the force was able to show that the main reason involves the targeting of specific organised crime groups with black members from outside the force area.

We discussed this issue with the deputy chief constable and found that the force monitors this subject closely. However, it must continue to be alert to the risk of unconscious bias influencing decisions to stop and search black males.

Feedback on the use of stop and search powers is provided to all levels, from individual officers through to area commanders. Lessons learned are used to inform future stop and search training. HMICFRS reviewed existing scrutiny processes and found that the effective application of powers could be improved through developing better links with local and force tasking processes. Additionally, more detailed analytical reviews of stop and search data could lead to alternative results for disproportionality.

¹⁶ Police and Criminal Evidence Act 1984. Available at: www.legislation.gov.uk/ukpga/1984/60/section/1

External scrutiny of stop and search powers to improve treatment

The force is good at using external scrutiny of stop and search powers to improve its treatment of the public. The force publishes information on its website about the legal power of stop and search along with a range of performance data so the public can examine different aspects of stop and search activity. An external stop and search scrutiny group, with an independent chair, meets quarterly with a senior officer to review stop and search data. HMICFRS attended an external scrutiny meeting and found that the participants were knowledgeable about the subject, and had been provided with sufficient data to allow them to challenge the police. The group includes people who have been stopped and searched by the police. It also uses survey feedback provided by people who have been stopped and searched.

Some members of the external scrutiny group have been on patrol with officers and have observed the operational use of stop and search powers. In one encounter the group member was concerned that the vulnerability of the subject wasn't sufficiently considered by the searching officer and the feedback given to the external scrutiny group led to a change in force recording practices. The force is increasing its external scrutiny capacity to allow it to focus more on specific geographic areas and not just at force level.

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 that the grounds must be recorded on the stop and search record.¹⁷

In our 2013 inspection into the police use of stop and search powers,¹⁸ we were concerned to see that, of the 8,783 stop and search records we examined across all forces in England and Wales, 27 percent did not include sufficient reasonable grounds to justify the lawful use of the power. For Devon and Cornwall Police, the 2013 inspection showed that 30 of 200 records reviewed did not have grounds recorded that were considered reasonable. In 2015, as part of our PEEL legitimacy inspection,¹⁹ we carried out a further review of the recorded grounds in a sample of stop and search records. In that inspection, our review of 95 records found that 12 did not have reasonable grounds recorded.

¹⁷ Police and Criminal Evidence Act 1984 Available from:
www.legislation.gov.uk/ukpga/1984/60/contents

¹⁸ *Stop and Search Powers: Are the police using them effectively and fairly?* HMIC 2013. Available at:
www.justiceinspectorates.gov.uk/hmicfrs/media/stop-and-search-powers-20130709.pdf

¹⁹ *PEEL: Police legitimacy 2015*, HMIC, 2016. Available from:
www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/

During our 2017 inspection, we reviewed 200 stop and search records; 26 records did not have grounds recorded that we considered reasonable. This figure suggests that little improvement in recording has been achieved since 2013 and compares unfavourably with data on stop and search for England and Wales. Although the records we reviewed might 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.

It is important to note that a lack of reasonable grounds on the stop and search record does not necessarily mean that reasonable grounds did not exist in reality at the time of the stop and search. In 70 of the 200 records we reviewed, officers found the item they were searching for. This is an important measure – 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	30 of 200	12 of 95	26 of 200
Item searched for found	–	–	70 of 200

Summary of findings



Good

The force is good in the way it treats the people it serves with fairness and respect. Leaders demonstrate a commitment to treating people fairly and ethically. Officers and staff are mostly well-trained, understand how to communicate effectively and use their coercive powers fairly. They are aware of unconscious bias and how it can affect their dealings with the public. Use of force monitoring takes place, but recent changes have not yet shown any benefit. The force reviews its stop and search activity in a number of ways, but monitoring remains incomplete pending the routine availability of body-worn video footage. Officers need to demonstrate they understand stop and search grounds and know how to record them properly.

Area for improvement

- The force should ensure that all stop and search records have reasonable grounds recorded.

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,²⁰ as opposed to last year's focus on how well forces are guarding against corruption.²¹

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.²² Police leaders need to promote ethical principles and behaviour and act as role models, in line with the Code of Ethics.²³ 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 2018.²⁴

²⁰ *Police legitimacy 2015 – a national overview*, HMIC, February 2016. Available from: www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/

²¹ 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/

²² *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

²³ *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/

²⁴ 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

Leaders in Devon and Cornwall Police have set high standards and strive to create an ethical culture. A member of the executive team chairs a bi-monthly ethics panel which is attended not only by a broad cross-section of staff but also by independent academics from two universities. Members of the workforce are encouraged to submit ethical dilemmas for discussion. Advice and critical feedback is provided to senior leaders. The chief constable has supported the development of a series of in-house ethical dilemma films covering subjects such as the use of social media and relationships with victims. The subject matter is chosen from current trends in policing, and the films are targeted to encourage ethical debate and influence decision-making. The films have been shared with other forces and nationally through the College of Policing, receiving positive feedback. The force has a lead role in the regional police ethics committee and works with academic partners to share best practice. The work of senior leaders ensures that the force acts with integrity in its dealings with the public.

The force places ethics at the centre of decision-making. Staff are encouraged and empowered to do the right thing, to challenge and to report on both good and poor practice. We found ethical decision-making to be an integral part of learning and development programmes. It also forms part of the training for newly-appointed leaders at sergeant and inspector ranks. Chief officers' and senior leaders' expenses are published on the force website along with details of gifts and hospitality received by members of the force. An ethical review of an operational tactic led to a change in force policy for searching children, when it was determined that although the practice was lawful, the force wanted to put additional safeguards in place to ensure that their treatment was ethical. Leaders act in accordance with force values of fairness and respect, integrity, courage and professionalism.

Ethical decision making

The force is good at ethical decision making. There are policies and procedures in place that incorporate the national Code of Ethics and there is consultation with external groups about their content. Ethics-based approaches and training are evident through recruitment, selection and development processes. Ethics-based questions form part of recruitment and selection processes, and the force rejects applicants wanting to be a police officer if they cannot demonstrate personal values that meet force expectations. New recruits endorse a copy of the Code of Ethics as part of their training to symbolise their commitment to the code. The force intranet has prominent Code of Ethics pages, and the information is updated regularly to maintain awareness and prompt discussion of emerging issues. We found that officers and staff have good levels of awareness and understanding of ethics, and

how to use them to make decisions in the workplace; for example when recording decision-making rationale on incident logs in the communications centre. There is some evidence that the workforce feels confident they would be supported if they made genuine mistakes, but the force needs to continue working to improve confidence in this area. The use of ethics in decision-making is likely to lead to a service that the public perceives as fair.

Vetting

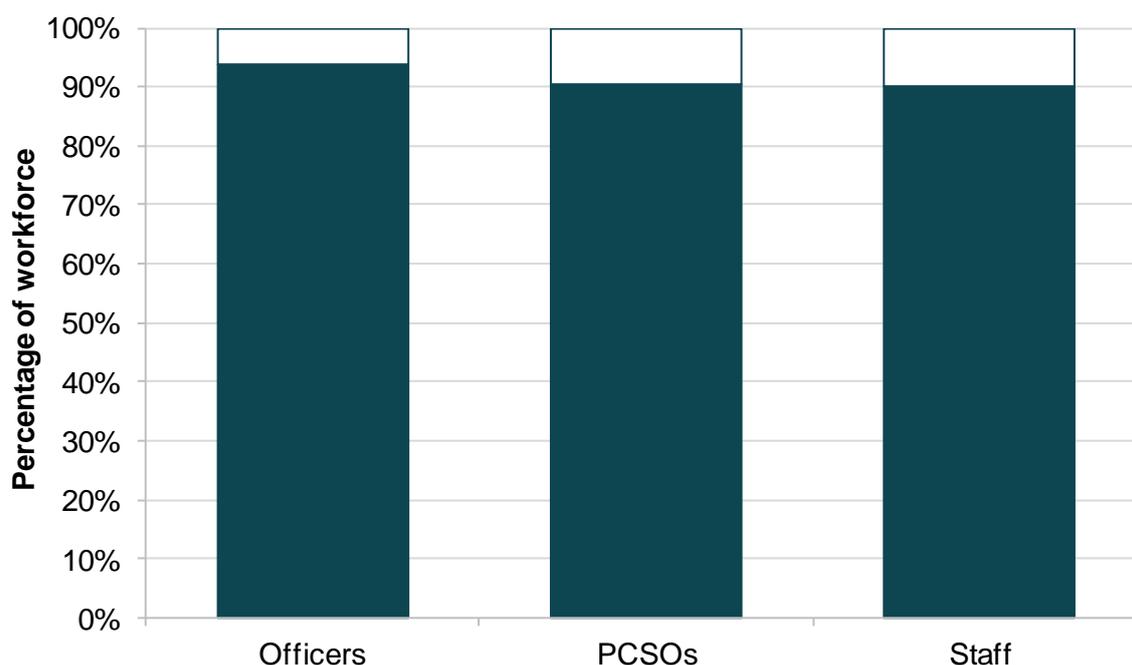
During our 2016 legitimacy inspection, we considered the extent to which the force was ensuring it was developing and maintaining an ethical culture through effective vetting. We found that Devon and Cornwall Police was not complying with all aspects of the national vetting standards²⁵ because 326 members of the workforce were not vetted to the existing national police vetting policy standards and there was no clear plan in place to address this. Subsequent research by the force after our 2016 inspection revealed that the correct number of officers and staff without appropriate vetting was 558.

At the time of our 2017 inspection the vetting backlog was 366 officers and staff. During this year's inspection we assessed the force plan for addressing these problems, and found that the force is prioritising resources to vet members of the workforce in public-facing roles (particularly police officers and police community support officers) in response to its own threat assessment that identifies the abuse of authority for sexual gain as being the greatest risk. The second priority is the vetting of officers and staff with access to force information assets. The force has reassigned resources within the vetting unit to deal with the backlog of work. The force's plans to vet all officers and staff to the appropriate standard within the timescale recommended by HMICFRS are ambitious, but are realistic based upon current rates of progress. We will continue to monitor how the force manages this subject.

It is important that re-vetting takes place regularly and before an individual is promoted or posted to a high-risk unit. During this year's inspection we asked Devon and Cornwall Police to provide us with data on the percentage of its workforce who had up-to-date security clearance. The data we received showed that on 31 January 2017, 94 percent of officers, 91 percent of PCSOs, and 90 percent of staff had up-to-date security clearance, as illustrated in figure 2.

²⁵ 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 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/

Figure 2: Percentage of officers, PCSOs, and staff with up-to-date vetting checks, in Devon and Cornwall Police as at 31 January 2017



Source: HMICFRS Legitimacy data collection

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.²⁶ 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

Devon and Cornwall Police is generally good in making it easy for people to submit complaints against the police. The force website has clear and up-to-date information about how to make a complaint which can be translated into different languages. Call handlers in the force control room are trained to take complaints,

²⁶ 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

recording the complaint and flagging it for action based upon an assessment of the circumstances. We reviewed several files and found that where complainants in need of additional support were identified, assistance was offered in the majority of cases. However, the force needs to remain alert to the additional needs of some complainants so that everyone has the ability to make complaint against the police if they need to.

HMICFRS found that information about how to make complaints against the police was not readily available in the public areas of police stations we visited across the force, contrary to IPCC requirements. Counter staff were able to reassure us that they would take appropriate action if someone wanted to make a complaint, but the force should make complaint information available in public places to make sure that traditional methods of contact remain open to members of the community that need them. Complaint leaflets are available within custody offices in the force. The force targets specific groups, such as young people, to explain their rights in the stop and search process, but the public would benefit if this communication went further into communities and groups which have less confidence in the police. Increasing public awareness of how to make a complaint improves community confidence levels.

Keeping complainants updated

The force needs to improve the way it keeps people updated about their complaints. We reviewed 25 complaint files and found that although complaints are recorded correctly, complainants were supplied with copies of the appropriate paperwork in only 18 of the cases. The investigations were, in the main, conducted in a timely, fair and professional way. Professional standards department (PSD) staff investigate more serious allegations, and complaints suitable for local investigation are logged centrally before being investigated by supervisors from the area where the incident occurred.

Of the complaint files we reviewed, only ten of 25 contained regular updates to the complainants, of which only eight were sufficiently informative. For misconduct files, nine of 13 contained regular updates to the parties involved, of which eight were sufficiently informative. Further, we could only find evidence that the force had provided the complainant with the appropriate documentation at the end of the investigation in 14 of the 25 cases we looked at. It is not possible to tell from a file review whether the relevant updates actually took place and were not properly recorded, or whether they did not take place at all. The force needs to improve how it updates complainants (and/or records the updates) so that it can maintain public confidence in the complaints process.

How well does the force identify and investigate potential discrimination by 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.²⁷

Identifying and responding to potential discrimination

Devon and Cornwall Police is generally good at identifying and responding to potential discrimination. Ethical behaviour and fair treatment of others is a consistent force theme alongside specific guidance about how to identify and respond to discrimination. This provides the workforce with a good level of understanding and appreciation of the need to deal with all forms of discrimination quickly and fairly. Officers and staff we spoke with were aware of the need to address any incidents of potential discrimination, including any within the force, and how to report such matters, confidentially if necessary.

Of the 25 complaint files we reviewed we found that the force had correctly identified whether there was any discrimination in each case – both when it was explicit within the substance of the complaint and also when it was not. We reviewed a sample of discrimination complaints and found that the force made appropriate referrals to the Independent Police Complaints Commission (IPCC) in six out of seven cases. In general, the force identifies and responds appropriately to incidents of potential discrimination, but must take steps to ensure that IPCC referrals are made in every applicable case.

Investigating allegations of discrimination

The force needs to improve the way it conducts some investigations into allegations of discrimination. In Devon and Cornwall Police there is an overall good understanding of discrimination, and the potential adverse effect it can have on communities. PSD staff have been specifically trained to investigate discrimination cases and guidance is available on force systems for other investigators. Investigations are usually completed on a timely basis and most complainants receive an overall reasonable level of service.

²⁷ 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

However, our file review found that although the quality of the overall discrimination complaint investigations was generally good, in six of the ten cases we looked at, the discriminatory element of the complaint had not been dealt with to a sufficient standard for varying reasons. In the same sample of ten cases we found that only eight complainants had received a good overall service from the force. The force needs to address these inconsistencies in how it deals with discrimination complaints, making sure that investigators are suitably aware of the relevant IPCC guidelines for handling allegations of discrimination and the importance of keeping complainants updated.

Summary of findings



Requires Improvement

Devon and Cornwall Police has areas of good practice in how it ensures its workforce behaves ethically and lawfully, but needs to make improvements in how it deals with complaints and discrimination allegations. Leaders are clear and visible in the promotion of ethical conduct and decision making based upon ethical judgments is evident across the force.

Staff training and force systems mean that the public can make a complaint against the force relatively easily, but more information needs to be made available in public areas of police stations. Workforce awareness of potential discrimination is high, but the force needs to improve the way that it investigates discrimination allegations, the way that it keeps complainants updated and ensure that all relevant referrals are made to the IPCC.

Areas for improvement

- The force should ensure that all allegations of discrimination are investigated to a consistent and acceptable standard following IPCC guidelines.
- The force should improve the quality and timeliness of updates to complainants 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.²⁸ 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.²⁹ HMICFRS assessed how well force leaders seek feedback from their workforces and use this, alongside other data and information – including that on grievances³⁰ – to identify, understand, prioritise and resolve their workforces’

²⁸ *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

²⁹ *Ibid.*

³⁰ 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.³¹

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.³² 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.³³

Leaders seeking feedback and challenge from the workforce

Devon and Cornwall Police leaders are good at seeking feedback and challenge from the workforce. Extensive use is made of force systems to conduct regular surveys, host online discussion boards and chat rooms, and provide different avenues for staff to raise problems at local or force level. Chief officers and senior leaders make personal visits and hold meetings that give staff opportunities to discuss workplace concerns. Staff we spoke to were, in the main, confident they could raise questions with leaders at all levels (not just chief officers) and get a suitable response. Examples include individual concerns about the effect of force plans to reduce PCSO numbers and improving the efficiency of criminal investigations by securing approval for additional investment in technical equipment.

Chief officers and senior leaders meet representatives of staff associations and unions regularly. These meetings are open and constructive which is important, because they are an essential way in which the workforce can talk to both BCU and force leaders. Many staff we spoke to described their ability to raise questions with force leaders in positive terms, but some felt that leaders had become less visible following the alliance with Dorset Police, and that the large size of both forces can

³¹ *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

³² 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

³³ 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/

reduce the visibility of leaders. The force recognises these problems and should continue to encourage productive conversations with the workforce in diverse and creative ways to maintain and increase organisational confidence.

Identifying and resolving workforce concerns

The force is good at resolving workforce concerns and frequently monitors a range of information and data, including feedback from the workforce, to recognise issues that influence perceptions of being treated fairly. The force has a grievance procedure that is clear and well-publicised. We reviewed ten grievance investigations and found that the procedure was complied with and good communication took place with all parties. The grievance reports are generally fair and balanced and it is pleasing to note the practice of ensuring that the aggrieved person can formally comment on the acceptability or otherwise of the resolution process. Senior leaders regularly review organisational data (at the quarterly strategic people board chaired by the HR director and in executive meetings) to identify trends and patterns that require action. However, some problems exist with the people management computer system, affecting data availability and causing additional work. The force has a plan in place to address the problems to make processes more efficient.

In response to workforce concerns, the force changed its approach to staff wellbeing and introduced a number of successful projects (such as the provision of additional exercise equipment across the force and better access to information about diet and health at work). The force change programme is addressing workforce concerns by providing additional resources in the parts of the force which are under the most pressure, such as specialist investigation teams and areas of peak summer demand in Cornwall. Members of the workforce generally feel able to challenge leaders openly and know they will be taken seriously.

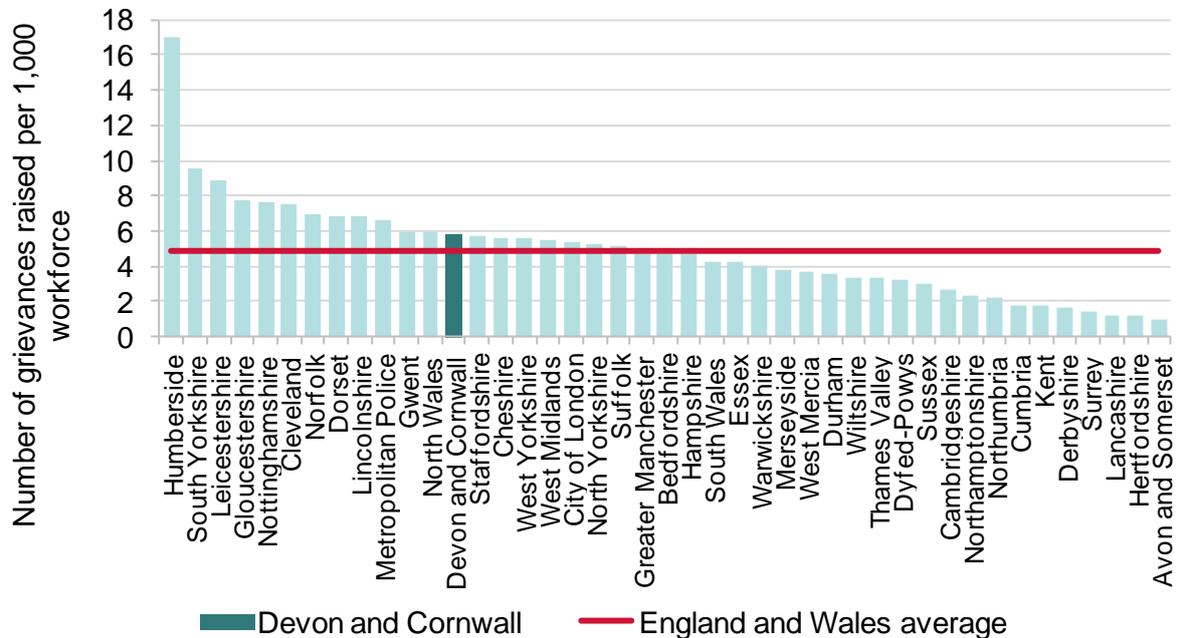
Data on the numbers and types of concerns, problems or complaints (collectively known as grievances) that have been raised by officers or staff can provide forces with useful information about matters of concern to their workforces.

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 Devon and Cornwall Police had 5.8 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 below shows that the number of grievances raised by officers in Devon and Cornwall Police was 2.4 grievances per 1,000 officers, and the England and Wales average of 4.1 grievances per 1,000 officers. In the same period PCSOs raised no grievances, and the England and Wales average was 4.4 grievances per 1,000 PCSOs. Police staff raised 14.1 grievances per 1,000 staff in the same period; and

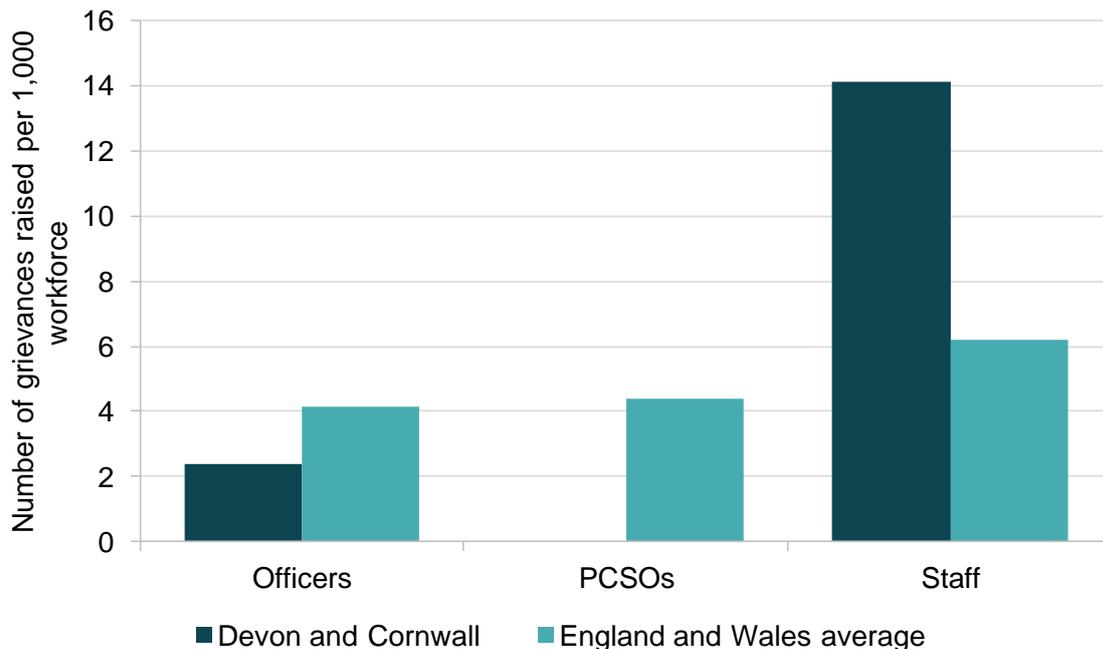
the England and Wales average was 6.2 grievances per 1,000 staff. This figure is comparatively higher than the national average and the force will wish to assure itself that it is addressing any underlying issues effectively.

Figure 3: Grievances raised per 1,000 workforce, in Devon and Cornwall 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 Devon and Cornwall Police in the ten months from 1 April 2016 to 31 January 2017



Source: HMICFRS Legitimacy data collection

Creating a more representative workforce

The force is working to address disproportionality in the workplace, which is a problem locally and throughout England and Wales. It understands that its workforce is under-represented by persons of black, Asian and minority ethnic (BAME) heritage, by women and other people with different backgrounds, both within the force as a whole and at senior ranks. The force analyses workforce information to address disproportionality with governance provided by the HR department and the equalities, diversity and human rights board chaired by the chief constable. The staff associations are included in the process and a quarterly external advisory group advises the force on matters of leadership, positive action and culture.

There is a positive action strategy (and work plan) in place that seeks to address under-representation through the work of a dedicated positive action team (formed in 2016). The work plan includes projects such as a women-only fitness test, surveying of under-represented groups and mentoring support.

A targeted BAME recruitment process has begun and the positive action team undertakes community engagement to increase interest and applications from under-represented groups. No reported results were available at the time of our inspection. The force must become more successful in its recruitment, selection and support for people from under-represented groups to benefit from increased diversity in its workforce and maintain confidence across the different communities it serves.

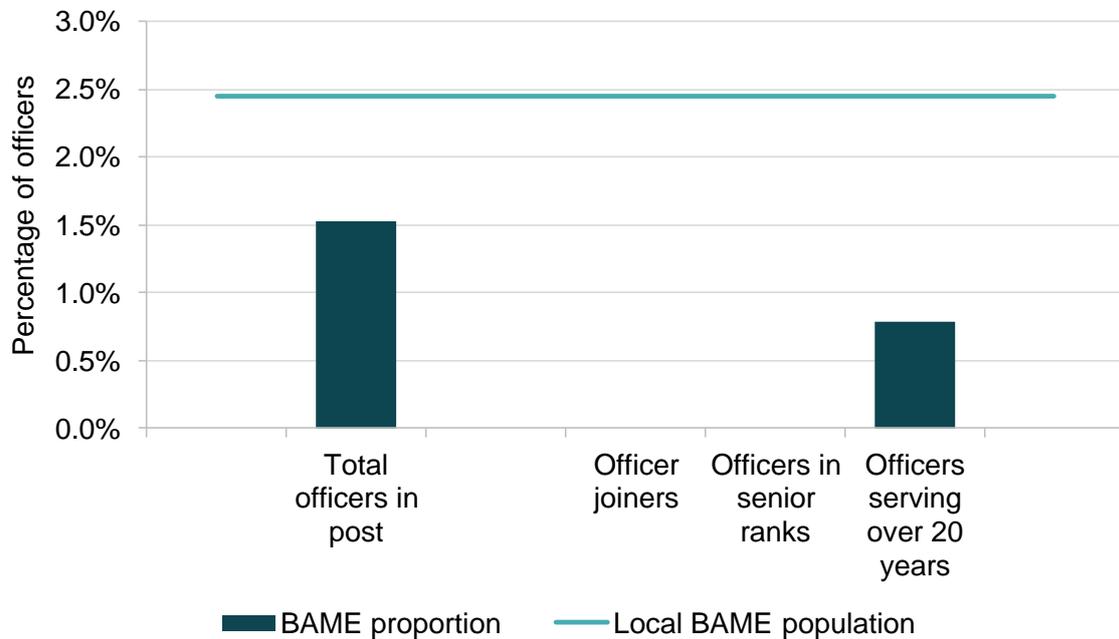
There is no internal BAME staff network in the force after members decided the ethnic minority police association could not continue as a self-organised support group. Support is provided to BAME staff in other ways, for example the force provides additional support and consideration for BAME officers subject to complaint or misconduct allegations, recognising that they are disproportionately likely to be subjected to these type of allegations. The force must assure itself there are clear pathways in place for those who want to access specialist support. The force recognises that women are under-represented in internal promotion processes. The women's network is well established and there are projects designed to help women develop their careers. Disproportionality continues to be a problem for the force and requires a greater degree of attention if the force is committed to addressing any underlying issues.

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 Devon and Cornwall Police, the 2011 census indicates that BAME people made up 2.5 percent of the local population. In 2016/17, in Devon and Cornwall Police 1.5 percent of officers were BAME (see figure 5).

In relation to officers, none of those joining the force, none of those in senior ranks and 0.8 percent of those who had served over 20 years were BAME.

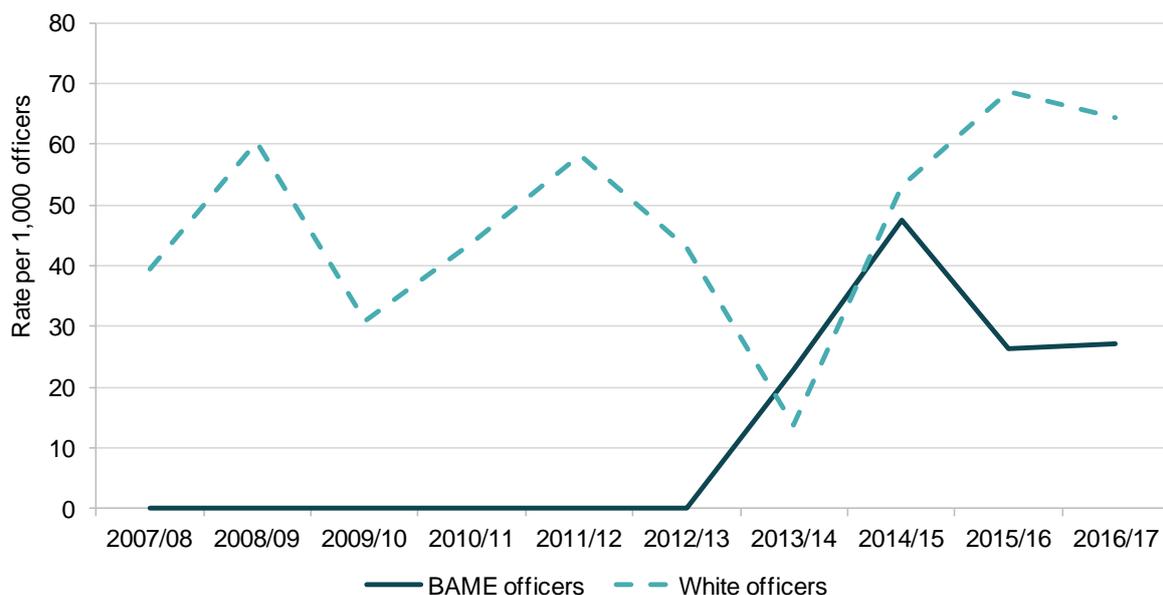
Figure 5: Percentage of officer joiners, officers in post, officers in senior roles and officers serving over 20 years who are black, Asian or minority ethnic (BAME), in Devon and Cornwall Police in 2016/17, compared with the percentage of BAME people in the local population



Source: Home Office Annual Data Requirement

Note: High percentages may be due to low overall numbers. The figure above represents officers where an 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 Devon and Cornwall Police from 2007/08 to 2016/17

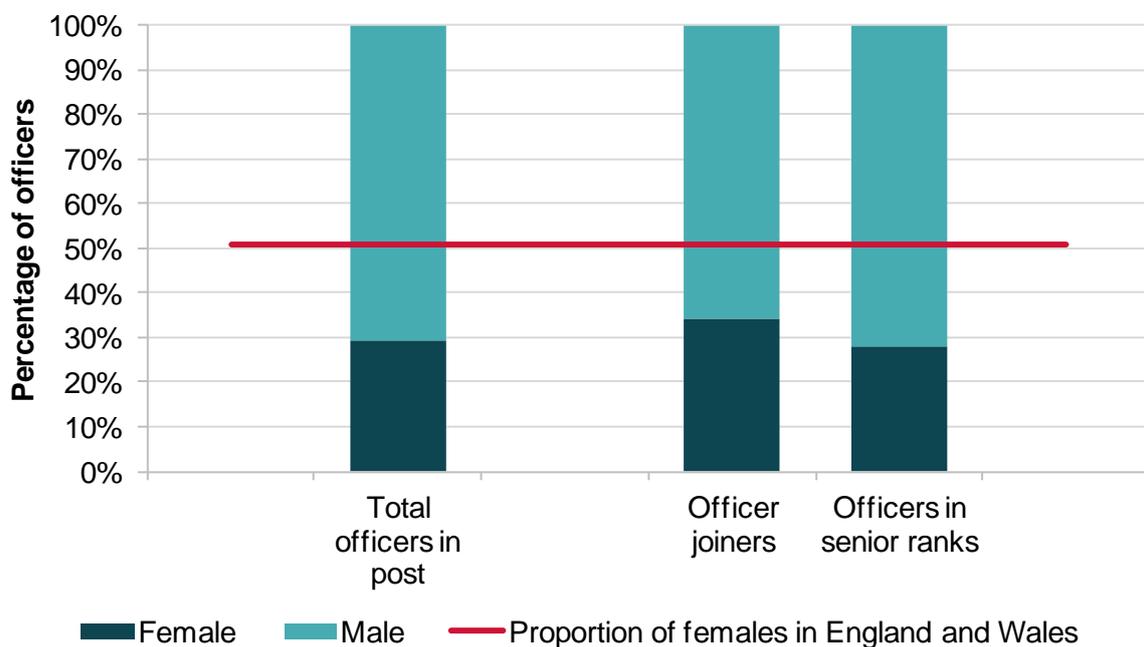


Source: Home Office Annual Data Requirement

In 2016/17 in Devon and Cornwall Police for the equivalent of every 1,000 BAME officers, 27 left the force (see figure 6 above), while for every 1,000 white officers 65 left. Fluctuations in the BAME officer leaver rate may be due to low numbers of BAME officers in the force.

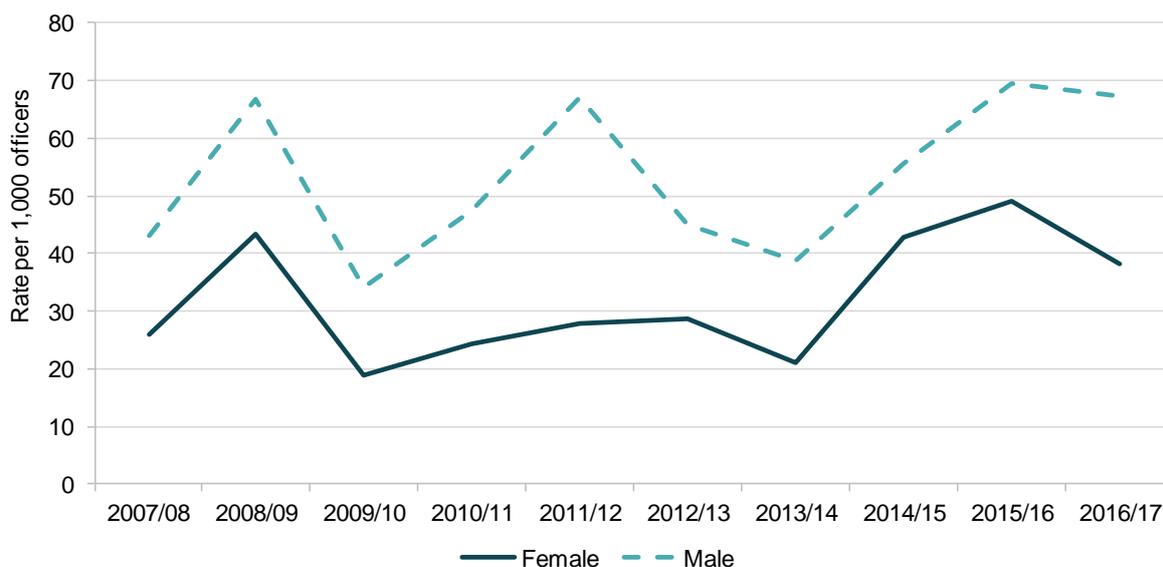
The proportion of female officers is lower than the proportion of females in the general population (51 percent) at 29 percent. In the 12 months to 31 March 2017 in Devon and Cornwall Police, 34 percent of those joining the force and 28 percent of those in senior ranks were female (see figure 7).

Figure 7: Percentage of officer joiners, officers in post and officers in senior ranks, by gender, in Devon and Cornwall 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 Devon and Cornwall Police from 2007/08 to 2016/17



Source: Home Office Annual Data Requirement

In 2016/17 in Devon and Cornwall Police 38 female officers per 1,000 officers left the force, compared with 67 male officers per 1,000 officers.

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.³⁴ 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.

Understanding and promoting wellbeing

The force approach to understanding and promoting the wellbeing of the workforce is of a high standard. The health and wellbeing of staff is recognised as a priority by leaders who have invested considerable resources and personally promoted its importance to all members of the organisation. The force has appointed a medical

³⁴ *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/>

professional as its senior wellbeing lead (shared jointly with Dorset Police), who works with two staff responsible for supporting others and promoting healthy lifestyles within the force. The occupational health department is closely integrated with the wellbeing agenda. There is a wellbeing strategy in place that has been well received by the workforce. The officers and staff we spoke to were overwhelmingly positive about the approach the force has taken, and felt that the force culture has changed for the better because of the wellbeing investment. A healthier workforce is likely to be more productive, with better attendance at work and a more positive outlook.

Identifying and understanding workforce wellbeing needs

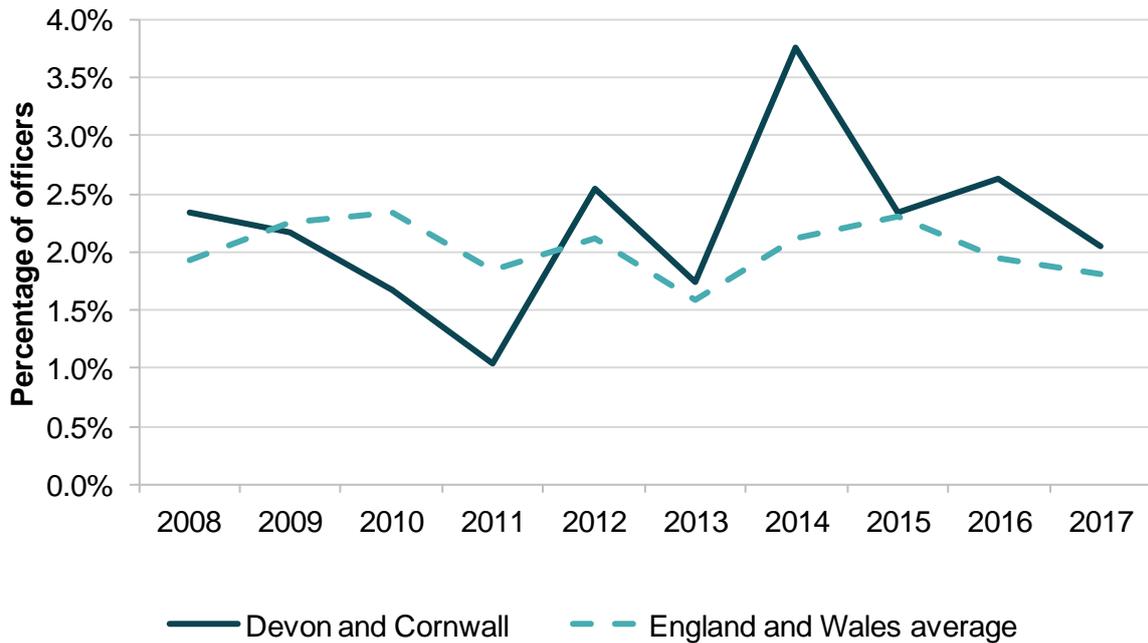
There are a range of coherent and effective measures that the force uses to identify and understand the wellbeing needs of its workforce. The force health and wellbeing delivery group meets quarterly and is chaired by the joint wellbeing lead (with Dorset Police) for the force. Supported by monthly departmental and BCU wellbeing boards (chaired by senior officers) the governance structure enables good information exchange about what problems staff are dealing with and how they are affected by them, especially high levels of demand and individual workloads in some parts of the force. Themed surveys take place several times a year on subjects that include emotional energy and wellbeing, and the results are published on force systems. Other data sources that record staff sickness, working hours, demand analysis and general feedback are reviewed and assessed by force leaders. The force has worked hard to get a clear understanding of the workforce's wellbeing needs.

The force has created a culture where officers and staff increasingly feel able to talk openly about mental health problems and provide support to others. An example of best practice is the peer support network that allows staff to identify themselves on the force intranet as willing to help others through physical and psychological situations that they have experienced themselves. The force has achieved a commendable level of progress in its understanding of need and willingness to provide a wide range of wellbeing support to 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 Devon and Cornwall Police, 2.0 percent of officers were on short or medium-term sick leave. The England and Wales average was 1.8 percent. The latest year for which data is available was 2017 which saw a decrease of 0.6 percentage points from the previous year, which is in line with changes in the last ten-year period (see figure 9 below).

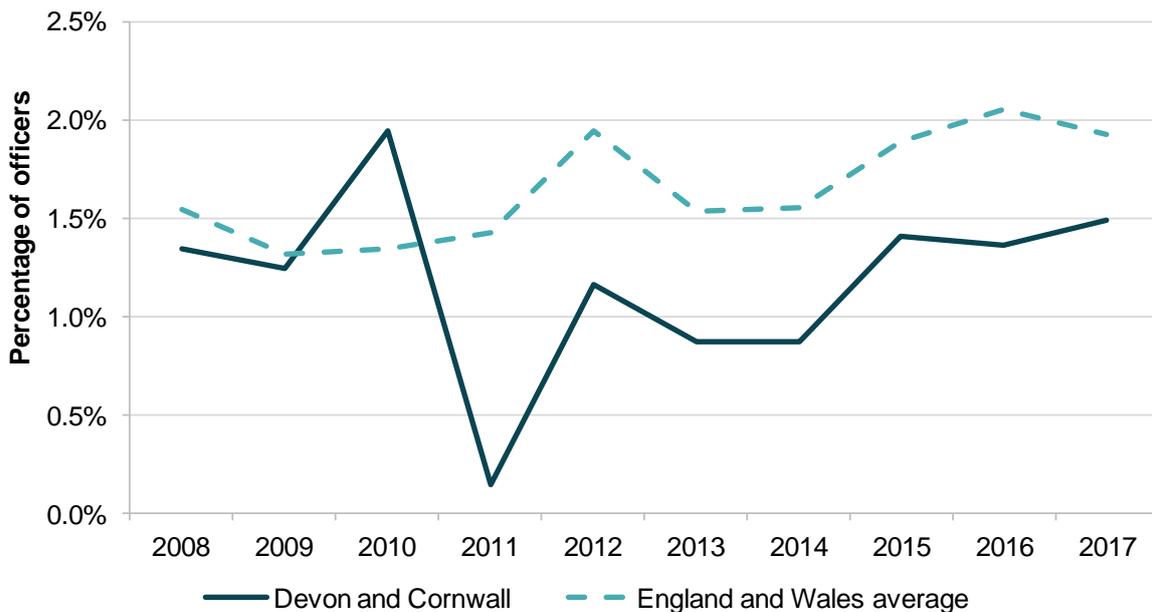
Figure 9: Percentage of officers on short or medium-term sick leave, in Devon and Cornwall Police compared with the England and Wales average, on the 31 March from 2008 to 2017



Source: Home Office Annual Data Requirement

On 31 March 2017 the proportion of officers in Devon and Cornwall Police on long-term sick leave was 1.5 percent and the England and Wales average was 1.9 percent. The latest year for which data were available is 2017 which saw an increase of 0.1 percentage points from the previous year, which is in line with changes in the last ten-year period (see figure 10 below).

Figure 10: Percentage of officers on long-term sick leave, in Devon and Cornwall 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

Devon and Cornwall Police has a well organised and structured approach to taking preventative and early action to improve wellbeing. Officers and staff working in stressful roles (such as child abuse investigators) receive regular occupational health checks and mindfulness training is provided to staff to help them manage their mental wellbeing. We found that first line supervisors have generally responded well to training about the warning signs of stress and ill health. Similarly, the introduction of specific awareness training and wellbeing projects in the force control room has had a positive effect upon staff who work there. Force wellbeing staff are deployed to hotspot areas of the force where multiple stress-related referrals have been made, in order to take proactive action with the workforce. There is an evident and growing culture amongst staff and supervisors which recognises the importance of early intervention around mental health as part of the overall wellbeing agenda.

The force has also introduced a series of projects to focus on the physical wellbeing of staff. New and upgraded gym equipment is available around the force, and is supported by awareness and coaching sessions which focus on nutrition, sleep patterns and weight management, especially for shift workers. Activate 2020 is a programme led by the chief constable and run jointly with Dorset Police, that has seen the distribution of fitness monitors to hundreds of staff to improve the force understanding of the effect of the wellbeing agenda. The results are analysed jointly with Exeter University. Although the wellbeing agenda is visible across the force, efforts must be maintained to communicate with officers and staff in stations that are more remote so that they benefit as much as their urban counterparts. The force should also do more to maintain contact with officers and staff who have been subject to complaint or misconduct allegations. Our PSD file review revealed that just over a third (five out of thirteen) had insufficient contact recorded, although the overall level of service provided was satisfactory across the cases we looked at. Early intervention and support for the workforce can help to reduce absence, improve health and raise performance.

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.³⁵ 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.³⁶ 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

The force needs to improve the way it manages and develops individual performance. The force performance, development and review (PDR) policy is published on the force intranet site. There is guidance for managers conducting reviews, including setting meaningful objectives, dealing with poor performance and managing difficult conversations. The force has an expectation that staff have regular career conversations with their line managers throughout the year. The process is clear, open and accessible.

However, we found that the system is not consistently implemented across the force. In the 18 months from 1 August 2015 to 31 January 2016 some 60 percent of the workforce had a completed PDR. A recent force survey found that approximately a third of staff had not had a career conversation with their line manager. When we spoke to staff, a significant number did not have sufficient confidence in, or knowledge of, the PDR system. It was seen by some as an administrative exercise that did not set objectives, inform training applications or career progression decisions in a meaningful way. In some areas of the force the process is well-accepted and adhered to, but this is not a consistent position. Senior leaders are

³⁵ *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.

³⁶ 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

aware of the problems with the PDR process. The deputy chief constable is leading the improvement work, particularly the importance of people having regular meaningful conversations with line managers, to make PDR more effective across the force. The implication of not having an effective PDR system is that the organisation is not fully aware of how its staff are performing and the workforce may not be focused on providing the service that the public requires.

Identifying potential senior leaders

Devon and Cornwall Police needs to improve the way it identifies potential senior leaders. In late 2016 the force conducted a self-assessment (joint with Dorset police) against the guiding principles of leadership published by the College of Policing. 'The results identified the need for a more comprehensive approach to talent management. The force has several good local projects in place aimed at identifying talented officers and staff. For example, in the force control room there is a shadow leadership programme where staff are able to work alongside leaders and study for a leadership diploma. To improve representation of women at more senior ranks, the force has offered a limited number of places to female staff and officers on an external Leadership Programme. The women have been identified through a talent mapping process. There is access to external academic courses and online resources that have helped some staff develop alongside specific departmental projects. 'However, there is no coherent force-wide talent management scheme. We spoke to officers and staff who felt that talent spotting was largely subjective, and was left to local managers to make decisions about which staff to support.

The people strategy 2016-2020 has a stated aim of developing people, including future leaders, and has plans to develop a new talent management framework jointly with Dorset Police, but it is not yet in place. We acknowledge the intention to develop a consistent talent management process, but at the time of our inspection work in this area was not sufficiently developed for us to comment on.

Selecting leaders

The force is implementing a new approach to promotion and selection in line with the national police promotion framework, but it is not yet part of routine practice across the force. The force promotion process is under review, with new approaches introduced in some areas, but the same process is not in place for all ranks and roles. At senior levels the force has begun to use an assessment tool called the 'nine box grid' to assess an individual's competency for the role aspired to. The grid (or similar assessment tool) is not used consistently for all ranks or roles, but there is a clear intent (contained within strategies and directed by chief officers) to take a similar approach in future selection processes across the force. Where it is not used a greater reliance is placed upon a managerial assessment of a candidate's suitability for promotion, leading some staff to perceive the system to be unfair because individual relationships may carry more influence than personal competence. After the process has finished feedback is available to candidates.

The force has worked with female officers and staff to try and increase their success in promotion processes as part of its attempts to improve representation from all backgrounds across the force. We look forward to seeing continued investment in developing results which are more competency based, and which increase representation from different backgrounds at all levels of the force.

Summary of findings



Good

Overall, Devon and Cornwall police is good at treating its workforce with fairness and respect. It has well-functioning feedback and challenge processes between the workforce and senior leaders. The force has resources and activity in place to address disproportionality in recruitment, retention and promotion. Its approach to wellbeing is outstanding. The financial and human investment is significant and well-planned, demonstrating the importance the force attaches to this subject. Wellbeing leadership is evident at all levels, with new approaches to old problems and tangible cultural change in the workplace. However, the force needs to improve some of its other people-management processes, most notably individual performance assessment (PDR), which are not as fair or effective as they need to be.

Area for improvement

- The force needs to improve the management of its PDR process to increase its understanding of workforce performance, development and outcomes.

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 staff³⁷. 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).

³⁷ 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 Devon and Cornwall 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: Percentage of officers, PCSOs, and staff with up-to-date vetting checks, in Devon and Cornwall Police as at 31 January 2017

Data are derived from the HMICFRS data collection conducted prior to inspection. HMICFRS asked forces to provide the number and percentage of officers, staff and PCSOs who did not hold up-to-date security clearances in accordance with the ACPO Vetting Policy 2012.

Figure 3: Grievances raised per 1,000 workforce, in Devon and Cornwall Police in the ten months from 1 April 2016 to 31 January 2017

Figure 4: Grievances raised by officers, PCSOs and staff (per 1,000 officers, PCSOs and staff), in Devon and Cornwall 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 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 Devon and Cornwall 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 6: Comparison of officer leaving rates between white and black, Asian or minority ethnic (BAME) officers (per 1,000 white or BAME officers), in Devon and Cornwall 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 7: Percentage of officer joiners, officers in post and officers in senior ranks, by gender, in Devon and Cornwall 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 8: Comparison of officer leaving rates between male and female officers (per 1,000 male or female officers), in Devon and Cornwall 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 9: Percentage of officers on short or medium-term sick leave, in Devon and Cornwall 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 10: Percentage of officers on long-term sick leave, in Devon and Cornwall 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.³⁸ 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

³⁸ 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 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
- 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 practice³⁹ 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?

³⁹ 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.