

PEEL: Police legitimacy (including leadership) 2017

An inspection of Hertfordshire Constabulary



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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/hertfordshire/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/hertfordshire/.

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

3,398

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

officers

1,952

staff (including section 38)

1,227

PCSOs

219



Ethnic diversity

Percentage of BAME in workforce 31 March 2017

overall workforce

4.6%

officers

4.2%

staff

5.7%

PCSOs

3.2%

Percentage of BAME in local population, 2011 Census

12.4%



Gender diversity

Percentage of females in overall workforce 31 March 2017

43%

Hertfordshire Constabulary

England and Wales population, 2015 estimate

51%

Percentage of females by role 31 March 2017

Hertfordshire Constabulary

officers

31%

staff

63%

PCSOs

49%



Grievances

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

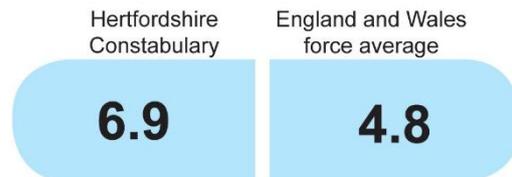


Stop and search

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

8,028

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



Good

Hertfordshire Constabulary 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 the previous two years, in which we judged the force to be good in respect of legitimacy.

The force is judged to be good at treating the people it serves with fairness and respect. It is judged to be good at ensuring its workforce behaves ethically and lawfully, and good at treating its workforce with fairness and respect.

Overall summary

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



Good

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



Good

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



Good

Hertfordshire Constabulary is good at treating the people it serves with fairness and respect. The force is committed to ensuring that its workforce has the skills it needs to treat people fairly and respectfully, for example by providing training in effective communication skills, the appropriate use of coercive powers and what constitutes reasonable grounds for stop and search. It is also improving the workforce's understanding of how to recognise and overcome unconscious bias.

The force is improving its internal scrutiny of use of force. It receives challenge and feedback from external scrutiny groups that have a diverse membership that includes young people. Scrutiny of stop and search could be improved by reviewing body-worn video camera footage and by including more young people in the community stop and search panel.

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

Hertfordshire Constabulary promotes an ethical culture and ensures that its workforce behaves ethically and lawfully. Leaders act as positive role models and have an ethical approach to decision-making. However, the force needs to ensure that it complies with national vetting standards.

The force makes it easy for people to make a complaint and offers extra support to those who need it. Most complaints are investigated well, although not all allegations of discrimination are conducted in a timely way.

Hertfordshire Constabulary is good at treating its workforce with fairness and respect. The force encourages challenge and feedback and is proactive in the way that it identifies and resolves workforce concerns. It provides a comprehensive and accessible wellbeing programme and uses preventative measures to improve workforce wellbeing. The officers and staff we spoke with felt that their wellbeing is a priority for the force. The force is developing fair and effective performance assessment, selection and promotion processes in alliance with Bedfordshire Police and Cambridgeshire Constabulary.

Areas for improvement

- The force needs to ensure that its data for use of force (including body-worn video footage) is monitored by an external group to provide additional oversight.
- The force should ensure that it has a credible plan to comply with all aspects of the national vetting standards by December 2018, in line with HMICFRS' nationwide recommendation in 2016.
- The force should ensure that all allegations which meet the mandatory criteria for referral to the IPCC are so referred, and that it updates witnesses and subjects regularly.
- The force should ensure that the grievance process complies with the Advisory, Conciliation and Arbitration Service codes of practice and guidance, particularly relating to timescales, records, audit trails, and updates and support to witnesses and workforce members who have raised a grievance.
- The force should ensure it develops and supports its supervisors and managers to conduct fair, effective and consistent assessments that support continuous professional development and manage poor performance, including establishing an effective quality assurance process.

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

Hertfordshire Constabulary's leaders demonstrate that they understand and value the benefits of procedural justice, and have put arrangements in place to provide the workforce with the knowledge and skills it needs to treat all the people it serves fairly and with respect. Chief officers continue to set out the force's mission statement and the values contained within the established 'Herts Way'; they communicate this vision through face-to-face briefings and leadership training, supplemented by online support, which contains a broad range of information for officers and staff.

Understanding of unconscious bias

The force has not yet provided training in unconscious bias to all officers and staff who come into contact with the public: it is still being conducted through face-to-face training. This means that officers and staff may not recognise such bias and may not seek to overcome it to ensure they are dealing fairly with the public. Of those officers and staff with whom we spoke who had received this training, we found that the level of understanding of unconscious bias ranged from no understanding to good understanding. We were pleased to note that training in unconscious bias is part of officers' initial training upon joining the force, as well as being covered in the online training package (see below). The force should therefore continue this programme of training to ensure that all of its officers and police staff have a good understanding of how to recognise and overcome unconscious bias.

Communication skills

Hertfordshire Constabulary's workforce understands the importance of effective communication skills. To improve its interactions with the public, the force provides the workforce with a wide range of training and guidance, an integral part of which is effective communication skills. Provided as part of the stop and search and self-defence training, it includes a mandatory online package. We spoke to officers and staff who know how to use communication skills well during their work with the public, such as de-escalating potentially violent situations. As one officer stated to us: "If you can't talk to people, then you shouldn't be a police officer. Ninety percent of the job is about communicating with people."

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>

We were pleased to hear that the force has improved communication skills and understanding with an Islamic faith group to identify cultural differences, and build trust between the police and faith group. This enabled a positive dialogue between the two to identify a missing child who was thought to have been taken to Pakistan.

The force also works closely with specialist mental health professionals who provide support to officers and staff at incidents (supplying advice in person, on the telephone or via police radio) on how best to identify and communicate effectively with people who have mental health conditions.

Use of coercive powers

The force provides its officers and staff with extensive face-to-face and online training and guidance on the fair and respectful use of coercive powers. To improve reporting and awareness among frontline officers and staff, the force has made training sessions for all intervention and safer neighbourhood officers obligatory. HMICFRS observed one comprehensive training session attended by 70 frontline officers covering use of force. We spoke to officers who confirmed that over the last six months the force had provided briefings designed to remind them of the importance of submitting use-of-force forms. The force's technology has also been improved to make this process easier.

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 force⁹ 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,¹⁰ to understand and

⁹ 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/

¹⁰ *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

Hertfordshire Constabulary has tightened its scrutiny of use of force in order to improve its treatment of the public. The force complies with the national requirement for recording the use of force. However, the force also concedes that this area remains under-reported; it estimates that only about 35 percent of such incidents are recorded. The alliance¹¹ has a health and safety board, chaired by a Bedfordshire chief officer, leads on individual and organisational training, policy and practice. It aims to increase recording in relation to the use of force, and ensure readiness for the publication of data later in 2017.

The Hertfordshire coercive powers board (CPB) reviews data including the different tactical uses of force, geographic location and the result of the use of force. In addition, data on strip searches conducted in custody (i.e. the authorising officer, custody location, age and ethnicity of subject, and the outcomes), details of vulnerable persons searched (including those under 16 years of age), and stop and search data are presented to the board. However, the board is developing its approach and recognises that it needs to do more to scrutinise and bring about improvements effectively. Moreover, supervisors cannot currently access the forms to review officers' use of force, rendering local scrutiny less effective. The force recognises this deficiency and, together with the strategic alliance, is developing a technical solution to it.

A plan through the office of the police and crime commissioner (OPCC) to include external scrutiny of use of force remains in its infancy. At the time of inspection, the CPB was working to ensure that external publication of data on the use of force was available on the force website by July 2017, in line with national requirements. It is also working to improve the recording of such incidents and that data are collected to quantify the use of force. Further, public complaints information is available on the force's website and, although this is not currently discussed at the CPB, the force plans to do so in future.

If an officer or staff member receives more than three complaints of any type, including those involving the use of force, within a 12-month period, this automatically generates a review of their overall performance and behaviour. The

¹¹ The strategic alliance is a collaboration of three forces: Bedfordshire Police, Cambridgeshire Constabulary and Hertfordshire Constabulary. Main areas of collaboration include joint protective services such as roads policing, firearms, the major crime unit and dogs. Recently collaborated departments include human resources, professional standards and criminal justice.

professional standards department (PSD) then compiles a report for the line manager to speak to the individual, and provide support and deal with any underlying problems. This approach is applied across the alliance.

External scrutiny to improve treatment

The force has good external scrutiny groups at force and local levels, under an independent chairperson and with a diverse membership, including young people. The community scrutiny stop and search panel is described in more detail later in this section.

The force encourages external scrutiny and challenge from people who traditionally have less trust and confidence in the police, working closely in this respect with the Hertfordshire Equality Council (HEC). This independent organisation encourages and supports good practice in equality and diversity throughout the county. The HEC gathers information and views from local people, groups and organisations involved in matters of equality and diversity. It assumes a responsibility to represent those views and provides scrutiny of the police on behalf of those groups and communities. The HEC is represented on the force's stop and search scrutiny panel and on its ethics, equality and inclusion board (EEIB). The force is developing its key individual network (KIN) across the force area to increase external scrutiny across the diverse communities of Hertfordshire. While it has good local contacts, the force recognises that it could do more to encourage external scrutiny. At the time of inspection it was, therefore, providing the KINs with an opportunity to supply feedback on locally-relevant matters, including the use of coercive powers, at a KIN seminar this summer.

How fairly does the force use stop and search powers?

The purpose of stop and search powers is to enable officers to eliminate or confirm suspicions that individuals may be in possession of stolen or prohibited items, without exercising their power of arrest. Except in exceptional circumstances, an officer must have reasonable grounds for carrying out such a search. While this can be valuable in the fight against crime when based on genuinely objective reasonable grounds, the powers to stop and search people are some of the most intrusive available to the police. Their disproportionate use in respect of black, Asian and minority ethnic communities threatens to undermine police legitimacy. As such, it is crucial that all forces use these powers fairly, and demonstrate to the public that they are doing this.¹²

¹² *Authorised Professional Practice on Stop and Search*, College of Policing, February 2017. Available from: www.app.college.police.uk/app-content/stop-and-search/

HMICFRS has assessed the police's use of its stop and search powers on a number of occasions.¹³ Our 2015 legitimacy inspection¹⁴ found that too many forces were not always recording reasonable grounds on their stop and search records. In 2017, we reviewed the reasonableness of the grounds again to assess how fairly forces are using stop and search in line with national guidance.¹⁵ Also, we assessed how the forces scrutinise use of these powers.

Understanding of national guidance

The alliance's learning and development team has implemented the College of Policing's stop and search programme, and 95 percent of officers who use these powers have received face-to-face training. Officers have a good understanding of the College of Policing's Authorised Professional Practice on what constitutes 'reasonable grounds' to carry out a stop and search and our inspection, together with the positive results of the HMICFRS file review of 200 stop and search forms, shows that the force is making improvements and sharing learning in its use of stop and search powers.

There has also been some positive development training to improve the recording of reasonable grounds for officers who have been identified through the force's audit process. HMICFRS found good support and procedural reference information located on the stop and search intranet pages and the force website.

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 the 12 months to 31 March 2016 in the local population of Hertfordshire Constabulary, black, Asian and minority ethnic (BAME) people were 2.0 times more likely to be stopped and searched as white people. Black people were 3.4 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. The force has completed detailed analytical work to

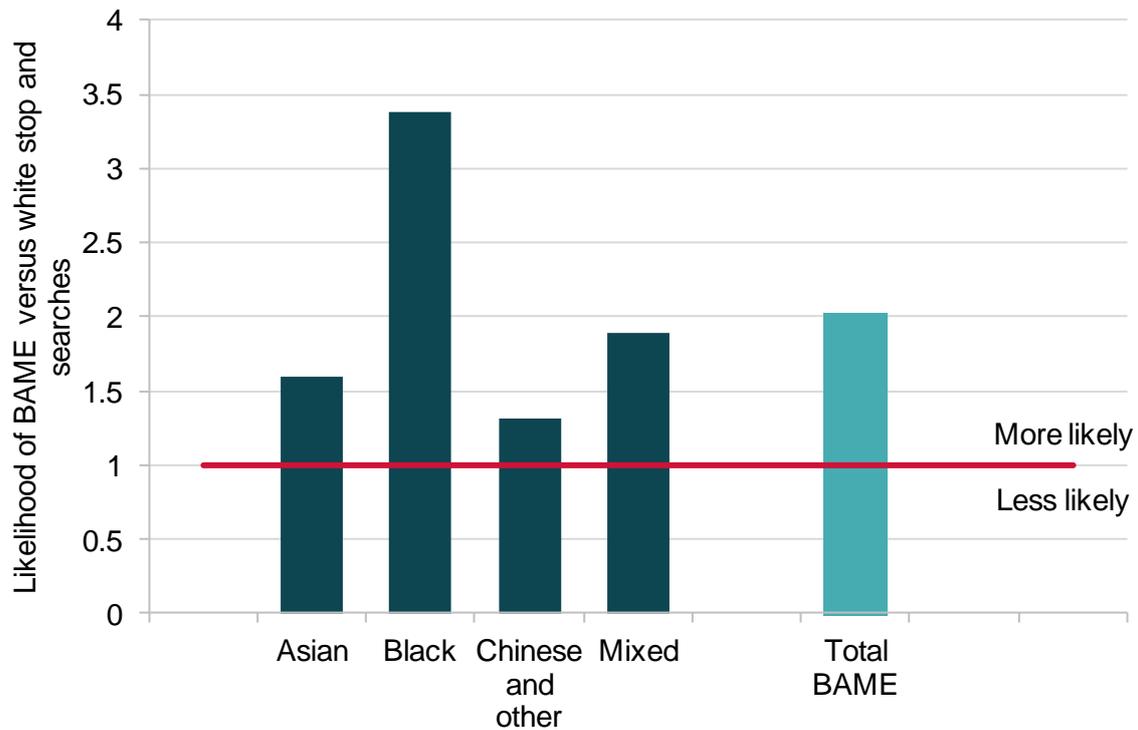
¹³ *Stop and Search Powers – are the police using them effectively and fairly?* HMIC, July 2013. Available at: www.justiceinspectorates.gov.uk/hmicfrs/publications/stop-and-search-powers-20130709/ and *Best Use of Stop and Search revisits*, HMIC, September 2016. Available from: www.justiceinspectorates.gov.uk/hmicfrs/publications/best-use-of-stop-and-search-revisits/

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 records.

understand the reasons for this disproportionality, and has identified that a high proportion of those stopped and searched reside outside of the county and have travelled in to frequent the night-time economy in Watford, as well as to attend popular music events frequently held in St Albans and Hatfield.

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 Hertfordshire Constabulary in the 12 months to 31 March 2016



Source: Home Office 2016

In HMICFRS' 2015 legitimacy inspection, we considered the extent to which the force was complying with the Best Use of Stop and Search scheme. We then found that it did not comply with all the features of the scheme because it was not adequately recording and publishing outcomes of the searches. In autumn 2016, however, when HMICFRS reassessed the force's compliance with that feature of the scheme, we found it had addressed this omission and thereupon complied with the scheme.

Internal scrutiny processes result in a better understanding of how well people who have been stopped and searched are treated. In Hertfordshire Constabulary, operational police officers now carry body-worn video cameras and use them when conducting stop and search, to demonstrate best practice. Supervisors dip-sample their team's stop and search records using the online recording mechanism, thereby ensuring both that body-worn video cameras are being used and that the searches

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

are appropriate. Team briefings incorporate opportunities to learn, to assist in the workforce's continuing development. We were informed of an occasion in which an officer's conduct was formally addressed for an inappropriate stop search, and subsequently all his searches were reviewed by his inspector.

The force has effective governance through the CPB, which regularly scrutinises a range of stop and search data, including age and ethnicity, among other information. Stop and search data and recording are examined closely, with an emphasis on using the acquired learning to inform the training of frontline officers (for example, ensuring accurate recording of grounds for the search). However, the CPB still does not scrutinise body-worn video; the force recognises that it needs to include this. While it is working towards achieving this aim this is a disappointing finding, as we found this to be the case last year and had expected more progress. The force should also review incidents in which the searching officer's ethnicity differs from the ethnicity defined by the person searched: this would improve its understanding of potential disproportionality in its stop and search practice.

Of the 200 stop search records HMICFRS examined, 124 were for drugs. Twenty-four of those searches were carried out on the suspicion that drugs were being supplied or trafficked. This is in line with the force priorities to tackle such offences. However, 100 of these records related to stop and search were for possession of drugs alone. The force should evaluate the extent to which its activity in respect of drug searches reflects its priorities, to provide further reassurance to communities that its use of stop and search powers is fair and effective.

External scrutiny of stop and search powers to improve treatment

The force has a good external scrutiny group for stop and search. The police and crime commissioner set up a community scrutiny stop and search panel in March 2015, comprising 15 members and chaired by a retired judge. The panel includes three law students, a member of the clergy, an education officer, a member of the prison service and other residents of Hertfordshire. Three members are self-defined as black or Asian. Membership of the panel is an accurate representation of the demographics of the county. However, more should be done to increase the representation of young people on the scrutiny panel. The police and crime commissioner's website provides details of how a member of the public can join the scrutiny panel.

The panel meets monthly and reviews approximately 50 stop and search records from the previous month. Panel members are given a comprehensive data pack before they meet, which includes a breakdown of the ethnicity of those who were stopped and searched, and identification of patterns and trends relating to geographical location, including those stopped and searched who then made a complaint. The local community safety partnerships complete in-depth sampling of stop and search records from planned events, such as Knebworth Festival. Their

members complete a data sheet to illustrate their confidence with the dip-sampled records and provide feedback to the force, so that individual officers and supervisors may reflect both on the positive findings and on those areas requiring improvement.

The HEC works closely with the community scrutiny stop and search panel, providing further independent support and external scrutiny, particularly in terms of providing advice and reviewing data on ethnicity and information that might highlight disproportionality. Recent discussions have, for example, considered making the community stop and search panel meeting open to the public, to further increase confidence in the force's treatment of the public.

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 troubled to see that of the 8,783 stop and search records we examined across all forces in England and Wales, 27 per cent did not include sufficient reasonable grounds to justify the lawful use of the power. For Hertfordshire Constabulary, the 2013 inspection showed that 62 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 99 records revealed that six did not have reasonable grounds recorded.

During this 2017 inspection, our review of 200 stop and search records provided by the force, we found that nine did not have grounds recorded that we considered reasonable. Although the records we reviewed may not be representative of all the stop and search records completed by the force, our findings indicate that while some improvement has occurred, some officers and supervisors either still do not understand fully what constitutes reasonable grounds, or do not know how to record them properly.

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 from: www.justiceinspectorates.gov.uk/hmicfrs/publications/stop-and-search-powers-20130709/

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

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 at the time of the stop and search. We also found that two records provided by the force did not relate to the use of stop and search powers. While this is a small proportion of the 200 records we reviewed, to ensure the force obtains an accurate assessment of the use of its powers it is important that stop and search records (and stop and search data) relate only to the use of stop search powers.

In 65 of the 200 records we reviewed, the item searched for was found. This is an important figure: the primary purpose of the powers is to confirm or allay an officer’s suspicions. Finding the item searched for indicates that the grounds for suspicion 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	62 of 200	6 of 99	9 of 200
Item searched for found	–	–	65 of 200

Summary of findings



Hertfordshire Constabulary is good at treating the people it serves with fairness and respect. Leaders communicate the force’s values to the workforce and ensure officers and staff understand the importance of treating people fairly and with respect. The force provides training and guidance on effective communication skills and on the appropriate use of coercive powers, and is conducting more training on how to recognise and overcome unconscious bias. The workforce understands how to use coercive powers fairly and respectfully as well as what constitutes reasonable grounds for carrying out a search.

The force is improving its internal scrutiny of use of force and receives challenge and feedback from external scrutiny groups with a diverse membership that includes young people. Scrutiny of stop and search could be improved by reviewing body-worn video camera footage and by including more young people in the community stop and search panel. Examining data on differences between the ethnicity of the officer conducting the stop and search and the person being searched would improve the force’s understanding of potential disproportionality.

Area for improvement

- The force needs to ensure that its data for use of force (including body-worn video footage) is monitored by an external group to provide additional oversight.

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 are positive ethical role models and uphold the values that the force expects of them. Ethics and values are well-established in the force's mission statement, 'The Herts Way', and guide leaders in their decision-making. The new chief constable, appointed in October 2016, and the chief officer team emphasise these values during supervisor and senior leadership briefings, setting out their expectations of how the workforce and leaders must act ethically and lawfully. The deputy chief constable and the head of the alliance's collaborated professional standards department regularly communicate with the workforce. The expected standard of behaviour is emphasised through face-to-face meetings, online and through the quarterly 'Shield' PSD publications. The annual performance development review now highlights expected professional boundaries. Details of chief officer gifts, hospitality, pay, rewards and business interests are published on the force's website. This information is up to date and easy to find and understand. Officers and staff we spoke to are confident about raising ethical matters with their line manager, staff associations, direct to PSD or through the ethics committee.

Ethical decision making

Hertfordshire Constabulary has accessible policies and procedures that comply with the equality duty, reflect the Code of Ethics, and the quality of which is assured through the force's equality, ethics and integrity board (EEIB), which was set up in 2014. The deputy chief constable chairs the EEIB, which supplies strategic vision and co-ordinates three themes:

- equality and inclusion;
- ethics and integrity; and
- corporate health and wellbeing.

The ethics committee updates the EEIB on such matters as maintaining professional standards, lessons learned and communications as well as ethics training. An evaluation was carried out by Hertfordshire University in November 2015 to understand how routine a part of everyday practice the Code of Ethics was. The results have been used to reinforce learning, training and refresher programmes. The force has created further opportunities to explore its ethical approach, such as devising a local bank of ethical dilemmas for internal discussion on how these may arise in police work at a local level.

The Code of Ethics plan sets out how acceptable standards should be communicated, monitored and developed, based on feedback and on the best practices elsewhere. The ethics committee has made sure that all local policing

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/

officers and staff have received ethics training, which incorporates themes such as steroid abuse and maintaining professional boundaries. We found good understanding of ethical dilemma training and understanding. One of the examples provided in a training session was about a detective constable forming a friendship with an elderly vulnerable victim; this was discussed by supervisors and learning from the session was disseminated to their teams. Supervisors use a health check that includes an ethics and wellbeing checklist alongside the one-to-one performance review meetings with their teams. While this is new, the force is encouraging line managers to engage sensitively in 'difficult conversations' with their teams in order to raise awareness of, and identify, problems earlier on, so that they can be addressed. Ethics also forms an integral part of the promotion process.

Vetting

Hertfordshire Constabulary does not yet comply with the national vetting standards. The vetting arrangements for the force are covered by the collaborated vetting service for the alliance. During our 2016 legitimacy inspection, we considered the extent to which the force was developing and maintaining an ethical culture through effective vetting.²⁵ Owing to a lack of capacity, we found that the force was not complying with all aspects of the national vetting standards, including checks on all its databases of the families of applicants who do not live with them and re-vetting of the workforce, apart from those posts assessed as 'high-risk' (such as a covert deployment). The collaborated PSD was fully aware of these requirements and under new leadership it was in the process of implementing a number of improvements from a well-developed action plan.

When we assessed the alliance's plan to address these weaknesses during this year's inspection, we found that the force had taken a risk-based approach that prioritised high-risk posts and new recruits, and that a clear plan was in place to achieve compliance by April 2019. Good collaborative work is being done to put a seven-force²⁶ vetting unit into operation. Moreover, the recruitment of an additional manager and eight researchers has helped bolster capacity until the final permanent staffing levels are decided. Recruiting these staff has proved difficult, meaning that there remain capacity-related problems for the alliance. 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 Hertfordshire Constabulary to provide us

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 was 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/

²⁶ The seven-force strategic alliance includes Bedfordshire, Cambridgeshire, Hertfordshire, Essex, Kent, Norfolk and Suffolk forces.

with data on the percentage of its workforce who had up-to-date security clearance: the force could not provide data on security clearances in its workforce as at 31 January 2017.

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.²⁷ 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

Hertfordshire Constabulary's website includes information on how to make a complaint, which is easy to find by using the 'contact us' tab on the homepage. Both making a complaint or lodging an appeal can be done easily via the website, which also explains the additional assistance available to complainants, including those who are hard of hearing or have speech impairments (it also has contact details for 'Police Link Officers', a resource of specially trained officers who assist deaf and speech-impaired members of the public). The complaints form was updated in 2016 following the recommendations of the force and the victims' commissioner. The form now asks users for their preferred method of contact and, while it is more detailed, it remains simple to use.

The complaints process is easily accessible to all members of the public, as information on the force website is supplied in a number of languages other than English. A link to the IPCC and frequently asked questions (FAQs) covers common complaints and problems. The website stresses that the professional standards department (PSD) is independent from the person who is the object of the complaint. However, no results of complaints or learning outcomes from stop and search or from the use of Taser are published on the force's website, nor is a link provided to such data on the IPCC's website. The force also does not publish information about

²⁷ 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

any improvements it has made as a result of complaints. HMICFRS examined 16 public complaint files and found that in three of them a complainant needed additional support, however, support was only provided to one of them.

Good support is available to members of the public at front counters in police stations and buildings shared with partner organisations; officers and staff have a range of options for providing additional support to members of the public who have a mental or physical impairment or who do not speak English. During our inspection we found posters and leaflets available to the public in the reception and front counter areas. This provision of printed information and posters is likely to help those people from communities who have less confidence in the police and may be less likely to complain.

Keeping complainants updated

Overall, public complaints are dealt with well. When complaints are recorded, PSD sends a letter to complainants identifying the investigating officer. Enclosed with the letter is a copy of the complaint record, a glossary of terms, and a guidance note on local resolutions (if applicable). This was completed in 14 of the 16 cases that HMICFRS reviewed. This is a good way to ensure the force provides complainants with the statutory information required by the Police Reform Act 2002 and Police (Complaints and Misconduct) Regulations 2012 at the start of the process. Of the 16 complaint files that HMICFRS reviewed, 12 supplied the complainant with regular updates throughout the investigation. However, in four cases, no contact with the complainant was recorded on the file. All of the cases we reviewed showed that the force had complied with the legal requirement to provide the findings of the report, its own determination and the complainant's right of appeal when the case is concluded. This means that, in the majority of cases, staff in the PSD and local investigators kept complainants appropriately updated on progress and explained the final outcome in a way that a complainant could understand. This was consistent with our findings in 2015.

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.²⁸

Identifying and responding to potential discrimination

The alliance's PSD has a good process in place to identify discrimination, although it needs to ensure it complies with the legal requirement that serious cases are referred to the IPCC.

HMICFRS found good evidence that the workforce can identify discrimination and knows the various options available to report it, including directly to PSD or through line managers. Officers we spoke with were also aware of the confidential reporting line using Crimestoppers. Since our inspection last year, analysis of intelligence and data has undergone significant improvement. The PSD has made progress in this area to improve its approach to prevention and early intervention. This includes information and data that refer to individuals, teams and specific types of behaviour, including discrimination.

During our case file review, we examined eight complaints and four internal misconduct cases that the force had identified as containing an allegation of discrimination. We also examined an additional eight complaints and six misconduct cases which we considered might contain unidentified allegations of discrimination. We did not find any additional cases that the force had failed to identify.

There is no routine audit or dip sampling of complaints and misconduct against BAME officers and staff to ensure that discrimination is not taking place. Since the inspection, the force, together with the alliance, is addressing the collaborated review process.

To provide external scrutiny, the Police (Complaints and Misconduct) Regulations 2012 requires forces to refer serious cases to the IPCC if they are aggravated because it is alleged that discrimination was a reason for the behaviour. We

²⁸ 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

identified that two of the force's complaints and four of its internal misconduct cases we reviewed met the referral criteria. However, we were disappointed to find that only one of the complaints and none of the internal misconduct cases had been referred. The force has informed us that, since our review, it has made changes to the IPCC referral form, which it believes will improve its assessment of discrimination, and thereby improve the rate of referrals to the IPCC. The force should therefore ensure that its new process identifies effectively all cases that meet the criteria for mandatory referral to the IPCC.

Investigating allegations of discrimination

Investigations of discrimination by the collaborated PSD is good, and investigators have the required level of knowledge, skill and experience.

PSD investigators dealt with seven of the eight complaints in this category we reviewed, and all have received recent training on discrimination run by an external provider. At the time of our inspection, the head of the PSD planned to increase the skills of all supervisors and managers across the alliance by arranging a training session summer 2017. The aim is to improve the timeliness of investigations and provide guidance on the quality of investigations, including dealing with potential discrimination.

HMICFRS examined eight public complaint cases that the PSD had recorded as containing an allegation of discrimination. We considered whether these allegations had been investigated satisfactorily in accordance with the IPCC guidelines. We found that six of the eight cases had been investigated satisfactorily, but in four cases the complainants did not receive a good service because of unacceptable delays in handling the complaint.

Staff associations and support networks provided HMICFRS with an example of an internal misconduct case involving a racial allegation. The subsequent investigation was considered satisfactory, however it was perceived that the timeliness of investigations could be improved. The PSD has engaged with other forces to conduct a peer review into cases of potential discrimination, and recognises that better engagement locally with staff associations and networks will improve confidence in the fair conduct of investigations and in the way decisions are made.

Summary of findings



Good

Hertfordshire Constabulary is good at ensuring its workforce behaves ethically and lawfully. Ethics and values are well established throughout the force. Leaders act as positive role models and have an ethical approach to decision-making. The force's ethics, equality and inclusion board and ethics committee review ethical issues and provide support and guidance to the workforce. Officers and staff we spoke with are confident about raising ethical concerns.

The force does not yet comply with the national vetting standards and is taking a risk-based approach, meaning that vetting for high-risk posts and new recruits is prioritised. However, it has an achievable plan to comply with the standards.

Hertfordshire Constabulary makes it easy for members of the public to make a complaint using its website, which includes options for information in other languages and support for people who have hearing or speech impairments. Printed information and posters about making a complaint are on display in police reception and front counter areas. Most complaints are investigated well and complainants are usually updated on the progress of the investigation in a timely way.

The force is good at identifying potential discrimination. Most investigations of allegations of discrimination are satisfactory, but not all are conducted in a timely way. The force needs to ensure it refers all serious cases to the IPCC if they are aggravated because discrimination is alleged to be a reason for the behaviour.

Areas for improvement

- The force should ensure that it has a credible plan to comply with all aspects of the national vetting standards by December 2018, in line with HMICFRS' nationwide recommendation in 2016.
- The force should ensure that all allegations which meet the mandatory criteria for referral to the IPCC are so referred, and that it updates witnesses and subjects regularly.

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.²⁹ 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.³⁰ HMICFRS assessed how well force leaders seek feedback from their workforces and use this, alongside other data and information – including that on grievances³¹ – to identify, understand, prioritise and resolve their workforces’

²⁹ *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

³⁰ *Ibid.*

³¹ 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.³²

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.³³ 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.³⁴

Leaders seeking feedback and challenge from the workforce

Leaders of Hertfordshire Constabulary have a good understanding of workforce perceptions owing to regular, formal and informal communication and consultation between chief officers, staff associations and representatives of staff networks. This approach promotes trust and confidence, which is enhanced by question-and-answer sessions at regular supervisor and senior manager seminars and away days. Senior leaders seek feedback and challenge directly through face-to-face meetings and leadership events. Officers and staff can email the chief officer team, using ‘Ask the Exec’ to challenge decisions directly, and raise ideas and concerns. A recent challenge by a frontline officer to the chief officer team resulted in a review and reversal of the coroners’ requirement of mandatory attendance at all sudden deaths. Moreover, use of the internal social media tool ‘Yammer’ is extensive.

Hertfordshire, Bedfordshire and Cambridgeshire forces conducted a staff survey, in conjunction with Durham University, covering a range of topics that affect officers and staff, including a focus on health and wellbeing. The force quickly provided details of the feedback from the workforce and analysis of the results on its intranet. The high rate of response suggests that the workforce is confident it will be listened

³² *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

³³ 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

³⁴ 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/

to. The officers and staff we spoke to during inspection reported that they felt able to challenge their line managers. A further example of the constabulary seeking feedback is its practice of conducting exit interviews, including for volunteers.

Identifying and resolving workforce concerns

The force proactively identifies and resolves its workforce's concerns. Officers and staff reported to us that their concerns are often dealt with quickly and without any need to resort to more formal procedures. Supervisors we spoke with felt supported in their decisions by their line managers. Last year we found that officers and staff were carrying over high levels of annual leave, year on year. This year, the level of annual leave being carried over has fallen. Nevertheless, we found dissatisfaction over the process of booking time off, which some workforce members described as 'ad hoc' and 'first past the post'. The force is reviewing this process to ensure that it is fair and that officers and staff are able to use their entitlement to leave.

Concerns, problems or complaints that officers and staff raise formally to employers are called grievances. The officers and staff we spoke to perceive the force's grievance procedure as fair. HMICFRS reviewed five grievance cases and found that in three of them the force had properly identified, investigated and resolved the grievance in line with the Acas Code of Practice and Guidance. In four of the five grievance cases we found evidence that appropriate arrangements had been put in place to support the employee or witnesses throughout the process. However, because the force does not use a grievance form or template to record information, few details of the grievance process were generally recorded. The force should use a standard format to ensure a record of: meeting dates, details of parties, desired outcomes, action plans and confirmation from the aggrieved person as to whether they felt the grievance had been resolved or if they had withdrawn. During autumn 2016, the force conducted a series of fairness at work workshops to support and develop supervisors and managers.

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.

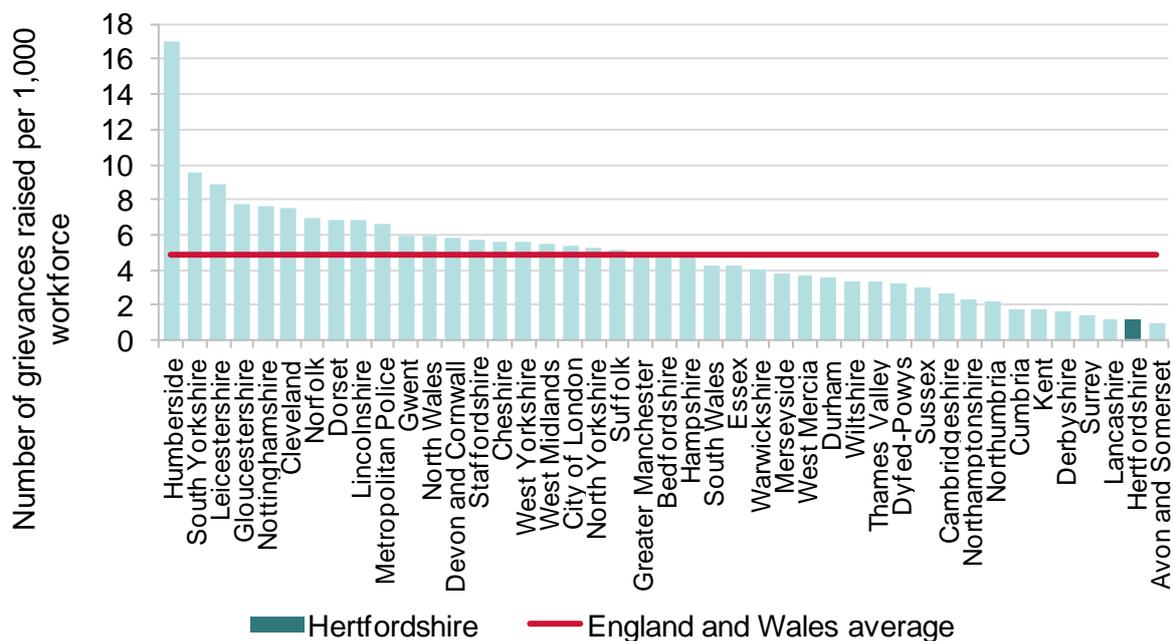
All forces have grievance procedures but the number of grievances in each force differs widely across England and Wales. We requested data for the ten months from 1 April 2016 to 31 January 2017 on the number of grievances raised by the workforce. Figure 2 below shows that Hertfordshire Constabulary had 1.2 grievances raised per 1,000 workforce. This is lower than the England and Wales average of 4.9 grievances raised per 1,000 workforce.

Figure 3 shows that the number of grievances raised by officers in Hertfordshire Constabulary was 1.6 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 0.9 grievances per 1,000 staff in the same period, and the England and Wales average was 6.2 grievances per 1,000 staff.

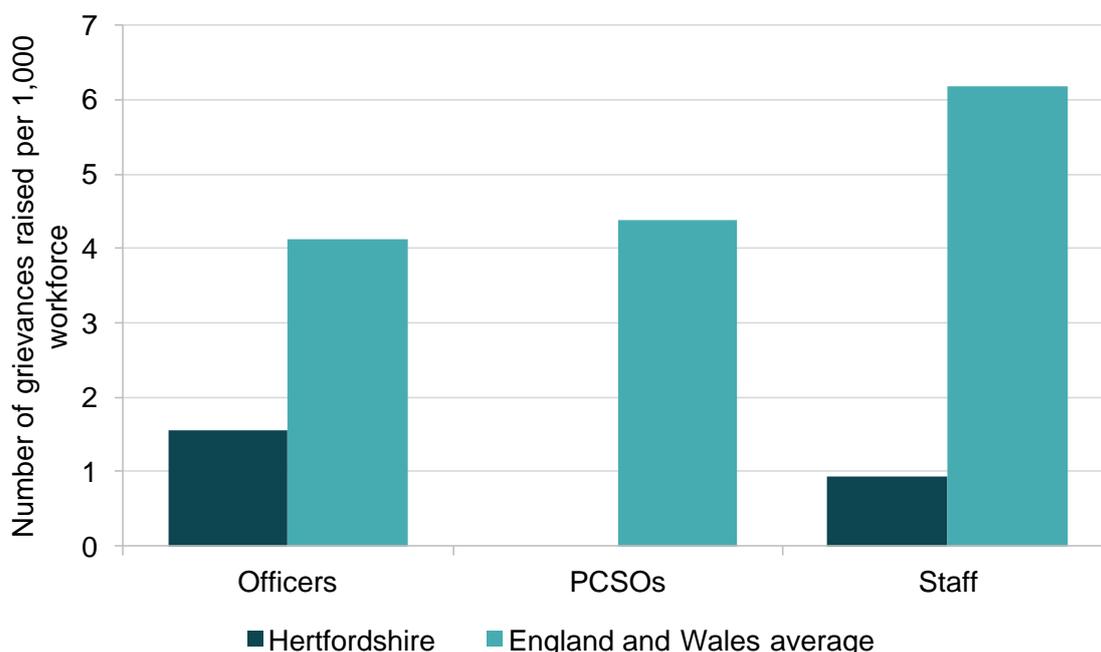
The force aims to be a learning organisation that can deal with problems at a lower level with a no blame culture. The fairness at work procedure aims to resolve problems locally; when they cannot be resolved locally they are raised formally as part of a grievance. The force has established trained mediators to assist in the process.

Figure 2: Grievances raised per 1,000 workforce, in Hertfordshire Constabulary in the ten months from 1 April 2016 to 31 January 2017



Source: HMICFRS Legitimacy data collection

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



Source: HMICFRS Legitimacy data collection

The force monitors grievances and workplace concerns, and the equality and ethics board, chaired by the deputy chief constable, provides good oversight to identify recurring themes that may affect perceptions of fairness and respect. All staff networks and associations are represented at this board. The low number of employment tribunal matters relating to the force suggests that most problems are dealt with appropriately and well.

Officers and staff we spoke to reported some misgivings about the fairness and timeliness of PSD investigations. However, we also received positive views about the new PSD leadership, particularly about its increased visibility and its regular communications through the force intranet and at leadership events. The Shield publication provides examples of officers who have made simple mistakes that could have been avoided easily. This approach encourages the workforce to admit its mistakes and learn lessons. We were told that the workforce perceives this as a positive development.

Creating a more representative workforce

One of the clear aims of the alliance’s annual people plan is to improve the diversity of the workforce so that it becomes more representative of the local communities across the three force areas. The people board, chaired by the head of HR, meets regularly and analyses carefully data on recruitment, retention and progression of officers and staff, including those with protected characteristics. Bedfordshire Police is the lead force in this area and it has carried out good work to improve mentoring and support for new recruits from under-represented BAME groups; this is being

adopted across the alliance. Increased resources in the change programme have recently enabled Hertfordshire Constabulary to allocate a police superintendent, responsible for workforce planning which includes increasing diversity. This increase to the force's local capacity has allowed it to concentrate more on improving the diversity of the workforce. The alliance has signed up to Police Now,³⁵ to attract new recruits and increase BAME representation in each of the three forces.

The force has a good track record of retaining those officers and staff with protected characteristics. However, although BAME officers and staff are not disproportionately subject to complaint or misconduct allegations, the Black Police Association perceives this still to be the case. The force is working hard to address such concerns, including offering independent conciliation options through external sources.

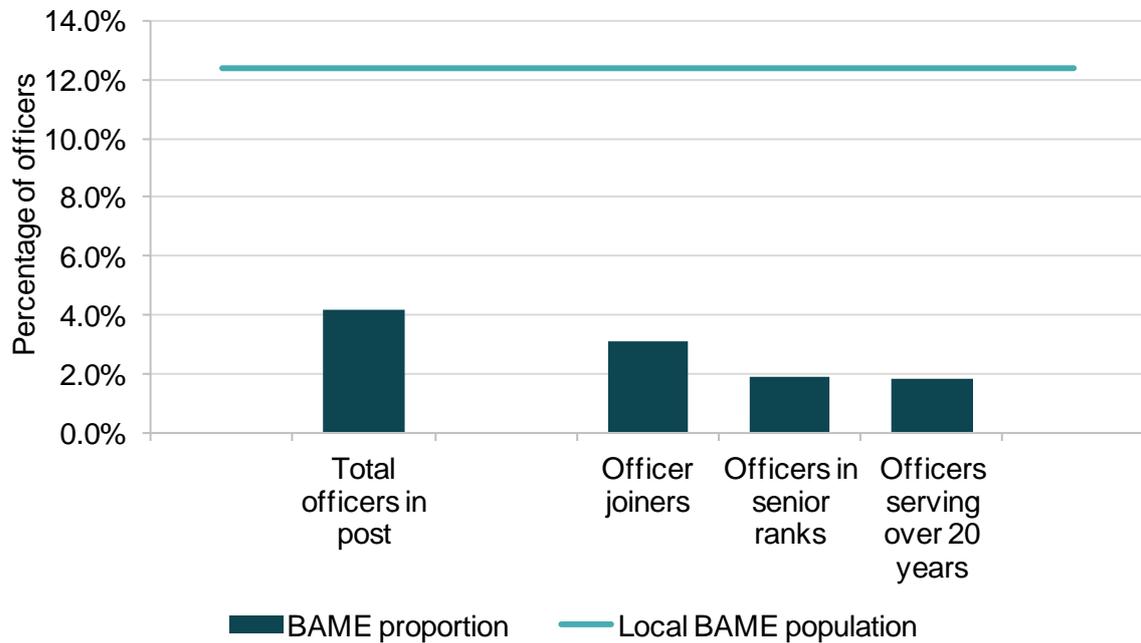
To assess how well the force reflects the local population, we considered data on the number of women and people from BAME communities recruited to the force, the number at senior officer level and the number who have served for over 20 years. We used these data to compare the make-up of the force with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

In the geographical areas served by Hertfordshire Constabulary, the 2011 census indicates that BAME people made up 12.4 percent of the local population. In the 12 months to 31 March 2017, in Hertfordshire Constabulary 4.2 percent of officers were BAME (see figure 5). In relation to officers, 3.1 percent of those joining the force, 1.9 percent of those in senior ranks, and 1.8 percent of those who had served over 20 years were BAME.

BAME officers and staff now make up 4.6 percent of the total workforce, up from 3.0 percent 10 years ago, in 2007. This is positive progress. Conversely, the proportion of BAME officers who have served for 20 years or more fell recently, and only one officer holds a senior position.

³⁵ The aim of the Police Now programme is to develop extraordinary police officers and leaders in communities where they can act as ambassadors for the police for years to come.

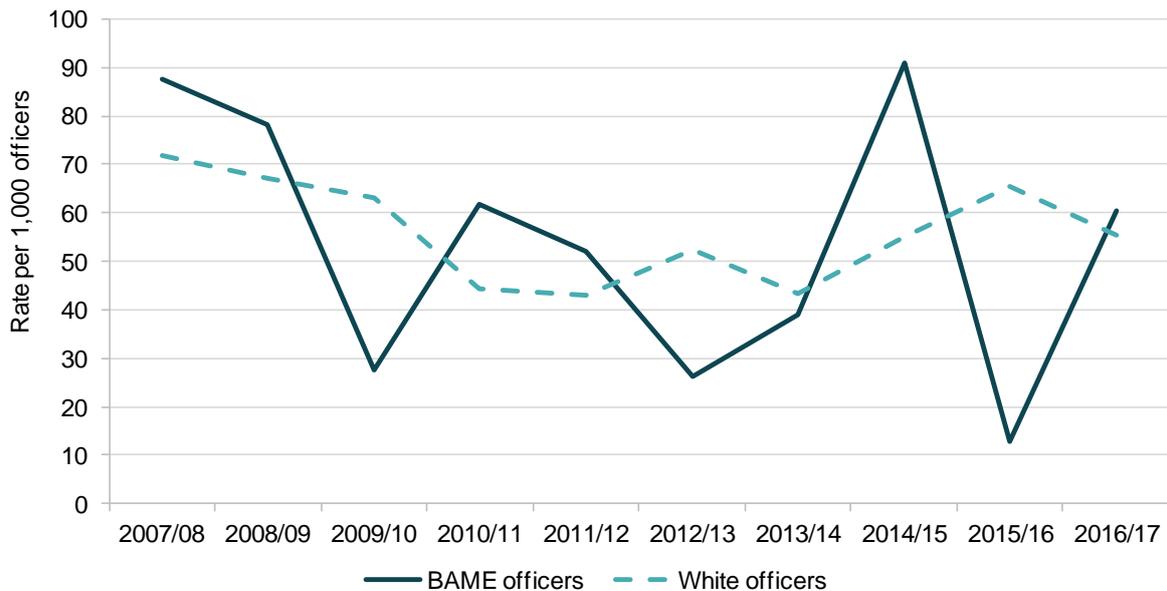
Figure 4: Percentage of officer joiners, officers in post, officers in senior roles and officers serving over 20 years who are black, Asian or minority ethnic (BAME), in Hertfordshire Constabulary in 2016/17, compared with the percentage of BAME people in the local population



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



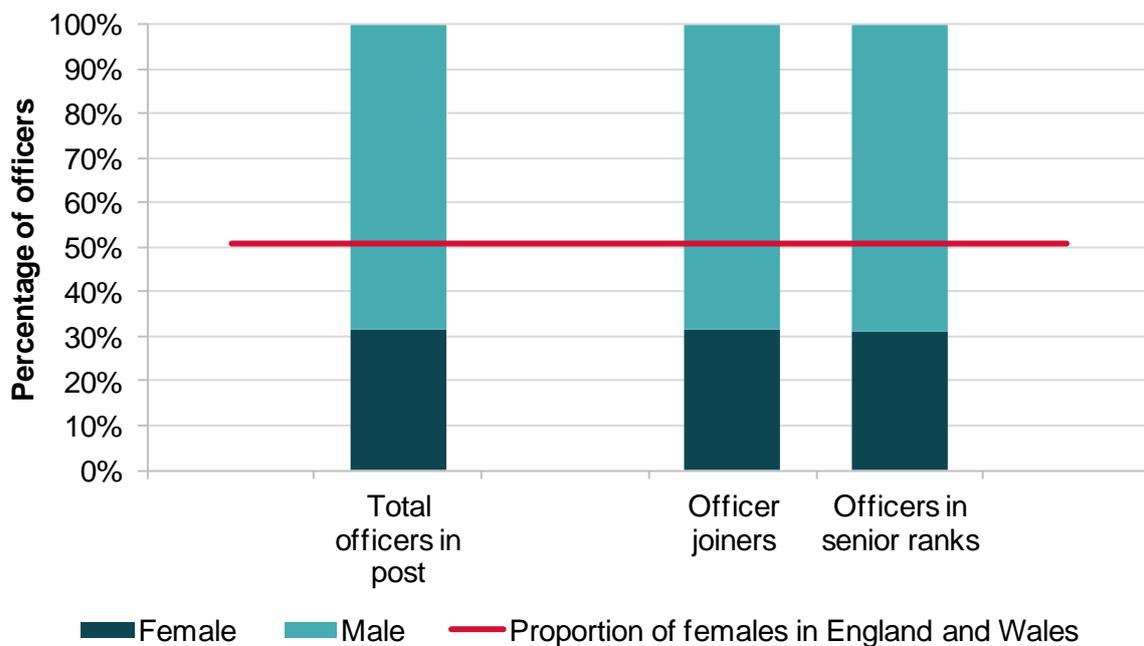
Source: Home Office Annual Data Requirement

In the 12 months to 31 March 2017 in Hertfordshire Constabulary 60 BAME officers per 1,000 BAME officers left the constabulary (see figure 6), compared with 55 white officers per 1,000 white officers. Fluctuations in the BAME officer leaver rate may be due to low numbers of BAME officers in the constabulary.

The force commissioned Hertfordshire Equality Council (HEC) to identify any evidence of people with particular characteristics leaving the organisation in disproportionate numbers. HEC identified no such disproportionality.

The proportion of female officers is lower than the proportion of females in the general population (51 percent), at 31 percent. In the 12 months to 31 March 2017 in Hertfordshire Constabulary, 32 percent of those joining the constabulary and 31 percent of those in senior ranks were female (see figure 7).

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



Source: Home Office Annual Data Requirement

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



Source: Home Office Annual Data Requirement

In the 12 months to 31 March 2017 in Hertfordshire Constabulary 51 female officers per 1,000 female officers left the constabulary, compared with 56 male officers per 1,000 male 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.³⁶ 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.

³⁶ *Well-being and engagement in policing: the key to unlocking discretionary effort*, Ian Hesketh, Cary Cooper and Jonathan Ivy, 2016, Policing. pp. 1–12. Available from: <https://oscarkilo.org.uk/wellbeing-and-engagement-in-policing-the-key-to-unlocking-discretionary-effort/> Also see <https://fitforwork.org/employer/benefits-of-a-healthy-workforce/>

Understanding and promoting wellbeing

Over the last year, the force has developed its understanding of the benefits of workforce wellbeing. The wellbeing board, chaired by the deputy chief constable, takes a preventative approach to improving the wellbeing of the workforce, which includes a strong focus on mental health.

The alliance's wellbeing board is effective and continues to lead on implementing a comprehensive plan; recently it has agreed an increase in occupational health unit (OHU) wellbeing advisers to reduce waiting times from referral to OHU appointment.

The results of staff surveys, which include questions on matters of wellbeing, have resulted in an action plan under which senior leaders actively promote change and champion wellbeing benefits. There is a good standard of continuing wellbeing provision and advice. Recent themes have included the benefits of physical fitness, mindfulness and improving awareness of substance misuse. Officers and staff we spoke with understand the reasons for promoting such topics. Generally, they consider that the force regards their welfare as a priority. Most officers and staff we spoke to said their immediate supervisors and managers support wellbeing and understand their wellbeing responsibilities.

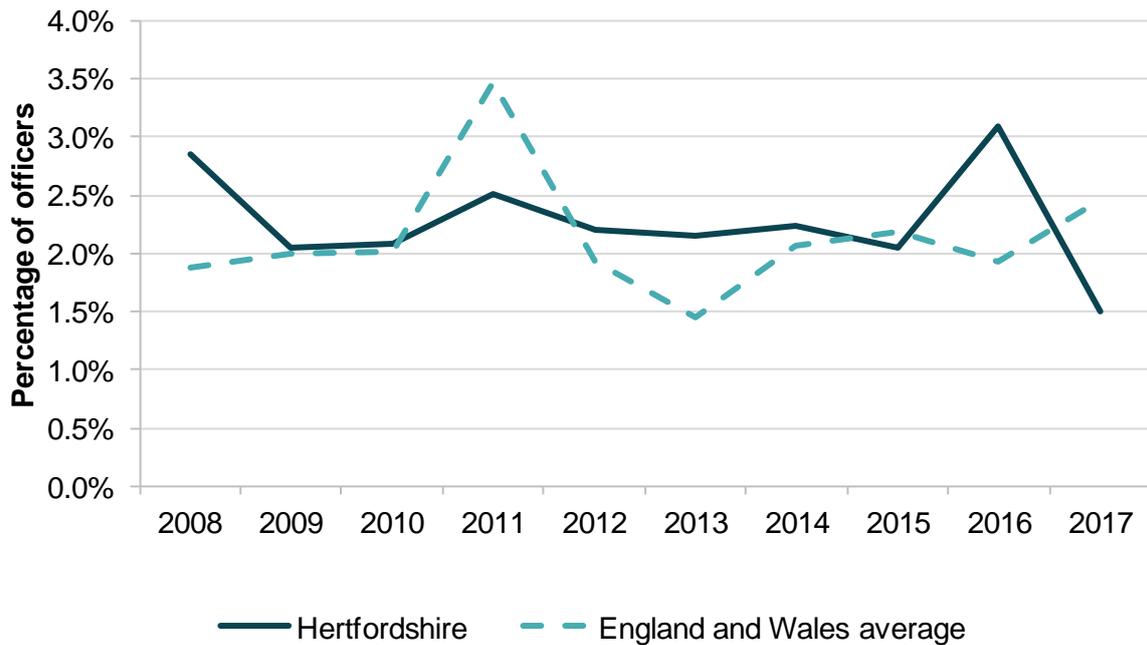
Identifying and understanding workforce wellbeing needs

The force continues to have a good understanding of the risks and threats to the wellbeing of its workforce and their causes, including a focus on mental and emotional wellbeing. It analyses management information (for example, data on assaults on officers and staff) to identify and understand patterns and trends, so that it can provide additional support for the workforce where needed. It continues to demonstrate a commitment to managing short and long-term sickness well, through effective recuperative and restricted options for workforce members. However, officers and staff say their opportunities to take leave have been reduced, and that this has failed to improve over the last year. They informed us that they often feel they operate at the limits of their wellbeing. The force recognises this as a symptom of the current local policing model, which is under review. The force is working closely with officers and staff and, as well as using the results from the staff survey, and it has held workshops to identify and understand workforce concerns, including wellbeing needs.

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 on long-term and short/medium-term sickness absence. On 31 March 2017 in Hertfordshire Constabulary, 1.5 percent of officers were on short or medium-term sick leave. The England and Wales average was 2.5 percent. The latest year for which data is available was 2017, which saw a decrease of 1.6 percentage points from the previous year, which is a notably larger decrease than in the previous ten-year period (see figure 8).

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



Source: Home Office Annual Data Requirement

On 31 March 2017 the proportion of officers in Hertfordshire Constabulary 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 a decrease of 0.2 percentage points from the previous year.

Figure 9: Percentage of officers on long-term sick leave, in Hertfordshire Constabulary 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

The force takes early action to improve the wellbeing of its workforce. It has effective preventative measures in place to improve workforce wellbeing, and we found that most supervisors are sufficiently equipped to recognise individual warning signs and intervene early to prevent such problems from getting worse. However, integrated welfare support is still lacking, particularly when officers and staff are absent from work long term, owing to complaints or to misconduct allegations. Keeping witnesses and subjects regularly updated is an important element of providing welfare support. Our file review of ten internal misconduct cases found that in eight cases there was no record that the witnesses or subjects had been updated. The review found that witnesses and subjects received a satisfactory service in six of the investigations. The force needs to ensure that its officers and staff are updated regularly.

The force intranet clearly shows officers and staff how to find and access a range of health schemes that together form a comprehensive and accessible wellbeing programme. The website supplies practical advice on how to access other support services. Early interventions are designed to prevent work-related stress from escalating. For example, procedures are put in place after workforce members experience a traumatic incident, such as referrals to counselling. A health checklist has recently been introduced to help supervisors conduct wellbeing conversations during performance development reviews. This starts with questions about mental and physical wellbeing, from stress to nutrition, in addition to questions about family concerns and potential debt, as well as inappropriate relationships. This links to advice and guidance on the force intranet. Although the health checklist is new, we found that it has been used by some supervisors and team members during one-to-

one meetings. In February 2017, the force confirmed its commitment to tackling mental health discrimination and stigma by signing Mind's Blue Light Time to Change pledge. The workforce has received this well and the culture seems to be changing, towards removing the stigma associated with mental health problems.

Supervisors are trained to spot the early signs and symptoms of mental ill health and stress. Wellbeing champions located at different police stations can provide support and alert workforce members to the relevant mental health services. The workforce itself is also encouraged to recognise the symptoms. However, in high-risk departments, such as safeguarding, mandatory counselling is no longer in place; self-assessment has been introduced instead. The officers and staff we spoke to did not consider this to be equally effective. Nevertheless, through additional training and support, the force has increased its awareness and improved its understanding of mental health-related illness overall.

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.³⁷ 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.³⁸ 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.

³⁷ *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.

³⁸ 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

Managing and developing individual performance

The head of human resources (HR) for the alliance is streamlining all processes across the three forces, including the management of individual performance. This is a highly positive approach; it is more open and fair for officers and staff in each force and their collaborated departments when identifying development and promotion opportunities and in ensuring consistency. Last year, we found compliance in completing the PDRs and regular one-to-one meetings with supervisors, but officers and staff did not see it as inspiring, rewarding or dynamic. This year, although we found some improvement, officers and staff we spoke with discerned little change, unless they were looking for promotion. Some saw the PDR as a last-minute rush to complete the document, feeling it had little benefit for them. Workforce members preparing for promotion used the PDR to record evidence of their competency and support their requests to complete training courses as part of their CPD. However, we also found that PDRs have been used well as part of the alliance promotion process for chief superintendents, superintendents and chief inspectors, with good plans in place to roll this approach out for all ranks and grades over the next year. The quality assurance of PDRs does still need to be improved across the alliance, and this is acknowledged by the head of HR.

Benchmarking complaints data against other forces has highlighted to the force that the number of complaints is comparatively high and that use of unsatisfactory performance procedures (UPP) is low. The force should check that its arrangements to deal with unsatisfactory performance are adequate.

Identifying potential senior leaders

Hertfordshire Constabulary is improving the consistency of its process to identify high-potential staff and officers. Currently, it is line managers who identify such individuals, in the main. To improve openness and consistency further, the alliance recently agreed on a new talent management approach, based on a model that Thames Valley Police uses. This 18-month programme offers intensive support for self-selected individuals, including independent oversight and good checks and balances to ensure objective fairness, such as the assessment of anonymous applications. This is part of the new alliance talent management strategy, which includes psychometric testing to identify preferred leadership styles, 360-degree feedback, coaching and mentoring. While the force has used some of these techniques for some time, it is encouraging a more connected approach, to ensure greater opportunity and fairness in identifying potential senior leaders. The force also supports fast-track applications from officers, and it supports direct entry for one alliance superintendent. However, none of these applicants has been successful so far. Talent management is described by the workforce as ad hoc and dependent upon line managers' support. Talent management in the force is very much in its infancy, with the collaborated HR taking the lead.

Selecting leaders

The alliance has reviewed the promotion processes in line with current national good practice and in liaison with the College of Policing. It recently aligned its promotion processes across the three forces and completed three promotion boards for chief superintendent, superintendent and chief inspector. Applicants must be supported by their line managers and have a completed PDR. The promotion applications are rendered anonymous, and representatives from across the three forces sit on the promotion panel. Unsuccessful candidates receive feedback, and the appeal process for those who do not succeed in securing promotion is clear. Recently, after one candidate challenged a promotion board process, the process was suspended pending an enquiry. A meeting was held, including the attendance of an independent advisory group member to review the complaint and subsequent actions by the strategic alliance. Candidates were provided with regular updates on the enquiry, and they reported feeling confident that the matter was being dealt with fairly. Additionally, a further board process has been run, addressing the initial concerns raised by the candidate about the independence of one member of the panel, who was subsequently removed from the process. The force has learned from this incident, and an independent external panel member will be included in the new promotion processes in 2018. The new selection process is generally viewed by officers and staff as positive, and while it has not yet been rolled out across all ranks and grades, it is seen as a step forward to address any perceived cronyism that may have existed.

Summary of findings



Good

Hertfordshire Constabulary is good at treating its workforce with fairness and respect. Leaders have a good understanding of the workforce's views through regular meetings and consultations, as well as from the results of a staff survey. Officers and staff feel able to provide feedback and challenge. The force is proactive in the way that it identifies and resolves workforce concerns. It is working to increase equality and diversity in its workforce so that it is more representative of the communities it serves.

The force has a comprehensive and accessible wellbeing programme and has put in place preventative measures to improve workforce wellbeing. Supervisors are trained to spot the early signs and symptoms of mental ill health and stress. The officers and staff we spoke with felt that their wellbeing is a priority for the force.

In the three forces in the alliance, processes for managing individual performance, development and promotion opportunities are being aligned to make them consistent and fair. Work is in progress at the alliance level to identify how to make the personal development review process more meaningful.

Areas for improvement

- The force should ensure that the grievance process complies with the Advisory, Conciliation and Arbitration Service codes of practice and guidance, particularly relating to timescales, records, audit trails, and updates and support to witnesses and workforce members who have raised a grievance.
- The force should ensure it develops and supports its supervisors and managers to conduct fair, effective and consistent assessments that support continuous professional development and manage poor performance, including establishing an effective quality assurance process.

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 staff³⁹. 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).

³⁹ 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 Hertfordshire Constabulary in the 12 months to 31 March 2016

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

Figure 2: Grievances raised per 1,000 workforce, in Hertfordshire Constabulary in the ten months from 1 April 2016 to 31 January 2017

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

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

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

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

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

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

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

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

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

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

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

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

Figure 9: Percentage of officers on long-term sick leave, in Hertfordshire Constabulary 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.⁴⁰ This amounted to a total of 8,574 records – some records provided were not actually records of stop and search encounters, and these were excluded. As part of our assessment, we gave forces the opportunity to review our findings and make representations.

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

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

Professional standards case file review methodology

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

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

⁴⁰ City of London Police was unable to provide records up to 7 January 2017 but instead provided 200 records from 4 October 2016 to 26 November 2016.

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

We assessed these case files against the relevant legislation, guidance and code of practice⁴¹ 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?

⁴¹ 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.