

# PEEL: Police legitimacy (including leadership) 2017

An inspection of South Wales Police



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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)<sup>1</sup> 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.<sup>2</sup> 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.<sup>3</sup> This principle is described as

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<sup>1</sup> 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.

<sup>2</sup> *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](http://whatworks.college.police.uk/Research/Documents/Fair_cop_Full_Report.pdf)

<sup>3</sup> *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](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/south-wales/efficiency/](http://www.justiceinspectorates.gov.uk/hmicfrs/peel-assessments/peel-2017/south-wales/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/south-wales/](http://www.justiceinspectorates.gov.uk/hmicfrs/peel-assessments/peel-2016/south-wales/).

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/](http://www.justiceinspectorates.gov.uk/hmicfrs/peel-assessments/how-we-inspect/)).

## Force in numbers



### Workforce

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

**5,011**

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

officers

**2,908**

staff (including section 38)

**1,690**

PCSOs

**413**



### Ethnic diversity

Percentage of BAME in workforce 31 March 2017

overall workforce

**1.8%**

officers

**2.2%**

staff

**1.1%**

PCSOs

**2.4%**

Percentage of BAME in local population, 2011 Census

**6.6%**



### Gender diversity

Percentage of females in overall workforce 31 March 2017

**41%**

England and Wales population, 2015 estimate

**51%**

Percentage of females by role 31 March 2017

South Wales Police

officers

**29%**

staff

**61%**

PCSOs

**44%**



## Grievances

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

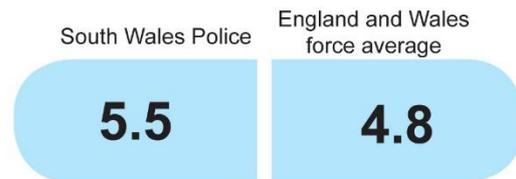


## Stop and search

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

7,188

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 judgment<sup>4</sup>



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

## Overall summary

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



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



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



South Wales Police is judged to be good overall in respect of how legitimate it is at keeping people safe and reducing crime. HMICFRS is pleased to see that the force has acted on previous areas for improvement and that its leaders demonstrate a real commitment to ensuring the workforce understand the importance of treating the people it serves with fairness and respect. The force has a range of monitoring and scrutiny functions, although some of these would benefit from greater independence.

The force continues to demonstrate that it has a good ethical culture, with officers and staff throughout the organisation taking an ethical approach to decision making. It provides easy channels through which the public can complain about the force, but needs to improve the extent to which complainants are kept informed of the progress of their complaint. South Wales Police provides its workforce with the skills needed to identify and investigate discrimination; however, the force needs to ensure that it

<sup>4</sup> HMICFRS judgments are outstanding, good, requires improvement and inadequate.

refers cases to the Independent Police Complaints Commission (IPCC) where appropriate, and that all investigations are carried out to a satisfactory level, including providing an acceptable service to complainants.

The force's leaders are fully committed to the wellbeing of the workforce; the force is building on the excellent foundations that we noted last year, introducing new initiatives that actively promote healthy lifestyles, and providing support to those who need it. However, it needs to do more to encourage black, Asian and minority ethnic (BAME) representation across the workforce, and more to ensure that the new appraisal process is understood and valued by everyone. The force has worked hard to develop a fair approach to the selection for leadership roles of officers and staff at all levels, and is considered by the workforce to be open and fair.

### **Areas for improvement**

- The force should ensure that all members of its workforce receive training in, and understand, all aspects of unconscious bias.
- The force should improve its monitoring of stop and search to ensure it identifies any disproportionality relating to ethnicity and takes action to address this at an early stage.
- The force needs to improve the level of information and detail it provides to complainants regarding complaint investigations and the frequency with which people who make complaints against the force are updated in line with IPCC statutory guidance.
- The force needs to review the way it identifies cases that meet the mandatory IPCC referral criteria.
- The force should ensure that all allegations which meet the mandatory criteria for referral to the IPCC are referred.
- The force should review and improve the manner in which it identifies and investigates complaints related to discrimination.
- The force needs to develop a clear structure to ensure that officers and staff who are subjects of complaint/misconduct investigations are kept routinely and effectively updated.

## 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.<sup>5</sup>

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,<sup>6</sup> their awareness of effective communication skills<sup>7</sup> in all

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<sup>5</sup> *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](http://whatworks.college.police.uk/Research/Documents/Fair_cop_Full_Report.pdf)

<sup>6</sup> 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.

<sup>7</sup> 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).<sup>8</sup>

### **Understanding the importance of treating people with fairness and respect**

Last year we inspected South Wales Police and found that the force needed to demonstrate improvement in how it treats the people it serves. This year, we found that leaders in South Wales Police can demonstrate that they understand the importance of treating people with fairness and respect; this was clear when we spoke to chief officers and senior leaders and to members of the workforce. The force has a consultation and engagement programme that seeks the views of victims of crime, members of its communities and young people. The force carries out a perception survey that is undertaken across the force at a local authority level and seeks the views of local communities on perception of crime and feelings of safety.

The force vision is to be the best at understanding and responding to the needs of its communities; its officers and staff have received training on the Code of Ethics and are involved in regular discussions regarding ethical dilemmas. Integrity and the Code of Ethics are at the heart of the force's mission statement. Levels of public satisfaction are a police and crime plan priority and monitored closely by the force and the police and crime commissioner (PCC). Customer service is a principal element of all the training programmes given to the staff of South Wales Police.

### **Understanding of unconscious bias**

South Wales Police has provided training in unconscious bias through a variety of courses and methods since 2015. For example, unconscious bias has been a principal component of stop and search awareness training for all frontline officers who use stop and search powers as well as to all new officers and staff through the professional standards values training programme.

Prominent subject matter experts from outside the force have provided unconscious bias training to specific groups, including senior leaders, members of the Female Police Association, officers and staff in the public service centre and custody suites and the professional standards department (PSD) management team. However, the force was unable to provide exact details of who had received unconscious bias training, and we found that when we spoke to members of the workforce, not all were familiar with the term 'unconscious bias', or how it affected their work and decision making. The force is currently developing a new unconscious bias training package

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<sup>8</sup> *Authorised Professional Practice on Stop and Search*, College of Policing, February 2017. Available from: [www.app.college.police.uk/app-content/stop-and-search/](http://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/](http://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>

and has undertaken a staff survey to help shape its design and content. The package was launched in June 2017, as part of force training days, providing the training to frontline officers initially and then other officers and staff.

### **Communication skills**

South Wales Police's workforce understand the importance of effective communication. All those working within the public service centre, where calls from the public are received, as well as police community support officers (PCSOs) and neighbourhood police officers, have received enhanced communications and customer service training. Personal safety training, attended by all frontline police officers, includes a session on how to communicate well with the public, including how to defuse difficult situations. The PCSO training programme has been increased from nine weeks to ten weeks, to help them deal with and understand conflict management, unconscious bias and communication, including difficult conversations and customer service.

### **Use of coercive powers**

South Wales Police works hard to ensure that its workforce have a good understanding of how to use coercive powers fairly and respectfully. Last year we found strong evidence that officers and staff had been trained and had good knowledge in the use of the national decision model<sup>9</sup> (NDM) and Code of Ethics, supplemented with personal safety training and good use of ethical dilemmas to aid fair decision making. The range of training is providing many officers with a good understanding of how to use coercive powers fairly and respectfully and make sound decisions relating to making arrests only when necessary.

The personal safety training attended by all police officers, members of the special constabulary and PCSOs contains updates for officers from lessons learned on how to apply minimum force effectively and also on the responsibility for recording its use. A bespoke training package is also given to custody detention officers. The training has recently been amended by the force, so that full 'use of force' training is only provided to frontline officers every other year. As a result of feedback from the IPCC, the force is currently exploring options to introduce an annual safety training programme for all custody staff. For officers with less than five years' service, this is provided on an annual basis.

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<sup>9</sup> The police service has adopted a single, national decision model (NDM). This helps everyone in policing make decisions and provides a framework in which decisions can be examined and challenged, both at the time and afterwards. The Code of Ethics is at the centre of this model. Information available from: [www.app.college.police.uk/app-content/national-decision-model/](http://www.app.college.police.uk/app-content/national-decision-model/)

## 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 force<sup>10</sup> 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,<sup>11</sup> to understand and improve the use of these powers. In the case of stop and search, the next section sets out our findings. It includes our assessment of the reasonableness of recorded grounds for stop and search.

### Scrutiny of use of force to improve treatment

South Wales Police has provided information on use of force to all officers and staff with a public contact role. The force complies with the national recording standards on the use of force and is good at recording and scrutinising use of force data to ensure people are treated with fairness and respect. The force has developed a web-based application that allows officers and staff to complete use of force forms through desktop and mobile devices, and we found that officers around the force had a good understanding of the circumstances under which they had to record use of force.

The force has a quarterly use of force meeting which is chaired by a chief superintendent. This meeting looks specifically at the trends and patterns across the force area and in particular, at how force has been used. The meeting looks for any incidents or trends of discriminatory behaviour or unfair treatment by officers. If mistakes by individual officers are identified, this is fed back to the officer via their supervisor to raise awareness and address any development needs. The PSD provides information on complaints relating to the use of force at this meeting and any organisational learning is reviewed by learning and development services.

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<sup>10</sup> 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](http://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/](http://www.app.college.police.uk/app-content/public-order/core-principles-and-legislation/police-use-of-force/)

<sup>11</sup> *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](http://www.college.police.uk/What-we-do/Support/Equality/Documents/Independent_advisory_groups_advice_2015.pdf)

In 2015, HMICFRS examined the force's use of Taser and found that it was being used fairly and appropriately. All officers in the force who were selected to carry Tasers had a good understanding of the NDM having received instruction on the model during their initial training. The force had an extensive system to review the use of Taser to establish any trends or lessons learned. Taser information was also considered at recent meetings of the use of force group and, since the introduction of body-worn video, this meeting now reviews footage of all incidents involving use of force by officers.

### **External scrutiny to improve treatment**

South Wales Police has recently revised its independent scrutiny by external groups. The PCC, in partnership with the force, has introduced a police accountability and legitimacy group; however, at the time of our inspection this group had met only once to agree terms of reference. The group has a diverse membership that is made up of an independent chairperson, local councillors and representatives from local communities. The group has been formed to provide external scrutiny and challenge of the force's strategic equality plan, and of the force's stop and search encounters and use of coercive powers. This is a positive step, but because the group has only recently been formed, it is too early to report on its effectiveness.

At a local level, each basic command unit (BCU) participates in community cohesion groups to provide scrutiny and oversight of its work, including the use of stop and search, Taser and cases that involve vulnerability. The groups also offer advice on specific issues such as the recent terrorist attacks in London and Manchester, the police use of body-worn video cameras, and they also work with communities to understand and alleviate any concerns. Members receive training in unconscious bias, use of force and subject-specific training, providing them with the confidence to challenge where it is appropriate to do so. However, there is an inconsistent approach across the force in relation to these groups, and membership is refreshed too infrequently. Further, the meetings are chaired by senior police officers, rather than by independent members. This means that scrutiny and challenge are not provided independently of the force, and so may not be identifying issues of concern to all the communities the force serves.

The office of the police and crime commissioner (OPCC), in partnership with the force, is in the process of establishing a strategic young person's police accountability and legitimacy group which aims to seek the views of young people on their perceptions and experiences of the force. This was due to start in June/July 2017 and was not in place at the time of our inspection.

South Wales Police has a consultation and engagement programme which is designed to seek the views of victims of crime, members of local communities and young people. The perception survey is undertaken across the force at a local authority level and seeks views from the public on perceptions of crime, feelings of safety and opinions of fair and respectful treatment. The force operates several

internal and external forums that feed into a confidence and legitimacy group, to assess the understanding and use of coercive police powers and their likely effect on public perception and confidence. These forums provide senior leaders with insight into the manner in which officers and staff use coercive police powers. In addition, the analysis of stop and search encounters by ethnicity and age allows the equality, diversity and human rights board, which is chaired by a chief officer, to monitor for signs of disproportionality.

## **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.<sup>12</sup>

HMICFRS has assessed the police's use of its stop and search powers on a number of occasions.<sup>13</sup> Our 2015 legitimacy inspection<sup>14</sup> 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.<sup>15</sup> Also, we assessed how the forces scrutinise use of these powers.

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<sup>12</sup> *Authorised Professional Practice on Stop and Search*, College of Policing, February 2017. Available from: [www.app.college.police.uk/app-content/stop-and-search/](http://www.app.college.police.uk/app-content/stop-and-search/)

<sup>13</sup> *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/](http://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/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/best-use-of-stop-and-search-revisits/)

<sup>14</sup> *Police legitimacy 2015 – a national overview*, HMIC, February 2016. Available from: [www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/)

<sup>15</sup> See annex A for more information about the methodology for our review of stop and search records.

## **Understanding national guidance**

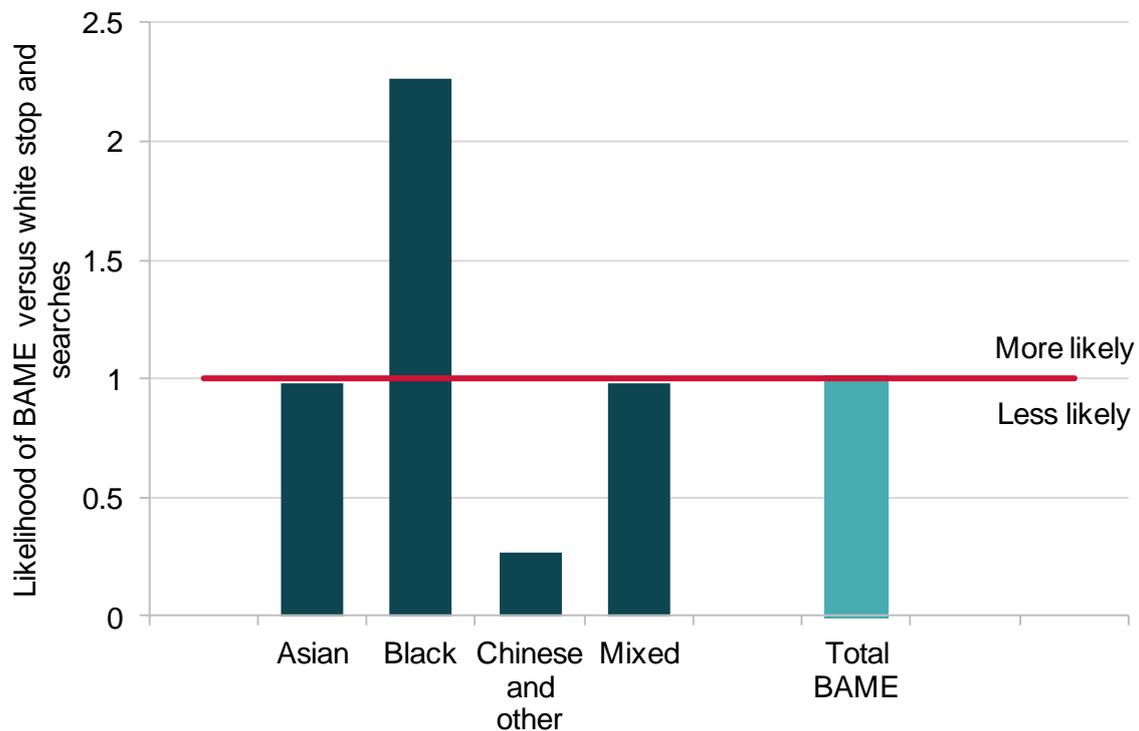
South Wales Police is good at understanding and applying national guidance relating to the use of stop and search. The force has an online stop and search training package that is based on the College of Policing stop and search authorised professional practice. While rates of police officer completion of this package are relatively high, the force needs to ensure that special constables also complete the training: force data suggest that it has been completed by less than a quarter of special constables. The training is provided during probationer and annual personal safety training, and includes a refresher of the NDM.

Any complaints made relating to stop and search are referred to the stop search working group where they are discussed. Lessons learned are identified and circulated across the force. The force has received two complaints in relation to stop search in the last year. HMICFRS undertook a review of 200 stop and search records and the results suggest that there is more work to do in respect of the understanding of officers and supervisors as to what constitute reasonable grounds to carry out a stop and search (see 'Reasonable grounds for stop and search', below).

## **Monitoring use of stop and search powers to improve treatment**

In order to monitor the use of stop and search powers effectively, forces should use a range of data to help them understand how the powers are being used and the subsequent effect on crime, disorder and perceptions in the community. In particular, forces should consider whether the use of stop and search powers is disproportionately affecting one group compared with another. In 2015/16 in the local population of South Wales Police, black, Asian and minority ethnic (BAME) people were as likely to be stopped and searched as white people. However, black people were 2.3 times more likely than white people to be stopped and searched.

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



**Source: Home Office 2016**

South Wales Police is good at monitoring the use of stop and search powers to improve treatment. The quarterly stop and search working group is chaired by the force lead for stop and search. This group monitors a comprehensive set of stop and search-related data, which it then uses to inform and update the equality, diversity and human rights board. The stop and search working group looks at:

- the age and ethnicity of persons subjected to the power;
- whether the grounds for the search were reasonable;
- items searched for;
- items found and whether or not they were connected to the grounds for the search;
- trends, such as persons who are repeatedly searched; and
- the top ten officers (by number of searches).

The force uses this information to identify unfairness or good practice, to make improvements and to share the learning.

<sup>16</sup> Police and Criminal Evidence Act 1984. Available at: [www.legislation.gov.uk/ukpga/1984/60/section/1](http://www.legislation.gov.uk/ukpga/1984/60/section/1)

The stop and search working group identified that the force conducted a disproportionate number of stop and searches on BAME people. As a result, South Wales Police now monitors any disproportionality of stop and searches through its local and force performance meetings and the stop and search working group, and takes action to address this at an early stage. The force is investigating the disproportionality of searches on black people but has not yet completed its investigations.

Research has shown that the use of body-worn video cameras can improve the behaviour of both the officer and the subject of the filming.<sup>17</sup> Force policy relating to body-worn video stipulates that officers will record all stop and searches. The force is in phase one of a process to roll out body-worn video across the force. Plans are already in place to monitor body-worn video footage through the stop and search working group, which will provide further routine scrutiny of its use of stop and search. However, the force is not yet in a position to use this as a tool to scrutinise further its use of stop and search.

On every occasion that a person is stopped and searched in South Wales, the officer is required to submit an electronic record of the stop and search encounter. Each of these records is then scrutinised by the officer's supervisor, who checks the record for its accuracy, that reasonable grounds for the stop and search have been recorded, and that the stop and search was lawful. Local policing inspectors dip sample a minimum of five stop and search records each month to quality assure them and provide feedback to the officer. The results are also provided to the force's stop and search working group and the equality diversity and human rights group, with any lessons learned fed to the force learning development services, for inclusion in future training.

### **External scrutiny of stop and search powers to improve treatment**

The force has several processes that support external scrutiny of stop and search powers to improve treatment. The PCC, in partnership with the force, has introduced a police accountability and legitimacy group to provide external scrutiny and challenge of the force's strategic equality plan, stop and search and use of coercive powers. Because the group has only recently been formed, it is too early to report on its effectiveness.

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<sup>17</sup> *Guidance for the Police use of body-worn video devices*, Home Office, July 2007; *Picture this: body worn video devices ("head cams") as tools for ensuring fourth amendment compliance by police*, Harris, D., April 2010.

The force operates internal and external forums that feed into the confidence and legitimacy group, to assess the understanding and use of coercive police powers and the likely effect on public perception and confidence. In addition, the community cohesion groups within each BCU also provide scrutiny and oversight of areas that include the use of stop and search. Following a presentation to young BAME communities in Cardiff, officers were informed of the need to explain their powers when undertaking any stop and search.

In 2015 we inspected the force on its compliance with the best use of stop and search scheme and found that it did not comply with three elements of the scheme. When we re-examined the force in 2016, we found the force to be fully compliant with the scheme.

### **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.<sup>18</sup>

In our 2013 inspection into the police use of stop and search powers,<sup>19</sup> we were concerned to see that, of the 8,783 stop and search records we examined across all forces in England and Wales, 27 percent did not include sufficient reasonable grounds to justify the lawful use of the power. For South Wales Police, the 2013 inspection found that 64 of 200 records reviewed did not have grounds recorded that were considered reasonable. In 2015, as part of our PEEL legitimacy inspection,<sup>20</sup> we carried out a further review of the recorded grounds in a sample of stop and search records. In that inspection, our review of 95 records found that 17 did not have reasonable grounds recorded.

During our 2017 inspection, we reviewed 200 stop and search records; seven did not have grounds recorded that we considered reasonable. While the records we reviewed may not be representative of all stop and search records completed by the force, our findings indicate that some officers and supervisors either still do not understand fully what constitutes reasonable grounds, or do not know how to record them properly. The force's efforts to raise officers' awareness regarding reasonable grounds for stop and search has not yet fully translated into action, as some officers are still failing to record reasonable grounds on every occasion.

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<sup>18</sup> Police and Criminal Evidence Act 1984 Available from:  
[www.legislation.gov.uk/ukpga/1984/60/contents](http://www.legislation.gov.uk/ukpga/1984/60/contents)

<sup>19</sup> *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/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/stop-and-search-powers-20130709/)

<sup>20</sup> *PEEL: Police legitimacy 2015* HMIC 2016. Available from:  
[www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/](http://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 in reality at the time of the stop and search. In 48 of the 200 records we reviewed, the item searched for was found. This is an important measure: confirming or allaying an officer’s suspicions is the primary purpose of the powers. Finding the item searched for is one of the best indications that the grounds for the suspicions are likely to have been strong.

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

	<b>2013</b>	<b>2015</b>	<b>2017</b>
Records not containing reasonable grounds	64 of 200	17 of 95	7 of 200
Item searched for found	–	–	48 of 200

## Summary of findings



**Good**

The force’s vision and values remain aligned to the Code of Ethics and are well understood by staff. This is further underpinned by the fact that all frontline officers have received an input on unconscious bias as part of the stop and search awareness training. However, the force was unable to provide details of which other police officers and staff had received the training, and it was evident that some staff had not received the training as they were unfamiliar with the term ‘unconscious bias’. The force recognises this limitation and is developing a training package on unconscious bias for all staff to complete. The force is good at understanding the importance of effective communication and has several courses that are specifically designed to improve the communication skills of its staff to meet the needs of their role.

The force complies with the national recording standards on the use of force and is good at recording and scrutinising use of force data to ensure people are treated with fairness and respect. The force has recently revised the way it is held to account and scrutinised externally at a force and local level through the police accountability and legitimacy group, and locally through local community cohesion groups, including young BAME groups. The force is good at monitoring the use of stop and search powers to improve treatment, however this could be further improved with more prominent use and engagement of young people. The force is good at understanding and applying national guidance relating to the use of stop and search and applying the powers fairly and respectfully.

### **Areas for improvement**

- The force should ensure that all members of its workforce receive training in, and understand, all aspects of unconscious bias.
- The force should improve its monitoring of stop and search to ensure it identifies any disproportionality relating to ethnicity and takes action to address this at an early stage.

## 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,<sup>21</sup> as opposed to last year's focus on how well forces are guarding against corruption.<sup>22</sup>

## 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.<sup>23</sup> Police leaders need to promote ethical principles and behaviour and act as role models, in line with the Code of Ethics.<sup>24</sup> 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.<sup>25</sup>

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<sup>21</sup> *Police legitimacy 2015 – a national overview*, HMIC, February 2016. Available from: [www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/)

<sup>22</sup> 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/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/peel-police-legitimacy-2016/)

<sup>23</sup> *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](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](http://whatworks.college.police.uk/Research/Documents/150317_Ethical_leadership_FINAL_REPORT.pdf)

<sup>24</sup> *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](http://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/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/integrity-matters/)

<sup>25</sup> HMICFRS' recommendation in December 2016 was that (i) Within six months, all forces not already complying with current national vetting policy should have started to implement a sufficient plan to do so and (ii) Within two years, all members of the police workforce should have received at least the lowest level of vetting clearance for their roles. The ACPO/ACPOS National Vetting Policy as

## **Leaders as ethical role models**

Leaders in South Wales Police are good at demonstrating and maintaining the values expected of them and are generally viewed as role models. The chief constable speaks to all new staff about ethical behaviour and expected standards of behaviour as outlined in the force values. Each month, leaders discuss ethical dilemmas with their teams to enhance understanding and further instil those values. The force introduced a confidence and legitimacy group in May 2017, chaired by a chief officer, that examines those areas of work that have the potential to affect public confidence. In addition, the PSD provides training on standards of behaviour to new recruits, promotion courses and leadership courses. Details of chief officers' pay, expenses and hospitality costs are published on the force website.

Leaders and staff can refer dilemmas for advice to an independent ethics committee which has external expert representatives, including a professor of ethics from a local university. One recent referral concerned the provision of tickets for 30 staff to the Champions League cup final in Cardiff. This was discussed by the committee and its recommendation to decline the tickets was accepted by the force. The committee makes recommendations to chief officers and outcomes are published on a dedicated web page on the force intranet. Officers and staff at all levels have the option to refer matters to the ethics committee for their consideration and the force provided several examples where this has taken place. However, when we spoke to officers and staff, some were unaware that they could make such referrals. The force needs to improve this by making the workforce more aware of this process.

## **Ethical decision making**

The force is good at taking an ethical approach to decision making at all levels. All force policies are subject to an equality impact assessment and are developed in consultation with staff associations and the police federation to reflect the Code of Ethics. Where relevant, policies are subject to internal or external scrutiny from the ethics panels: for example, the stop and search policy. The Code of Ethics features in training for all officers and staff, and last year we found that the NDM, with the Code of Ethics at its heart, was well understood by those that we spoke to from across the force.

The force website contains monthly ethical dilemmas with the intention of promoting debate and thought on ethical decision making amongst the workforce. Our inspection found widespread use of this and evidence that managers were regularly using the dilemmas as a tool to stimulate discussion in team meetings. The force provides comprehensive training on ethical decision making,

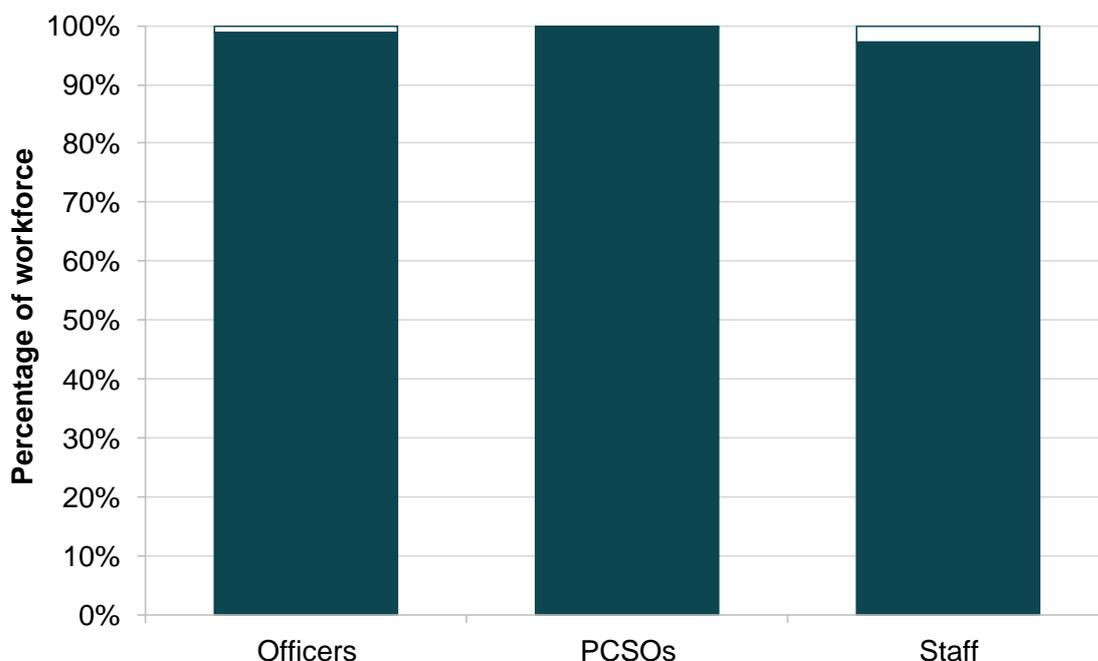
with the first input provided during initial training courses. This is refreshed regularly on training days and during monthly discussions about ethical dilemmas, together with continuing advice to individuals as required.

## Vetting

During our 2016 legitimacy inspection we considered the extent to which the force was ensuring it was developing and maintaining an ethical culture through effective vetting. We found that South Wales Police was not complying with all aspects of the national vetting standards. We found that the force had effective processes in place to vet new recruits, including police staff and volunteers, in line with national guidance. The force applies a higher level of vetting to people in roles that represent a higher level of risk to the organisation; these people are re-vetted on a regular basis, in line with national guidance. However, the force identified that 18 percent of the workforce – mainly people with over 20 years' service – had not been re-vetted in line with national policy and that this had created a backlog in approving some applications.

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 South Wales Police to provide us with data on the percentage of its workforce who had up-to-date security clearance. The data we received showed that on 31 January 2017, 99 percent of officers, 100 percent of PCSOs, and 97 percent of staff had up-to-date security clearance, as illustrated in figure 2.

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



Source: HMICFRS Legitimacy data collection

During this year's inspection we assessed the force's plan for addressing these issues, and were pleased to find that, as of 31 January 2017, only 1.7 percent of the workforce were not vetted to the appropriate levels. However, this figure does not include those on long-term sick leave, suspended, on maternity leave, on a career break or due to retire within 12 months.

The PSD has reviewed the force's vetting processes and introduced several changes. This includes an improved review process, whereby 10 percent of new recruit vettings and 14 percent of management vettings are dip sampled each year. Details of staff who are not vetted to the required standards are included in the monthly professional standards tactical report, allowing BCU commanders and heads of departments to take appropriate management action. Members of the workforce who are not vetted are also placed on a list for review by early intervention panels in each BCU; these panels review intelligence information to identify risks and put action in place to minimise any risk as appropriate.

The PSD has also introduced a new process whereby all vetting rejections of individuals with protected characteristics,<sup>26</sup> whom the force are actively trying to recruit, are automatically referred to the force vetting review panel. This allows reasons for rejection to be explored with a view to finding a way to reduce the vetting risk; for example, by suggesting that a person moves home to break their connection with friends or family members who have convictions. A process such as this will help the workforce to be more representative of the people it serves.

## **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.<sup>27</sup> 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.

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<sup>26</sup> The Equalities Act 2010 identifies the following characteristics as protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

<sup>27</sup> 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](http://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](http://www.ipcc.gov.uk/sites/default/files/Documents/research_stats/Access_to_the_police_complaints_system.pdf)

## **Ease of making a complaint**

The force website provides comprehensive information in both English and Welsh about how to make a complaint, and the online system for reporting complaints against the police is well used. However, we found a lack of posters, leaflets and literature in some police stations and non-police premises such as local citizens advice. Information on the complaint process is available at police stations in different languages on request. The force is running a social media campaign and regularly tweets to encourage people to complain if they are dissatisfied with the service they have received.

People who are stopped and searched are issued with advice on how to make a complaint at the time of the stop search. Since June 2017, the force has provided officers with an app on their mobile devices that allows them to record and submit an online complaint at any time on behalf of a member of the public while they are on patrol or at an incident. The app is a new feature and its use will be reviewed on a quarterly basis by the force. All complaints recorded via the app will be forwarded to the PSD, where they will be reviewed and input onto the complaints database (Centurion). Other than stop and search advice, we found no other examples of the force approaching communities who have less confidence in the police, in order to provide them with information and confidence on how to complain if they have received a poor service. The force does however offer assistance to people who need help making a complaint, providing support and facilities such as hearing loops for people with hearing difficulties, and language line for people who do not speak English.

We carried out a file review of 25 public complaints, and found three cases where complainants needed additional support. The files recorded that appropriate support had been provided in two cases.

## **Keeping complainants updated**

All complaints are initially assessed in the PSD. Approximately 40 percent of the complaints made are investigated by PSD staff; the remainder are investigated by local police supervisors and managers. The PSD has a weekly meeting to ensure that complainants are regularly being kept up to date with the progress of their case; however, those investigated by local supervisors and managers are less well managed. Supervisors do not use a software system to track, manage and provide updates to complainants. The force has successfully tested a new system which records all complaints via NICHE (a records management system that manages incident information) and there are plans for this to be extended force-wide in the future.

The file review found that complaint and misconduct cases are typically recorded quickly following initial receipt. In the majority of cases, complainants are provided with an introductory letter at an early stage in the enquiry containing links to relevant

IPCC guidance. However, they are often not given a copy of the complaint record as required by legislation, nor are they given an explanation of the possible ways the complaint may be dealt with or told who will be dealing with the complaint together with relevant contact details. We found that out of 25 complaint files, only two contained evidence that all of these legal requirements had been complied with. The force needs to improve the level of information and detail it provides to complainants.

Although the cases we reviewed were being dealt with promptly, only seven of the 25 files recorded that complainants, and those staff and officers complained about, were routinely updated with progress. IPCC guidelines suggest a 28-day rolling update period for complainants. While there was evidence in some cases that updates had been provided, this was far from typical, including in cases involving protracted investigation periods. Similarly, we found no clear structure to ensure that officers and staff subject of complaint or misconduct investigations were kept routinely and effectively updated. We spoke with one officer who had had a complaint recorded against him in January 2017 and by June 2017 had only received two updates. We found that only three of the 15 misconduct cases recorded regular updates to witnesses and those who were subject of allegations.

The force recognises the problem and is in the process of changing its complaints recording process from a paper-based system to a database on the force crime and intelligence system. Once a complaint has been recorded on the database, this will provide an automated reminder to investigators to update the complainant with progress. This approach has been introduced in the northern BCU and the force tells us it has led to improved contact with, and updates to, complainants together with a reduction in the number of live complaints by 50 percent, as well as improved timeliness.

When public complaints are finalised, the force is required to provide the complainant with the findings of the report, its own determinations and the complainant's right of appeal. We found that out of 25 complaint files, only 14 contained evidence that all of these legal requirements had been complied with.

## 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.<sup>28</sup>

### Identifying and responding to potential discrimination

The force identifies discrimination appropriately. All staff are trained in and understand the Code of Ethics. Understanding and dealing with discrimination is part of leadership training. The force has a whistle-blowing policy which has been supported by independent training for staff. Any complaints of discrimination are subject to independent scrutiny by the OPCC. The scrutiny takes place quarterly and examines whether discrimination was correctly identified and recorded as such, the quality and timeliness of investigations, and whether outcomes and organisational learning are reported back to the force.

During our case file review, we examined 10 complaints and five internal misconduct cases that the force had identified as containing an allegation of discrimination. We also analysed an additional 15 complaints and 10 misconduct cases which we considered might contain unidentified allegations of discrimination. We found one complaint containing an allegation of discrimination which the force had failed to identify, but overall the force was good at identifying allegations of discrimination.

In order to provide external scrutiny of serious cases, the law requires forces to refer a matter to the IPCC if it includes an allegation of criminal behaviour or behaviour which is likely to lead to misconduct proceedings, and is aggravated because it is alleged that discrimination was a reason for this behaviour. We identified that four of the force's public complaints and four internal misconduct cases that we reviewed met the referral criteria; however, only two complaints and two misconduct allegations had been referred. The force needs to review the way it identifies cases that meet the mandatory referral criteria.

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<sup>28</sup> 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](http://www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/Guidelines_for_handling_allegations_of_discrimination.pdf)

## **Investigating allegations of discrimination**

Those who investigate allegations of discrimination in South Wales Police have a good understanding of equality and diversity issues, and generally apply the related IPCC guidelines for investigating allegations of discrimination. PSD investigators are all trained and nationally accredited. They have received training in unconscious bias and are aware of IPCC guidelines. The PSD has a daily meeting chaired by a senior manager, and any discrimination allegations are discussed to ensure early action and appropriate management oversight.

Our case file audit investigated ten public complaint cases that the force had recorded as containing an allegation of discrimination. We considered whether these allegations had been investigated satisfactorily in accordance with the IPCC guidelines for handling allegations of discrimination. We found that three of these cases had not been investigated satisfactorily. The main reason for failure was the quality of the background research into the officer and evidence-gathering. We also considered whether, overall, the complainant making an allegation of discrimination received a good service from the force. We found that only seven of the ten complainants received a good service from the force.

The review found one example where a complaint involving discrimination had been withdrawn by the complainant. There was no indication that the force had conducted its own investigation to ensure that those who were subject of the complaint had adhered to ethical standards. We found evidence of effective use of the local resolution process. There were several examples of appropriate complaints being quickly and effectively resolved, including where discrimination had been alleged. There was evidence in each of the ten grievance cases reviewed that matters raised had been expeditiously and effectively managed – including where discrimination had been alleged – and positive results had been achieved at an early stage. We were reassured by the consistency of approach. The force uses a grievance template form which can record all protected characteristics. This provides opportunities to identify potential hidden discrimination more readily. The form was used in the majority of cases provided to us by the force.

## Summary of findings



### Requires improvement

South Wales Police has an effective system in place for considering ethical decision making and provides comprehensive training for all staff. The force has both an internal and external ethics committee, and has established a confidence and legitimacy group that examines areas of the force's work that have the potential to affect public confidence. Chief officer pay, expenses and hospitality are posted on the force's website. Force vetting is in a much improved position and the backlog has been significantly reduced from its position last year. The force provides comprehensive information about how to make a complaint on the force website, and an IPCC leaflet is available at some police station front counters. However, it does not produce, or have on display, force-specific information.

Officers and staff handling or investigating complaints appeared to understand their responsibilities, but our case file review found that the force does not routinely keep complainants, witnesses or those people subject to complaints updated about progress or provide sufficient information to complaints in line with legal requirements. The officers and staff we spoke to demonstrated a good understanding of what discrimination is and could identify it appropriately, however, some investigations were not as thorough as we would expect. The force needs to review the way it identifies cases that meet the IPCC mandatory referral criteria and improve the quality of its investigations, including the quality of service it provides to complainants, in line with IPCC guidelines.

#### Areas for improvement

- The force needs to improve the level of information and detail it provides to complainants regarding complaint investigations and the frequency with which people who make complaints against the force are updated in line with IPCC statutory guidance.
- The force needs to review the way it identifies cases that meet the mandatory IPCC referral criteria.
- The force should ensure that all allegations which meet the mandatory criteria for referral to the IPCC are so referred.
- The force should review and improve the manner in which it identifies and investigates complaints related to discrimination.

## 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.<sup>29</sup> 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.<sup>30</sup> HMICFRS assessed how well force leaders seek feedback from their workforces and use this, alongside other data and information – including that on grievances<sup>31</sup> – to identify, understand, prioritise and resolve their workforces’

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<sup>29</sup> *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](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. <sup>AIPM</sup> Research Focus, Issue 2, 2013. Available at: [www.aipm.gov.au/wp-content/uploads/2013/08/Org-Justice-Final.pdf](http://www.aipm.gov.au/wp-content/uploads/2013/08/Org-Justice-Final.pdf)

<sup>30</sup> *Ibid.*

<sup>31</sup> 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.<sup>32</sup>

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.<sup>33</sup> 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.<sup>34</sup>

### **Leaders seeking feedback and challenge from the workforce**

Leaders in South Wales Police are good at seeking feedback and challenge from the workforce. Since last year the force has carried out staff surveys and introduced new processes to encourage feedback. For example, the force has recently launched its new intranet site which enable senior leaders to communicate with the workforce via written or video blogs and invite commentary and responses. The #Teamblog section also allows staff and officers to communicate directly with each other and senior managers and raise issues of concern. The workforce clearly has confidence in this process as there has been a good response with several constructive questions raised each day. The force carries out post-implementation reviews of any change introduced via the 16 work streams that make up the force's change management programme. This provides the workforce with the opportunity to challenge and provide feedback regarding the effectiveness of the change.

The force conducts surveys to assess views on leadership and wellbeing. At the time of the inspection the force was in the middle of conducting a national workforce survey run by Durham University, due to be completed in August 2017, to enable it to assess how the workforce feel they are treated and how they feel about work and development opportunities and various other ways in which leaders seek feedback

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<sup>32</sup> *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](http://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](http://www.acas.org.uk/media/pdf/9/g/Discipline-and-grievances-Acas-guide.pdf)

<sup>33</sup> 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](http://www.legislation.gov.uk/ukpga/2010/15/section/4)

<sup>34</sup> 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/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/)

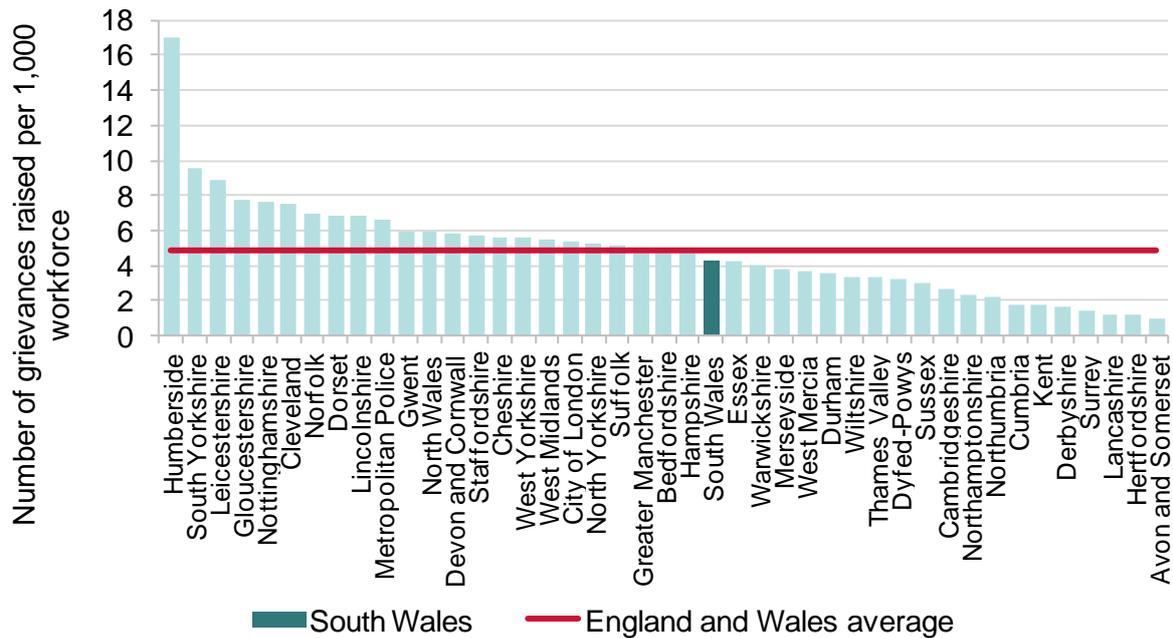
and challenge. These have included the health and wellbeing survey, that was completed by over 900 officers and staff, which has been followed by analysis of the results through work with Cardiff University and the Police Mutual Assurance Society (PMAS), as well as a 'spring forward' survey seeking people's views of leadership in the force. This survey had a 68 percent response rate, with over 3,750 of a potential 5,500 staff and officers completing it. South Wales Police is committed to developing an action plan to address the findings of this survey. Additionally, the chief officer team recently held a meeting with senior leaders to give them the opportunity to provide direct feedback.

### **Identifying and resolving workforce concerns**

Data on the numbers and types of concerns, problems or complaints (collectively known as grievances) that have been raised by officers or staff can provide forces with useful information about matters of concern to their workforces. All forces have grievance procedures but the number of grievances in each force differs widely across England and Wales. We requested data for the ten months from 1 April 2016 to 31 January 2017 on the number of grievances raised by the workforce. Figure 3 below shows that South Wales Police had 4.3 grievances raised per 1,000 workforce. This is broadly in line with the England and Wales average of 4.9 grievances raised per 1,000 workforce.

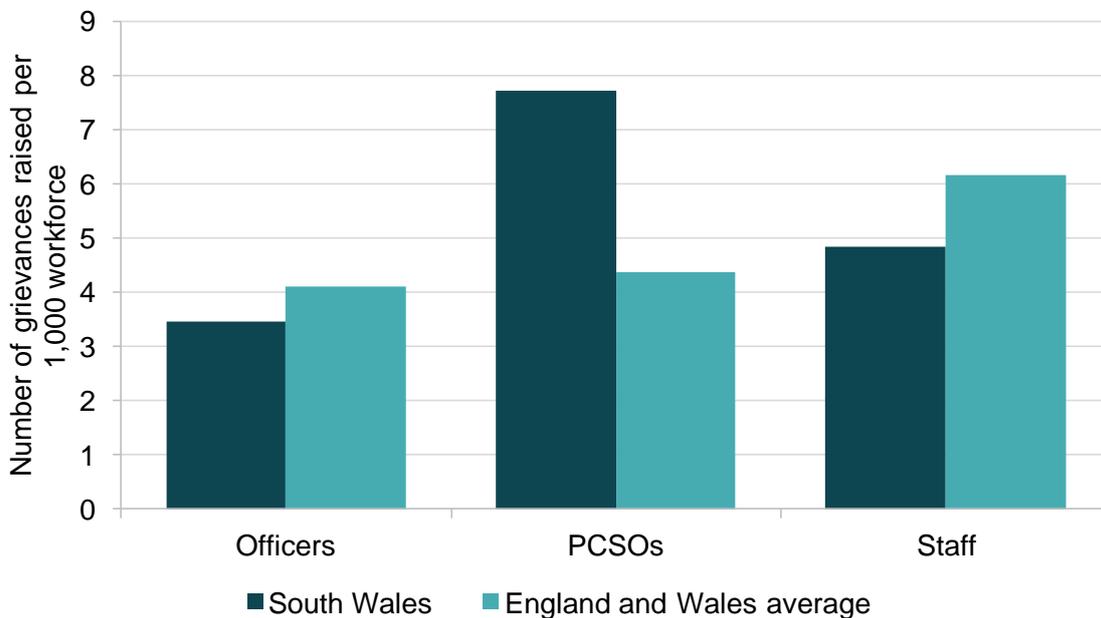
Figure 4 shows that the number of grievances raised by officers in South Wales Police was 3.5 grievances per 1,000 officers, and the England and Wales average of 4.1 grievances per 1,000 officers. In the same period PCSOs raised 7.7 grievances per 1,000 PCSOs, and the England and Wales average was 4.4 grievances per 1,000 PCSOs. Police staff raised 4.8 grievances per 1,000 staff in the same period; and the England and Wales average was 6.2 grievances per 1,000 staff.

**Figure 3: Grievances raised per 1,000 workforce, in South Wales Police in the ten months from 1 April 2016 to 31 January 2017**



Source: HMICFRS Legitimacy data collection

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



Source: HMICFRS Legitimacy data collection

Last year we found that the force needed to improve how it identified and understood the issues that have the greatest effect on workforce perceptions of treatment. This year we found that the force has made significant efforts to improve its understanding of this area. The force has used its staff surveys and various other

ways of encouraging feedback and challenge from the workforce, to understand workforce perceptions and to identify specific concerns regarding fair decision making and respectful treatment. The deputy chief constable holds regular meetings with staff associations and the Police Federation to discuss any concerns. The force also has specific networks for officers and staff with protected characteristics, all of whom can raise any concerns directly with chief officers. The force monitors grievances and has a process in place to conduct exit interviews with staff and officers who are leaving the force, to identify any underlying causes behind the decision to leave. There is a well-established fairness at work procedure that is being further developed in consultation with staff associations, and a new force policy on bullying is being developed.

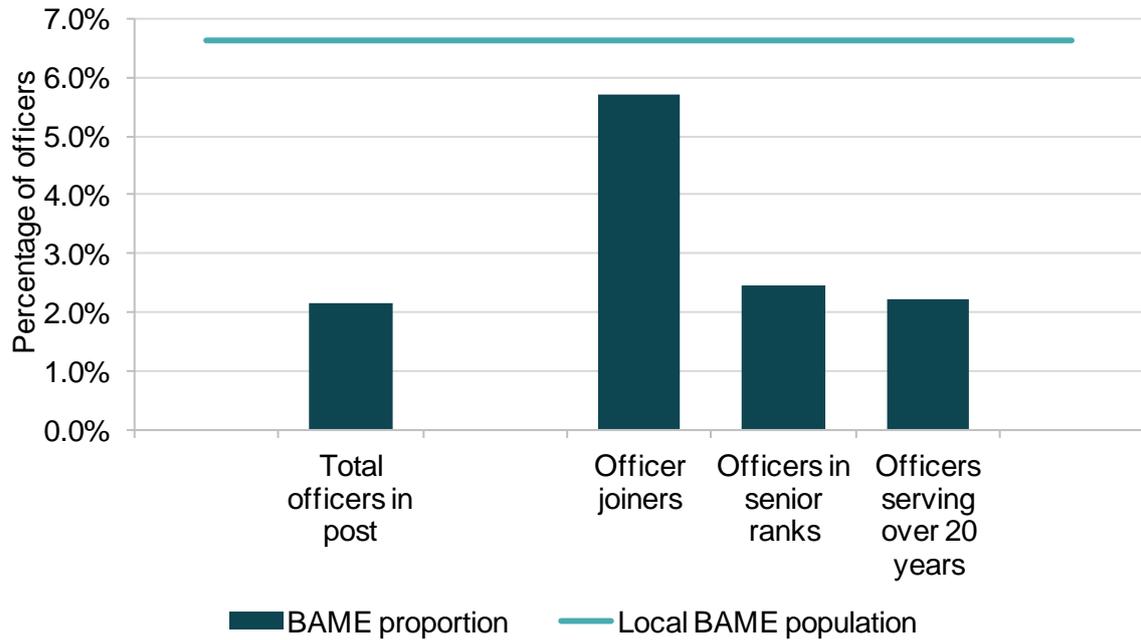
We reviewed a total of ten grievance cases and found that, in each case, there was evidence that matters raised had been expeditiously and effectively managed – including where discrimination had been alleged/suggested – and that outcomes had generally been achieved at an early stage. We were also reassured by a consistency of approach. In all but one of the cases, appropriate support was in place and the Acas code of practice and guidelines were followed. The force uses a template to record grievances that documents all protected characteristics, thereby providing opportunities to identify more readily any potential hidden discrimination. The form was used in the majority of cases examined. However when we spoke to staff and officers, we found some were not familiar with the changes introduced and had little confidence in the grievance procedure based on historic personal experience, in one instance from as long ago as 2011.

### **Creating a more representative workforce**

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

In the geographical areas served by South Wales Police, the 2011 census indicates that BAME people made up 6.6 percent of the local population. In 2016/17, in South Wales Police 2.2 percent of officers were BAME (see figure 5). In relation to officers, 5.7 percent of those joining the force, 2.5 percent of those in senior ranks and 2.2 percent of those who had served over 20 years were BAME.

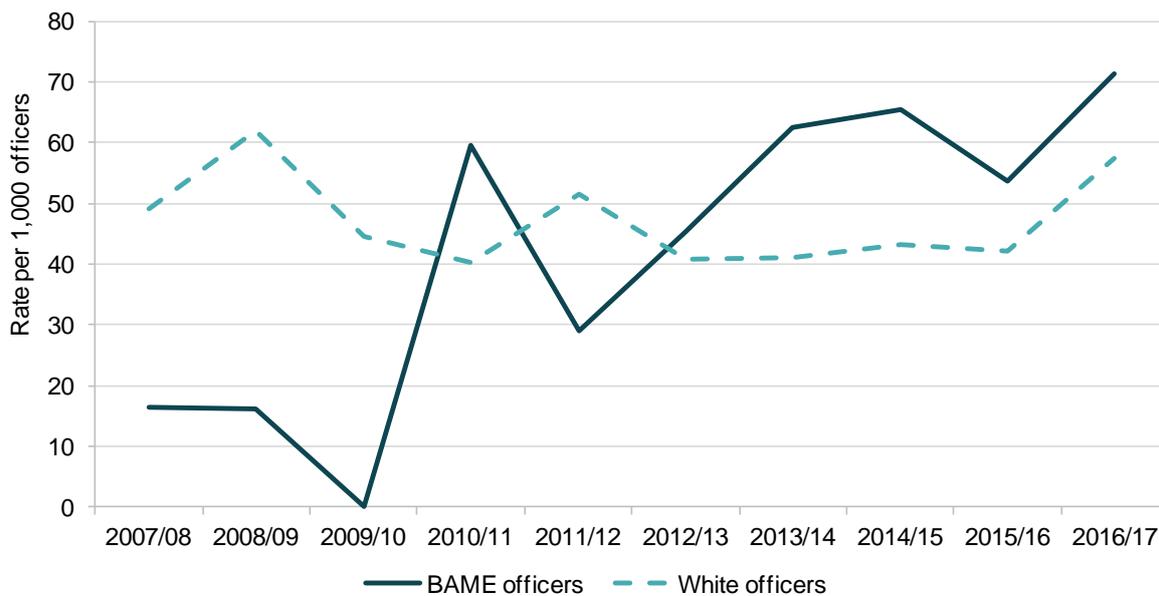
**Figure 5: Percentage of officer joiners, officers in post, officers in senior roles and officers serving over 20 years who are black, Asian and minority ethnic (BAME), in South Wales Police in 2016/17, compared with the percentage of BAME people in the local population**



Source: Home Office Annual Data Requirement

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

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

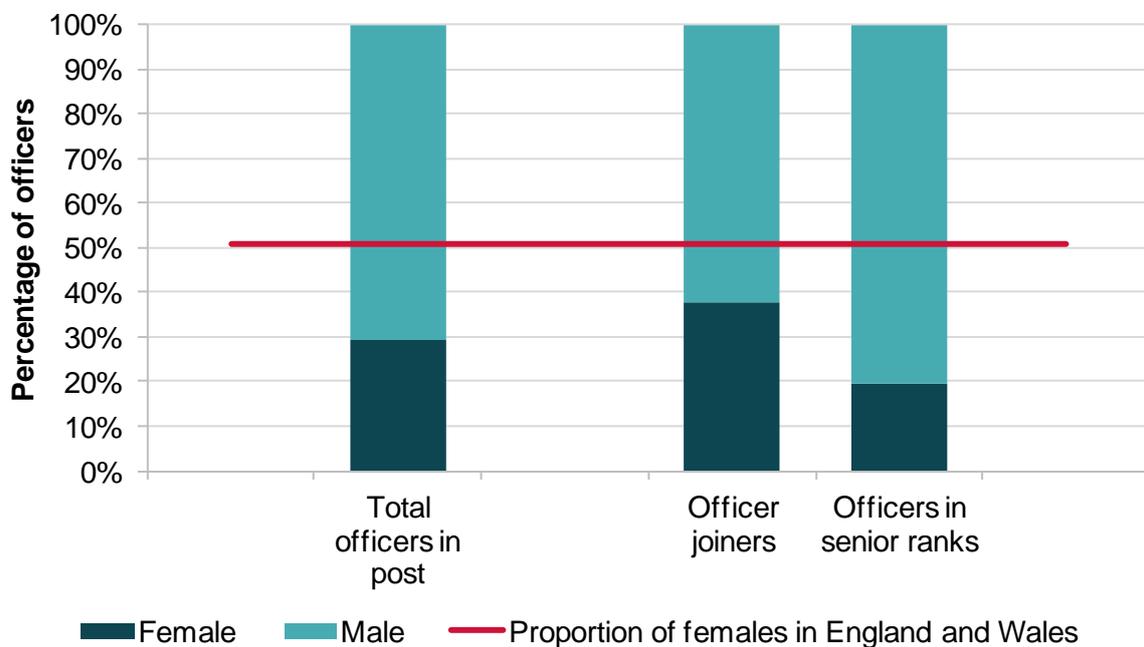


Source: Home Office Annual Data Requirement

In 2016/17 in South Wales Police for the equivalent of every 1,000 BAME officers, 71 left the force (see figure 6), while for every 1,000 white officers 58 left. Fluctuations in the BAME officer leaver rate may be due to low numbers of BAME officers in the force.

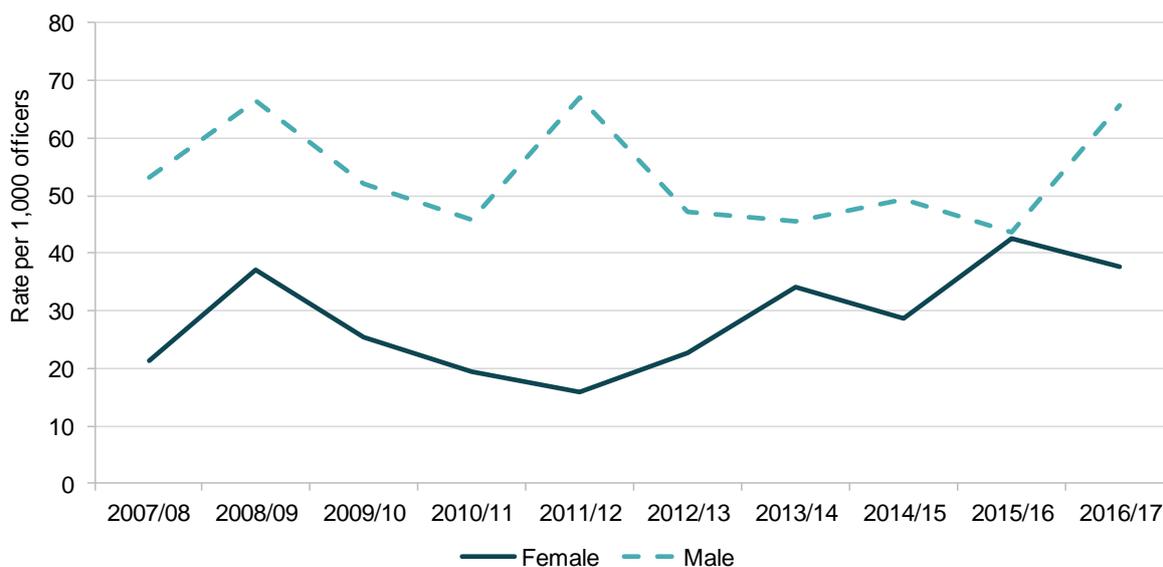
The proportion of female officers is lower than the proportion of females in the general population (51 percent) at 29 percent. In the 12 months to 31 March 2017 in South Wales Police, 38 percent of those joining the force and 20 percent of those in senior ranks were female (see figure 7). In 2016/17 in South Wales Police 38 female officers per 1,000 officers left the force, compared with 66 male officers per 1,000 officers (see figure 8 below).

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



Source: Home Office Annual Data Requirement

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



**Source: Home Office Annual Data Requirement**

The force has a good understanding of the importance of addressing potential disproportionality in the recruitment, retention, progression and complaint and misconduct allegations for officers and staff with protected characteristics. It has effective processes in place for scrutinising workforce information and data and taking action. For example, the gender delivery plan addresses findings and any disproportionality by promoting themes such as women’s health and wellbeing. The force has an objective to increase the diversity of the workforce, with a particular focus on race and gender. Its representative workforce strategy consists of four elements: 'attract', 'support', 'employ', and 'retention and progression'. Each BCU has a single point of contact who is responsible for working with neighbourhood policing teams and community safety partnerships through outreach events to develop a representative workforce. Some examples of the outreach activity include information stands at the University of Glamorgan, and job centre and shopping centre initiatives in Cardiff and Swansea.

South Wales Police is working with the Muslim Council of Wales in community centres and mosques to encourage recruitment. The force has undertaken activity to improve its workforce representation. For example, they have appointed two positive action staff to oversee initiatives to bring people from minority backgrounds into the force. If someone from a BAME background starts, but does not complete, an online application form, the force has processes in place to recognise this and will make contact with that person to discuss the application and to consider whether it could proceed.

There are 160 mentors within the force who clearly value the current arrangements and perceive them to be fair. The mentors volunteered, in response to a force advertisement, to help people from underrepresented communities to join the force.

They receive training on an annual basis to prepare them for the role. There is a bursary allocation to encourage people from BAME backgrounds to undertake the certificate in police knowledge. The force also uses social media sites to target minority groups at universities, to encourage them to consider a career in policing. The combination of these proactive activities has resulted in the proportion of people from BAME communities joining the force doubling in the last two years.

The force does not have any process in place to track BAME staff through the discipline process.

## **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.<sup>35</sup> HMICFRS assessed how well force leaders understand and promote these benefits by developing a culture that fosters workforce wellbeing, and how well forces use data and information – including feedback from the workforce – to identify and understand their wellbeing. Also, we assessed how well forces use this information to take preventative and early action to support workforce wellbeing at both an individual and organisational level.

### **Understanding and promoting wellbeing**

Leaders in South Wales Police demonstrate that they have a good understanding of, and promote the benefits of, workforce wellbeing. Overall, the workforce feels there is a culture of health, safety and wellbeing that is improving and is given more prominence by senior managers. The health, safety and wellbeing board ensures that the force discharges its health and safety legislation responsibilities, and is responsible for overseeing the wellbeing strategy. In May this year, the force introduced Wellbeing Wednesday, the purpose of which is to encourage staff to participate in activities that support their health and wellbeing.

### **Identifying and understanding workforce wellbeing needs**

The force is good at understanding the wellbeing needs of the force, and held a wellbeing seminar in February 2017 to raise awareness of health problems in the work place. The force has conducted a workforce wellbeing survey, and each BCU hosts its own monitoring board. There is also a force health, safety and wellbeing board, chaired by the chief finance officer from the OPCC.

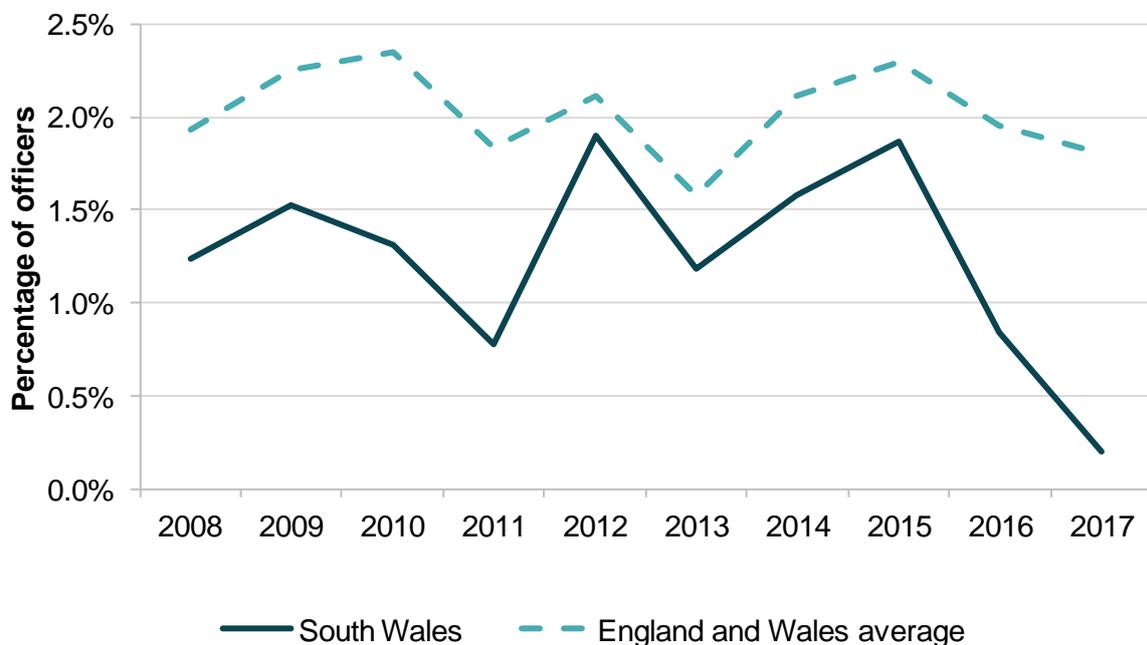
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<sup>35</sup> *Well-being and engagement in policing: the key to unlocking discretionary effort*, Ian Hesketh, Cary Cooper and Jonathan Ivy, 2016, Policing. pp. 1–12. Available from: <https://oscarkilo.org.uk/wellbeing-and-engagement-in-policing-the-key-to-unlocking-discretionary-effort/> Also see <https://fitforwork.org/employer/benefits-of-a-healthy-workforce/>

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

We compared force data on the percentage of police officers, PCSOs and police staff on long-term and short/medium-term sickness absence. On 31 March 2017 in South Wales Police, 0.2 percent of officers were on short or medium-term sick leave. The England and Wales average was 1.8 percent. The latest year for which data are available was 2017 which saw a decrease of 0.6 percentage points from the previous year, which is in line with changes in the last ten-year period (see figure 9).

**Figure 9: Percentage of officers on short or medium-term sick leave, in South Wales Police 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 South Wales Police on long-term sick leave was 4.7 percent and the England and Wales average was 1.9 percent. The latest year for which data were available is 2017 which saw an increase of 1.5 percentage points from the previous year, which is in line with changes in the last ten-year period.

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



**Source: Home Office Annual Data Requirement**

The force has processes in place to monitor and analyse work-related sickness. The health unit has interviewed 50 people to understand the causes and effects of sickness at work and has made 12 recommendations. One recommendation, in consultation with staff associations, was to introduce a minimum two-year tenure for staff being recruited into the force control room; this aims to reduce the rapid turnover of staff, which was compounding the stress of those who remained.

The force monitors trends in sickness absence across geographic areas, departments and age ranges, for example in order to put in place measures to reduce future levels of absence. The force's policy of supporting individuals in the workplace and monitoring and supporting those who are sick or absent, including having regard for their mental and emotional wellbeing, has led to reductions in short and medium-term sickness and other absences. However, long-term sickness remains high. The force is fully aware of those who are off long-term and has measures and support in place to deal with this on a case-by-case basis. The health, safety and wellbeing board continually reviews the top 100 people who are absent; this is to monitor intervention and progress, and encourage and facilitate their return to work, where appropriate.

The board also seeks to examine best practice from elsewhere and meets regularly with staff associations to provide the opportunity for them to raise any matters of concern. The force has signed a pledge for the mental health charity Mind's Blue Light programme and has developed an action plan to promote good mental health

wellbeing practices and the management of stress in the workplace. The force has also supported initiatives such as Wellbeing Wednesday, where people are encouraged for example to hold meetings outside while walking.

### **Taking preventative and early action to improve workforce wellbeing**

South Wales Police is good at taking preventative and early action to improve workforce wellbeing. The force has continued to build on its position from last year by introducing a more comprehensive range of effective preventative measures to improve workforce wellbeing. An example of this was the support provided to staff and officers caring for elderly family members: the force has a support network in place and has linked in with the local authority so that members of the workforce can access help and advice when caring for elderly family or friends. The force also offers support to single parents by providing an option to work compressed hours.

The recently-introduced Wellbeing Wednesday initiative encourages staff and officers to participate in activities that support their health and wellbeing. The force has introduced other initiatives such as hepatitis B immunisation and eyesight tests. It offers stress awareness training and access to counselling, and provides TRiM (trauma risk management) services with a psychological debriefing for personnel in specialist roles following traumatic events. The force reviews the effect of wellbeing interventions or initiatives. After taking part in the global corporate challenge, that involves people monitoring their own exercise levels, many people continued with that improved lifestyle and exercise; of the 560 people who took part, 68 percent achieved 10,000+ steps per day, 60 percent stated they had lost weight, and feedback was extremely positive, with some stating they now have better concentration levels at work.

Supervisors are trained to recognise the signs and symptoms of stress and anxiety in the workplace. There is management scrutiny of absence trends, and we were told that staff are contacted regularly, when they are ill, to check on their welfare. However, referrals to occupational health need to be reviewed. It can take an average of 45 days from the point of referral to the first appointment, which compared with an average of 15 days (among forces that could provide information). South Wales Police has the services of a forensic medical advisor (FMA) for two days a week and staff told us that consultation times had increased from 30 minutes to 45 minutes. The increase of new recruits joining the force has contributed to the 45 days' average wait for an appointment with the FMA. Staff and officers indicated that this waiting period was not a problem, as appropriate treatment or referral to an occupational health unit (OHU) was provided where a more urgent response was required. An example was given of a member of staff who was suffering from stress, was referred to the OHU and received a counselling session within three weeks of that referral. The force considers that the referral process to its OHU meets its needs and is not looking to put in measures to speed up the referral process. However, this

is an area where we consider the force still needs to make improvements to reduce the time between referral and appointment, to enhance the wellbeing of the workforce.

Being the subject of a public complaint or an internal misconduct allegation, or a witness to it, can be very stressful for members of the workforce and affect their wellbeing. Forces should recognise this and be prepared to provide additional support if required. Our case file review found that the force has no clear structure to ensure that officers and staff who are the subjects of complaint or misconduct investigations are routinely and effectively updated. Of the 15 misconduct witnesses and subjects of allegations that needed updates, only three updates had been provided.

## **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.<sup>36</sup> 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.<sup>37</sup> 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.

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<sup>36</sup> *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](http://whatworks.college.police.uk/Research/Documents/150317_Fair_cop%202_FINAL_REPORT.pdf).

<sup>37</sup> 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](http://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](http://www.college.police.uk/What-we-do/Development/competency-and-values-framework/Pages/Competency-and-Values-framework.aspx)

## **Managing and developing individual performance**

The force is good at managing individual performance. In 2016, the force's individual performance assessment process (referred to as PDRS) was identified as an area for improvement. Since then, the force has developed and implemented a new PDRS that links individual objectives to force priorities and includes details of an individual's continuous professional development (CPD) so as to encourage a meaningful discussion between the individual and their line manager. When we spoke to members of the workforce, we found they had mixed views: some praised the new PDRS, while others stated it offered little benefit or use. To address this, and promote an improved understanding of the benefits of the new process, the force is conducting a series of roadshows and human resources drop-in sessions.

There is no formal audit of skills currently in place; however, the force has plans to use the findings from its recent leadership and climate surveys to establish the leadership skills required and match those with current provision. The PDRS is used as a component of the force selection process for promotions, or for any change in role for both officers and staff. The force links its leadership training back to its leadership charter, and recognises that learning is done beyond the classroom. The force recognises the value of emotional intelligence and the softer skills that describe relationships with others, such as communication, personality traits, personal habits, language, optimism and friendliness. It has also introduced a marketing and communications post to help improve understanding of leadership skills and the identification of gaps (including the level of understanding of softer skills), to aid the development of teams and individuals across the force.

The force has a reward and recognition scheme which is linked to an annual awards ceremony, with nominations encouraged from all areas of policing and clear policies to tackle unsatisfactory performance by police officers and police staff. Between 1 August 2015 and 31 January 2017, 113 members of staff were subject to unsatisfactory performance procedures (43 officers, 6 PCSOs and 64 police staff). Supervisors now have the capability to scrutinise details of staff sickness, absence and performance to help manage and support individuals; the health management and attendance board reviews the circumstances of all staff absent for over one hundred consecutive days to ensure they are being treated correctly and any performance or capability matters are addressed.

## **Identifying potential senior leaders**

The force needs to improve how it identifies potential senior leaders. It has a process for identifying high-potential members of the workforce but does not currently have any officers on the Fast Track constable to inspector scheme,<sup>38</sup> and when we spoke to officers and staff some were unaware of the scheme. There is an evidence-based

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<sup>38</sup> For more information about Fast Track, see <http://recruit.college.police.uk/Officer/leadership-programmes/Pages/Fast-Track.aspx>

talent management programme in place, called 'policing futures' that has been designed in partnership with the University Police Science Institute (UPSI). UPSI has also conducted an interim evaluation of the scheme and, as a result, further support has been provided to those involved in the programme. The force also has a senior women's talent group, but does not participate in the Direct Entry scheme<sup>39</sup> for police superintendents, as the force considers that there is a sufficient pool of talent to choose from within the workforce to fill these roles. The force has, however, previously recruited from external sources for some of its more high-profile posts, for example the director of support services and the head of finance, but does not generally recruit outside for other posts. The talent management scheme and career pathways need to be more clearly communicated to the workforce.

### **Selecting leaders**

South Wales Police has worked hard to develop a fair approach to the selection for leadership roles of officers and staff at all levels, and most people we spoke to considered the process to be transparent and fair. One officer who had been unsuccessful in a recent process told us that in his view, the promotion process was fair and he could not see how it could be further improved. He stated that he had had face-to-face feedback and as a result he knew where he needed further development. As a consequence, he had moved into his current role to obtain the development he required. The force has set dates for future promotions for police officers each year in order to support officers in their development and preparation for promotion opportunities.

The force uses the national police promotion framework for those officers seeking promotion to sergeant or inspector. Applications from interested candidates must be supported by line managers, and candidates must be able to demonstrate their compliance with mandatory training requirements. Applicants are interviewed in a two-stage process; the first stage is at local board level, and for candidates who are successful at stage one, stage two is a force board interview. Both stages of the process assess the individual's level of competence against the national framework; there is also a presentation by the candidate at the force board.

Applications for promotion to superintendent are through expressions of interest, and candidates are then invited to a force board chaired by either the chief constable or deputy chief constable. Applications for promotion to chief superintendent are via expressions of interest for consideration by chief officers. At this level, candidates are selected based on their skills and abilities to match the existing vacancies. Feedback is given to both successful and unsuccessful candidates by the panel members. In addition, in the past few years several officers who have been very close to passing the boards have been temporarily promoted when opportunities have become available. These individuals have had a development plan set and

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<sup>39</sup> *Ibid*

monitored by their manager, and once successfully completed, they have been put directly before the force boards at the next process. In the majority of cases this approach has proved successful and substantive promotion has followed. The potential leaders we spoke to who took part in the process made it clear that they valued the approach.

## Summary of findings



**Good**

South Wales Police is good at treating its workforce with fairness and respect. The force has systems to ensure leaders seek and receive feedback from the workforce, including direct access to chief officers. The force identifies workforce concerns and is good at acting on feedback to matters highlighted. The workforce has confidence in these processes, but has less confidence in the force's grievance procedure.

The force continues to promote and improve physical and psychological wellbeing across the organisation via its health and wellbeing strategy, and has a good understanding of the risks and threats to the wellbeing of its workforce and takes early action in response to wellbeing problems. The force's policy of supporting staff members in the workplace has led to reductions in short and medium-term sickness and other absences; however, long-term sickness remains high.

The force needs to improve how it manages and develops the individual performance and continual professional development of its officers and staff, as the process is not yet fully effective. The force has worked hard to develop a fair approach for the selection of leadership roles of officers and staff at all levels, and most people considered the process to be transparent and fair.

### Area for improvement

- The force needs to develop a clear structure to ensure that officers and staff who are subjects of complaint/misconduct investigations are kept routinely and effectively updated.

## 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](http://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](http://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 staff<sup>40</sup>. 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).

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<sup>40</sup> See sections 38 and 39 of the Police Reform Act 2002. Available at: [www.legislation.gov.uk/ukpga/2002/30/section/38](http://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](http://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 South Wales Police in the 12 months to 31 March 2016**

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

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

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

### **Figure 3: Grievances raised per 1,000 workforce, in South Wales Police in the ten months from 1 April 2016 to 31 January 2017**

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

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

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

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

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

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

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

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

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

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

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

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

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

Data used in the above data were obtained from Home Office annual data returns 501 and 552. (available from [www.gov.uk/government/statistics/police-workforce-open-data-tables](http://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.<sup>41</sup> 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

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<sup>41</sup> City of London Police was unable to provide records up to 7 January 2017 but instead provided 200 records from 4 October 2016 to 26 November 2016.

- 10 service recovery complaints (if the force operated a separate service recovery scheme)
- 10 internal misconduct allegations the force had recorded as containing an allegation of discrimination
- 10 other internal misconduct allegations (so that we could ascertain if they contained unidentified allegations of discrimination)
- 10 grievances (and 10 workplace concerns if the force recorded these separately)

We assessed these case files against the relevant legislation, guidance and code of practice<sup>42</sup> 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?

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<sup>42</sup> 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.