



Inspecting policing
in the **public interest**

Police Integrity and Corruption

South Wales Police

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To what extent has the force put in place arrangements to ensure its workforce acts with integrity?

Chief officers in South Wales Police demonstrate their commitment to integrity, and set high standards of behaviour that are clearly understood by staff. People feel confident to report misconduct and unprofessional behaviour, and HMIC has seen good evidence of the active investigation of misconduct and corruption. With a capable and well-resourced professional standards department (PSD) and anti-corruption unit (ACU), the force is well placed to minimise any risks it faces from corruption, although further work in some areas is required.

Summary

The chief officer team creates a climate of ethical behaviour and encourage others to challenge unprofessional behaviour, leading by example. Officers and staff are aware of the boundaries between professional behaviour and unprofessional behaviour, and more serious unprofessional behaviour is investigated by the PSD.

The force has utilised a variety of media to raise awareness of integrity issues for staff. In addition, some training on ethical behaviour and integrity has been provided, but the force needs to ensure that all staff have access to it and then develop a plan to ensure staff understand and adhere to the Code of Ethics. Good governance arrangements are in place to monitor integrity-related issues, but timeliness of investigations has been poor and the force needs to develop audit processes for decisions made at misconduct hearings and meetings.

The central register of gifts and hospitality is well used and includes offers to staff that are declined. The force business interest policy is clear and well documented. All requests for authorisation of a business interest are recorded in a central register but auditing processes could be improved. There are confidential mechanisms and a clear policy to support staff reporting wrongdoing. HMIC found that the PSD plays an important role in creating a supportive environment for those reporting. The PSD and the ACU are both well resourced, but the force could do more to improve the vetting of staff.

What progress has the force made on managing professional and personal relationships with integrity and transparency, since HMIC's December 2012 report?

There were two areas for improvement from the 2012 report.

Staff know the content of integrity-related policies and there has been extensive internal communication to support this.

What progress has the force made in communicating and making sure staff knew about ethical and professional behaviour to all staff, including the new Code of Ethics?

There is strong and visible leadership from the chief officer team, and staff feel confident to challenge unethical or unprofessional behaviour.

There are good governance arrangements in place to monitor and manage integrity-related issues, and the related policies are up to date.

There is a business interest policy in place that staff understand. There is a need for more effective monitoring to support it.

How well does the force proactively look for, and effectively challenge and investigate misconduct and unprofessional behaviour?

Misconduct is considered as part of the selection process for promotion and transfer to specialist posts.

The force has processes in place to disseminate learning from misconduct issues across the force.

The force needs to audit the results of misconduct meetings and hearings.

The force is not sufficiently timely in the way that investigates complaints and this requires improvement.

How well does the force prevent, identify and investigate corruption?

The force needs to do more to identify those staff who are vulnerable to and from corruption, so that effective control measures can be put in place.

While the force has undertaken vetting for some staff, this should be extended to a wider section of staff, something that is acknowledged by the force.

What progress has the force made on managing professional and personal relationships with integrity and transparency, since HMIC's December 2012 report?

There is good evidence of the use of the gifts and hospitality register although there was more the force needed to do to ensure compliance with Association of Chief Police Officers (ACPO) guidance and that gifts and hospitality records are cross-checked with expenses, diaries and procurement.

What progress has the force made in communicating and making sure staff knew about ethical and professional behaviour to all staff, including the new Code of Ethics?

The force has utilised a variety of media to raise awareness of integrity issues and some training is provided, but more needs to be done to make sure that all staff have access to such training.

How well does the force proactively look for, and effectively challenge and investigate misconduct and unprofessional behaviour?

How well does the force prevent, identify and investigate corruption?

Staff within the ACU have a good range of skills; they have the capacity and capability to gather intelligence on and investigate corruption and can deploy a range of specialist tactics where appropriate.

Introduction

During HMIC's review of police relationships, published in 2011 as *Without fear or favour*¹ we did not find evidence to support previous concerns that inappropriate police relationships represented endemic failings in police integrity. However, HMIC did not give the police service a clean bill of health. We found that few forces were actively aware of, or were managing, issues of police integrity. We also found a wide variation across the service in the levels of understanding of the boundaries in police relationships with others, including the media. Similarly, we found wide variation across the service in the use of checking mechanisms, and governance and oversight of police relationships.

During HMIC's 2012 progress report, *Revisiting police relationships*² we found that, while forces had made some progress, particularly with regard to the implementation of processes and policies to manage threats to integrity, more needed to be done. The pace of change also needed to increase, not least to demonstrate to the public that the police service was serious about managing integrity issues.

This inspection focuses on the arrangements in place to ensure those working in police forces act with integrity. Specifically, we looked at four principal areas:

- (1) What progress has been made on managing professional and personal relationships since our revisit in 2012?
- (2) What progress has the force made in communicating and embedding ethical and professional behaviour to all staff?
- (3) How well does the force proactively look for and effectively challenge and investigate misconduct and unprofessional behaviour?
- (4) How well does the force prevent, identify and investigate corruption?

In May 2014, the College of Policing published a Code of Ethics for the police service.³ As our inspections in forces started in early June 2014, it is unrealistic to expect that, at the time of the inspection, forces would have developed a full, comprehensive plan to embed the Code into policies and procedures. We acknowledge that this is work in progress for forces and our inspection examined whether they had started to develop those plans.

A national report on police integrity and corruption will be available at www.justiceinspectors.gov.uk/hmic/ in early 2015.

1 *Without fear or favour: A review of police relationships*, HMIC, 13 December 2011. Available at www.justiceinspectors.gov.uk/hmic/media/a-review-of-police-relationships-20111213.pdf

2 *Revisiting police relationships: A progress report* HMIC, published 18 December 2012. Available at <http://www.justiceinspectors.gov.uk/hmic/media/revisiting-police-relationships.pdf>

3 *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, July 2014. Available at <http://www.college.police.uk>

What progress has the force made on managing professional and personal relationships with integrity and transparency since HMIC's December 2012 report?

HMIC highlighted two areas for improvement in the 2012 inspection report:

- to ensure staff knew the content of integrity-related policies; and
- the need for a centralised gifts and hospitality register on the force intranet.

The force has policies covering gifts and hospitality, notifiable associations (including media contact), business interests and second jobs and the use of social media. These policies have all been reviewed within the last two years. HMIC found that the staff had a good understanding of these policies. However, this inspection did not provide a comprehensive audit of the application of all of the policies that the force has in place. There has been some effective internal communication with poster campaigns, briefings to staff and use of the force intranet which has helped to promote such understanding.

The use of the centralised gifts and hospitality register is detailed in a written policy and this was widely understood throughout the force. The register correctly includes entries for hospitality offers that have been declined and recorded rationales explaining why gifts and hospitality have been declined or accepted. The accepted gifts and hospitality are subject to approval by the head of the PSD. However, the estimated value of the gifts/hospitality at issue was not always set out. The force has made excellent use of the acronym GIFT (genuine/independent/free/transparent) to remind staff of the requirements in the policy. The force does not carry out regular audits of senior officer and chief officer diaries against the gifts and hospitality register and expenses claims, but the force has commissioned an external company to audit the gifts and hospitality register.

The force/constabulary in numbers



Complaints

Total public complaints against officers and staff,
12 months to March 2014

697

Total public complaints against officers and staff,
12 months to March 2014, per 100 workforce

13.9

Total public complaints against officers and staff,
per 100 workforce – **England and Wales**

15.7



Conduct

Total conduct cases against officers and staff,
12 months to March 2014

100

Total conduct cases against officers and staff,
12 months to March 2014, per 100 workforce

2.0

Total conduct cases against officers and staff,
per 100 workforce – **England and Wales**

2.6



Business interests

Applications in 12 months
to March 2014

197

Approvals in 12 months
to March 2014

164



Resources

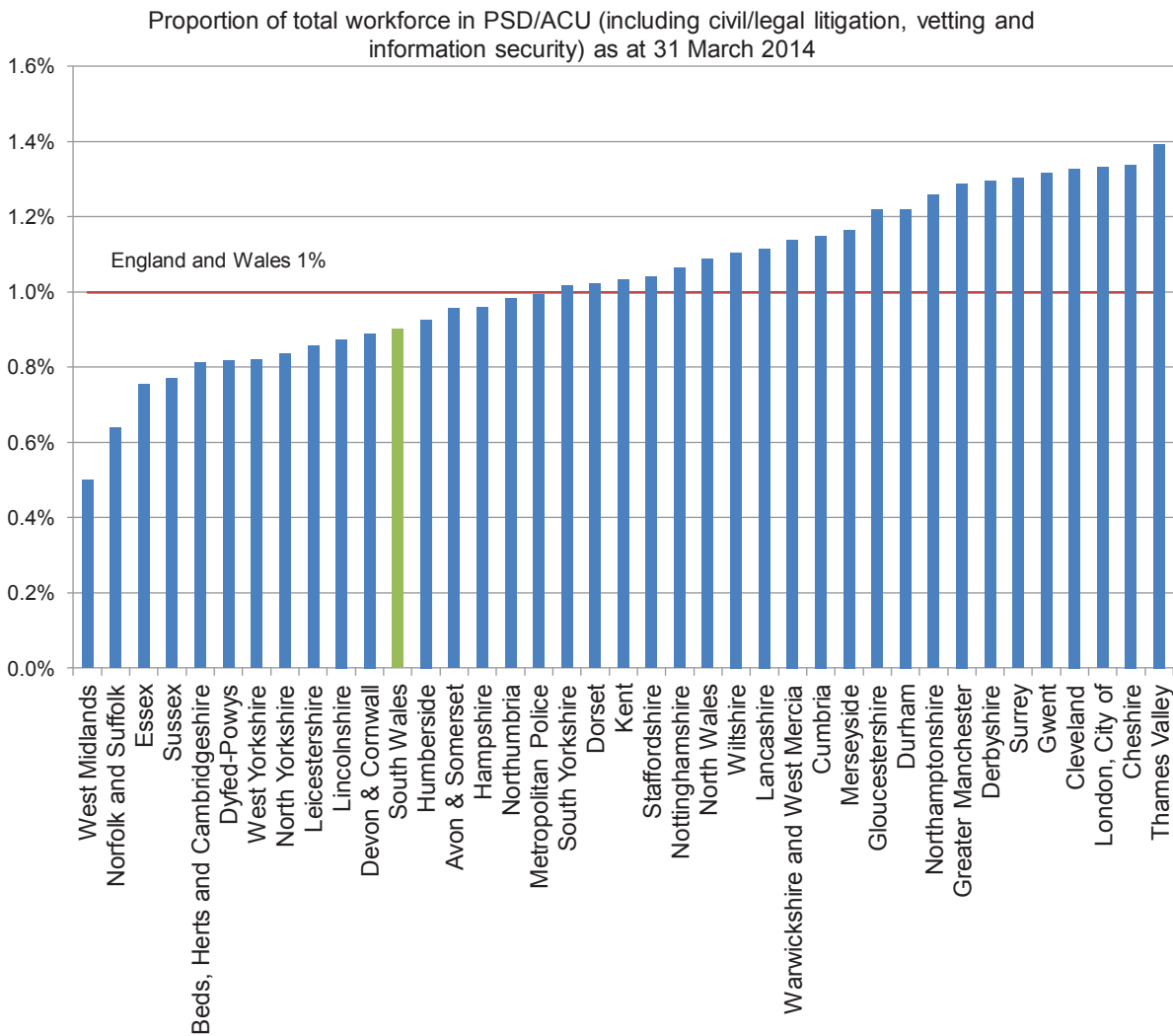
Proportion of workforce in
PSD/ACU

0.9%

Proportion of workforce in
PSD/ACU
– England and Wales

1.0%

Information above is sourced from data collections returned by forces, and therefore may not fully reconcile with inspection findings as detailed in the body of the report.



The chart above is only indicative of the proportion of force’s workforce that worked in professional standards or anti-corruption roles as at the 31 March 2014. The proportion includes civil/legal litigation, vetting and information security. Some forces share these roles with staff being employed in one force to undertake the work of another force. For these forces it can give the appearance of a large proportion in the force conducting the work and a small proportion in the force having the work conducted for them.

What progress has the force made in communicating and embedding ethical and professional behaviour to all staff, including the new Code of Ethics?

Leadership and governance

There is a strong and visible lead from the chief constable and other members of the chief officer team which helps to create a climate of ethical behaviour and appropriate challenge. The chief constable has worked hard on what is known as the three P approach to integrity and challenge (proud; professional; positive) and this approach has been well received throughout the force. The chief constable speaks to all new staff about ethical behaviour and when staff get promoted. This is reinforced by further messages from the chief constable and the chief officer team communicated with staff through a series of roadshows across the force that were primarily themed on austerity issues, but included integrity and professional behaviour.

Most leaders, including front-line supervisors, lead by example and are aware of the boundaries between professional and unprofessional behaviour and how poor standards of behaviour affect public confidence in the police. Newly promoted sergeants receive a two-hour input on intrusive supervision, using real case studies to highlight issues and trends and maintain high standards of professional behaviour. HMIC found staff felt confident to challenge and report misconduct and unprofessional behaviour by individuals or groups. They receive support in doing so without fear of adverse consequences. There have been a number of high profile cases within the force that resulted in dismissals, and these included situations where individuals had failed to challenge inappropriate behaviour, reinforcing the need to take action. The number of referrals into the ACU relating to complaints of inappropriate conduct has increased.

The Code of Ethics has been introduced at the senior leader's forum. There is a need to integrate the Code of Ethics with the three P approach that the chief constable has already introduced.

The National Decision Model (NDM) is used in the force but not by all staff; training has been provided including a NCALT computer-based learning training package. However, there is regular use of the NDM model in officer safety and firearms training, and it is also used for decision-making in deployment decisions made by control room staff. A review of the PSD files showed that the PSD staff effectively applied the NDM when assessing the likely threat, risk and harm in each investigation. HMIC found not all staff were aware of the existence and potential of the NDM and in particular its central focus on the force's mission and values.

Chief officers provide information to the police and crime commissioner (PCC) to facilitate effective governance and accountability on integrity issues. There is a regular bulletin delivered to the office of the PCC (OPCC) that includes themes and trends as well information on redacted live cases. This information supports regular meetings between

chief officers and the PCC, with staff from the OPCC regularly dip-sampling the PSD cases. The information provided to the PCC and the way in which that information is used to ensure transparency is one of the force's strengths.

Integrity issues are actively monitored by chief officers at governance meetings in a way that allows them to understand the issues fully, and to identify the appropriate action. There is a weekly meeting between the head of PSD and the deputy chief constable in which trends and individual conduct cases are considered and progress reports are given. Meetings involving senior interested parties, known as gold group meetings, are formed for critical or high profile investigations when necessary, and terms of reference and actions are recorded and monitored. All investigations have a senior investigating officer assigned to them to direct the investigation. The chief officer team reviews reports on professional standard issues which cover new complaints by category, business interests, and outcomes of hearings every month. There is also a confidence and reputation group within the force looking at trends and their impact on the public. This brings together human resources (HR), PSD and local policing management to consider individuals who may be of concern across departments. These individuals may then be dealt with either by the local policing or the PSD management depending on the necessity and severity of the issues of concern raised.

Policies or guidance clearly explain the meaning of misconduct and unprofessional behaviour and describe the acceptable boundaries, and what is expected of staff in their private and professional life. Policies are reviewed bi-annually. The force is currently looking to reduce the number of policies it has and to make them easier for staff to understand. However, this inspection did not provide a comprehensive audit of the application of all of the policies that the force has in place. The social networking policy deals with social networking both in duty time and during officers' own time. Police staff have contracts which set out what may constitute gross misconduct. When staff were spoken to there was a good knowledge of what was and was not acceptable behaviour.

New recruits are trained on integrity matters and promoting professional and ethical standards of behaviour, as well as access to NCALT computer-based learning packages for members of staff. There is no routine refresher training on integrity issues where ethical dilemmas and unconscious bias can be discussed. There is a podcast on the intranet called PC Smith which brings to life misconduct issues. This has been widely seen by supervisors and extensively used on team briefings, but officers not seeking promotion or transfer into specialist areas are not in general likely to receive formal training on integrity issues. Since this applies to the majority of the workforce, it is a matter for concern. The PSD is resourced to provide an educational and advisory role as well as dealing with investigations, and the force needs to make more use of this capacity as it works towards incorporating the Code of Ethics across the force.

Understanding integrity

Details of all occasions in which officers and staff apply for authorisation for a business interest are recorded fully in a centrally held repository. The force business interest policy is clear and well documented. There is an online form for staff to submit and a central register currently housing 402 registered business and sporting interests. A business interest application is considered by a line manager, then the divisional commander or department head of the applicant before being audited by PSD and the ACU prior to being reviewed for approval by the head of the PSD. Interests are reviewed annually but the onus is on the staff member to inform the organisation of their intention to renew, otherwise the file is endorsed “renewal not sought”. The force should review this process to ensure that staff do not continue with business interests that the force is not aware of. Rejected business interests are not followed up to ensure compliance. The head of the PSD only authorises action to follow up on refusals if there is relevant supporting intelligence to suggest non-compliance. Business interests are recorded on the force website but the rank or grade of staff is not specified and the entries lack detail. The information recorded on the website is not current as it only contained information up to February 2012.

The force has a policy on notifiable associations, implemented in December 2012. The policy describes the type of associations that staff should tell the force about and there is specific information provided regarding relationships with journalists. There is good knowledge in the force about the need to notify PSD of certain relationships, and all submissions are reviewed within the PSD. There are also clear reporting mechanisms, through the completion of forms accessed through the force website. HMIC examined some of the force policies and found they had been reviewed within the last two years.

How well does the force proactively look for, and effectively challenge and investigate misconduct and unprofessional behaviour?

Misconduct and unprofessional behaviour

Misconduct and unprofessional behaviour are considered as part of the decision-making process when staff apply for specialist roles and promotion for all positions; this includes applications for courses such as the senior police national assessment centre (SPNAC), the pre-cursor for attendance on the strategic command course for appointment to chief officer, and fast-track development schemes. At a recent promotion process members of staff who had erroneously claimed that they had received safety training were excluded from the process. There was a concern, however, that officers not seeking such development or who transferred to roles within local policing on a less formal basis were not being effectively checked.

The force ensures that all staff, irrespective of rank or role, are treated fairly and equally when cases are assessed, recorded, investigated and sanctions imposed. There is a belief amongst the staff interviewed that investigations were fair and equitable. The force has an equality, diversity and human rights board, chaired by the chief constable, and attended by staff associations and representative networks. The fact that the deputy chief constable is the single appropriate authority (AA) for making the final decision on all misconduct matters ensures consistent decision-making. HMIC conducted a review of a small number of PSD cases. This included reviewing up to ten randomly selected cases involving serious misconduct or criminal conduct. The aim was to check on timeliness, supervision and appropriateness of decision-making. The case files showed a good consistency of decision-making throughout investigations, with regular contact with legal services and HR as required. The force uses appropriate procedures to deal with unsatisfactory performance where these are considered more relevant.

There are confidential mechanisms, supported by a clear policy, for staff to report wrongdoing. The force has an integrity hotline which is well publicised in posters and on the force intranet. There is also an email system by which wrongdoing can be reported. Most staff are aware of the reporting lines and have a good working knowledge of how to report wrongdoing on a confidential basis.

The force refers cases to the Independent Police Complaints Commission (IPCC) where appropriate. HMIC found a good understanding of the rationale for referring cases to the IPCC, and the PSD call-out rota ensured that a senior PSD officer was available for advice at all times. The force actively uses the IPCC bulletin to disseminate learning to supervisors. There is evidence from staff that while the IPCC bulletin is emailed, there is no process to check that staff had read and understood it. The reputation and risk group within learning and development looks at the learning coming from the IPCC and examines gaps in the force which may place staff at risk. The responsibility for learning the lessons that required a change to processes or force policy remains with the relevant departmental heads.

The force uses early intervention panels and invites officers in for meetings to learn from mistakes that have been genuinely made and do not justify being dealt with as a misconduct issue. Each local policing command has a PSD single point of contact at the rank of chief inspector or above and learning is disseminated into the force through those contact points. Outcomes of cases are disseminated to senior management teams by ACPO and more broadly to the force by publication of the results on the force web site, and in high profile cases, externally through public media outlets.

Professional standards training and resourcing

Staff in the PSD and the ACU receive regular training and are very experienced and highly skilled. All officers have attended the professional standards course and the detectives were trained at professionalising investigative programme (PIP) level two. The head of the ACU is an accredited senior investigating officer (SIO). The department includes analytical and research capacity.

The potential vacancies in PSD at senior management level are already anticipated and planned for and the current chief inspector has been posted to the department to ensure consistency of decision-making.

The force PSD is sufficiently resourced to work in a proactive and preventive capacity. The PSD is held in high esteem across the force, and is seen as an effective reference point for advice as well as having a reactive investigative capability.

Misconduct hearings are aimed at ensuring transparency, effectiveness and efficiency in order that they are open to scrutiny and are cost effective. The presiding officer is appropriately qualified and independent of the person being investigated. The force uses its own ACPO officers for hearings, and they are trained to conduct those hearings.

The force makes use of fast-track dismissals where appropriate. The force requests legal advice before using the fast-track dismissal process and had done so four times in the last year. The procedure was used when officers were facing criminal proceedings and had admitted their guilt.

Quality assurance

The force does not specifically audit decisions in hearings/meetings which result from allegations of misconduct or unprofessional behaviour against officers or staff. The head of the PSD holds meetings with interested parties such as legal services and counsel to ensure decisions are justified, but this is more of a debrief after the case rather than a formal review process. Formal reviews are progressed through the established appeal process when required.

Case conferences are held with investigating officers from the PSD to ensure that the severity assessment is correct and that the investigation has been proportionate. HMIC found evidence of sanctions that had been increased or decreased in severity as a result of this process. The DCC reviews every suspension on a monthly basis in order to decide whether continued suspension remains necessary.

The force oversees the quality of investigation, but timeliness is an issue. HMIC found no meaningful performance system in place monitoring the timeliness of its complaints investigation. A level of frustration with timeliness was found amongst personnel across the force. There was evidence that complaints were managed in line with the Taylor Principles ensuring that they were managed at the right level.

Recommendation

Within six months, the force should ensure it has sufficient capability and capacity to enable the recording and conducting of timely and proportionate investigations into public complaints.

The PSD oversees police staff investigations carried out by other departments e.g., HR or local policing. The force disciplinary policy states that the HR director is responsible for decisions regarding the suspension of a police staff member of the force and in conjunction with the head of the PSD, will decide who is best placed to conduct the investigation. The PSD would be aware of police staff investigations and available for advice and provide oversight but, with the exception of cases involving allegations of gross misconduct, the investigations are carried out by the HR department.

Suspension decisions are made by the deputy chief constable following representation from the head of the PSD. His decisions are recorded in writing and regularly reviewed. The force recognises that it is unable to prevent people from resigning during an investigation and there is no policy in the force about resignation. There is, however, a clear understanding within the HR department that if a member of staff resigns during an investigation into their conduct, any future reference will reflect that the resignation was tendered at a time when an investigation was underway. Any decision on whether to allow retirement during investigation is taken on a case-by-case basis.

How well does the force prevent, identify and investigate corruption?

Investigating corruption

The force does not identify vulnerable staff groups although the force was aware of current national trends including unmanageable debt and inappropriate sexual conduct.

The force works closely to the ACPO national vetting policy and there are plans to extend the vetting across the force, but there have been problems with capacity. The force recognises that officers not seeking promotion or a specialist role, and who are content to remain in the same post for long periods of time, do not tend to have their vetting status reviewed, leaving the force with a potential risk. This is an area for improvement.

The ACU has the technology to check use of force systems and social networking sites and it is used to ensure staff comply with the force policies. Staff only have access to the systems they need to perform their role effectively. There is an information security policy and an information security board (chaired at chief officer level) which manages information security issues.

The force uses random and with cause drug testing, and intelligence-led integrity testing to identify corruption, and the results are circulated to the workforce. HMIC found that there has been a 50 percent positive sample return for with cause testing including positive tests for steroids, cocaine and cannabis. A recent intelligence-led integrity test had resulted in two officers being convicted and sent to prison for stealing from a house that they were searching. These results were publicised across the force.

The force has ensured that organised crime investigations are not compromised and has effectively taken steps to prevent future operations from being compromised by corruption. There is strong vetting of officers on specialist crime operations. On major investigations an operational security officer is assigned.

The force ensures the effective security of systems, exhibits and case papers. The PSD and the ACU adhere to a clear desk policy and the environment is controlled by security keypads and CCTV. There are secure cabinets for files and exhibits. The unit has a standalone computer network that cannot be accessed by other members of the force. HMIC found no evidence of any issues of concern in respect of managing systems, exhibits and case papers.



Intelligence

The force proactively and regularly gathers intelligence on corruption from a number of sources and grades it in compliance with the relevant authorised professional practice and using the national intelligence grading system with further analysis undertaken to identify trends. It is clear to HMIC that intelligence from different sources is identified and used. All intelligence is analysed as part of a tasking and co-ordination process in the form of a closed monthly meeting held within the PSD. The force was able to show HMIC through current ongoing operations that they are able to identify effectively multiple suspects and multiple offences by the same suspect. The HMIC inspection team is satisfied that there are sufficient resources to deal with the flow of intelligence.

Capability

The PSD has ready access to specialist assets when required. There are trained financial investigators and a surveillance capability within the department as well as access to the technical support unit (TSU). There are good relationships with the National Crime Agency (NCA) and the force has the ability to call on further surveillance capability from the NCA if required. The level of training and capability within the ACU is high with staff having a range of specialist skills. Most operations are launched as a result of intelligence being received.

It is evident to HMIC that cases that we examined are referred to the IPCC in accordance with the applicable guidance. There is a daily management meeting at which the major issues affecting the force are considered by senior officers. The PSD has a 24/7 call-out rota and is available to advise on the need for referral.

Recommendations

- **Within six months, the force should ensure it has sufficient capability and capacity to enable the recording and conducting of timely and proportionate investigations into public complaints.**