

Her Majesty's Inspectorate of Constabulary



Inspection of Bedfordshire Police

Professional Standards

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CONTENTS

A – INTRODUCTION AND METHODOLOGY

1. Introduction
2. Inspection scope
3. Methodology
4. Baseline grading

B – FORCE REPORT

1. Force Overview and Context
2. Findings
 - **Intelligence** - *what a force knows about the health of professional standards*
 - **Prevention** - *how the force tries to improve and prevent the abuse of standards*
 - **Enforcement** - *its effectiveness in dealing with emerging problems*
 - **Capacity and Capability** – *having the resources and skills to address reactive and proactive challenges (including timely and proportionate response to lapses in professional standards)*

C – GLOSSARY

INSPECTION OF PROFESSIONAL STANDARDS 2005

A - INTRODUCTION AND METHODOLOGY

1. Introduction

'Professional standards' within the policing context has evolved significantly in recent years, following the HMIC thematic 'Police Integrity' (1999), the establishment of an ACPO Presidential Taskforce to tackle corruption and the introduction of the ACPO Professional Standards Committee. Since 2000, virtually every force in England and Wales has significantly expanded the activities of pre-existing Complaints and Discipline Departments to include an element addressing anti-corruption, including covert investigation. These larger units are generically known as Professional Standards Departments (PSDs).

The issue of complaints holds a unique importance for HMIC in that legislation¹ creates a responsibility on Her Majesty's Inspectors (HMIs) to 'keep themselves informed' as to the handling of complaints in forces. Traditionally this has involved inspection of individual forces on a rolling programme. The advent of HMIC's annual Baseline Assessment (from 2003/04), the establishment of the Independent Police Complaints Commission (IPCC) in 2004, and a series of public inquiries have changed the professional standards landscape significantly. In view of this, HMIC decided to carry out a simultaneous programme of inspection of professional standards in all 43 English and Welsh forces to provide a comprehensive picture of current performance and identify any issues of national importance.

2. Inspection scope

While this national programme of inspection of 'Professional Standards' has focused primarily on the operation of the PSDs, and their sub-sections, it has also examined issues of professional standards in the wider policing context, and therefore touched on other departments and areas of responsibility, for example Human Resources (HR). The core elements identified nationally for examination were:

Professional Standards Department

- The umbrella department within which all 'professional standards' activities are delivered, including the investigation of complaints and misconduct and proactive anti-corruption work.

Complaints and misconduct unit

- Responsible for reactive investigations into public complaints as well as internal conduct matters.

Proactive unit

- Responsible for the intelligence-led investigation of vulnerability to or allegations of corruption.

¹ Section 15(1) of the Police Reform Act 2002

Intelligence cell

- Responsible for:
 - Overall intelligence management
 - Analysis
 - Field Intelligence
 - Financial Investigation
 - Managing risks and grading threats

Handling of civil claims, security management and personnel vetting

- Individuals or units responsible for identifying risks to the integrity of the police service manifested within civil actions, civil claims, employment tribunals, breaches of security and infiltration of the service by inappropriate personnel.

Handling 'Direction and Control' Complaints

- Processes for handling complaints relating to:
 - operational policing policies (where there is no issue of conduct)
 - organisational decisions
 - general policing standards in the force
 - operational management decisions (where there is no issue of conduct)

Impact of unsatisfactory performance and grievance

- Relevant personnel within HR and operational departments, to establish that processes exist to identify any conduct issues or organisational lessons.

NB: The above list is not exhaustive nor does every force have each of these units or responsibilities as separate functions. The inspection sought to examine as many of the identified activities as are relevant to each force.

3. Methodology

Since 2003/04, HMIC's core methodology for assessing force performance has been Baseline Assessment (BA), which consists of a self-assessment process supported by visits to forces for validation and quality assurance. BA assesses performance annually across 27² areas of policing via a framework of questions for each area. The mainstream BA process for 2004/05 was completed during spring 2005 and the results published in October 2005.

Professional Standards is one of the BA frameworks and would normally have been included in the mainstream BA activity. With the full programme of professional standards inspections scheduled for October and November 2005, however, the assessment of this framework was deferred to await their outcome.

The programme of inspections has been designed to:

- Provide a full inspection of professional standards in all England & Wales³ forces;
- Gather evidence for Baseline Assessment reports and grading of professional standards in all forces; and
- Identify key issues, trends and good practice that may have implications for professional standards on a national basis.

² Number of frameworks in the 2004/05 assessment

³ Also including British Transport Police and Ministry of Defence Police

The standard format for each inspection has included:

- The completion of self assessment questionnaires by all forces;
- Examination of documents;
- Visits to forces with group and individual interviews;
- Consultation with key stakeholders; and
- Final reports with grade.

4. Baseline Assessment grading

HMIC applies a qualitative grading to the inspection of Professional Standards. These grades are:

- Excellent
- Good
- Fair
- Poor

In allocating individual force grades, HMIC assesses all the available evidence and identifies how well the force matches an agreed set of Specific Grading Criteria. To ensure fairness and transparency in the grading process, HMIC worked with key partners in the APA, IPCC, the Home Office and ACPO to develop and agree these Specific Grading Criteria for Professional Standards.

The criteria set out expectations for a “Good” force. Grades of Fair, Good and Excellent all represent acceptable performance levels but indicate the degree to which the force has met the grading criteria. An Excellent grade indicates ‘benchmark’ performance including significant implementation of good practice.

The full grading criteria are set out in HMIC’s website at:
www.inspectorates.homeoffice.gov.uk.

The key elements appear under four headings, namely:

- **Intelligence** - *what a force knows about the health of professional standards*
- **Prevention** - *how the force tries to improve and prevent the abuse of standards*
- **Enforcement** - *its effectiveness in dealing with emerging problems*
- **Capacity and Capability** – *having the resources and skills to address reactive and proactive challenges (including timely and proportionate response to lapses in professional standards)*

The remainder of this report is set out under these headings, for ease of reference to the evidence presented.

B – FORCE REPORT

1. Overview and Context

Bedfordshire Police covers an area of 123,500 hectares with a population of 573,765, 236,974 households and 120 villages and towns. The county includes the urban areas of Bedford, Dunstable and Luton; smaller towns such as Ampthill, Biggleswade and Leighton Buzzard; and a large rural area. Local features and amenities include Woburn Abbey and Safari Park, Luton Town Football Club, Whipsnade Zoo and Luton International Airport. Bedfordshire has some of the busiest roads in Europe, including a stretch of the national motorway network.

The minority ethnic population of working age is 13.2%. One in four of the population of Luton are black or ethnic minority and the county town of Bedford has a high racial mix with over 100 different races.

The force headquarters (HQ) is at Kempston in the North Bedfordshire area. The chief officer team consists of a Chief Constable, Deputy Chief Constable (DCC), Assistant Chief constable (ACC) and Director of Finance. A Director of Human Resources has recently been appointed.

The three territorial basic command units (BCUs) cover Bedford, Dunstable and Luton.

As at 31 March 2005 there were 1,221 police officers, 827 police staff and 207 special constables. Within the police staff numbers the Force has 40 police community support officers (PCSOs). There are also 41 volunteers with responsibilities for customer contact including staffing police station enquiry offices.

The following forces have been identified as being most similar to Bedfordshire in terms of demography, policing environment and other socio-economic factors: Leicestershire, Hampshire, Northamptonshire, Avon and Somerset and Kent.

Professional Standards

The ACC has portfolio responsibility for professional standards. The departmental Head of PSD is a superintendent. A Detective Chief Inspector (deputy to the Head of PSD), line manages the two detective inspectors responsible for each complaint investigation team, and the force security management unit. A third detective inspector is responsible for the recently introduced local resolutions unit and civil claims.

Of the 23 staff who work in PSD 14 are part-time. Five are dedicated to investigating complaints and misconduct. The intelligence unit consists of a manager (reporting direct to Head of PSD), analyst and researcher.

Owing to limited capacity within the department, BCU/HQ staff with the required skills are occasionally seconded to PSD to assist with anti-corruption investigations.

Force vetting and data protection as well as civil claim services all sit within PSD.

2. Findings

Intelligence - *what a force knows about the health of professional standards*

Strengths

- The National Intelligence Model (NIM) is integrated into PSD processes with all NIM based products produced and utilised within the department. NIM principles are applied to civil actions, complaints against conduct and those relating to direction and control.
- The Force strategic assessment of risks to integrity and corruption has identified criminal association, recruitment and criminal behaviour as the most significant risks to the organisation. A copy of the assessment has been forwarded to NCIS.
- To support the strategic assessment, an intelligence collection plan has been produced clearly identifying sources of intelligence, both internally and externally. All internal sources have been allocated a dedicated member of staff from PSD to develop contacts and improve the intelligence flow. This has led to an increase in intelligence submissions. The collection plan is reviewed during tasking and coordination group (TCG) meetings. Intelligence is also gathered from dedicated source units.
- A rolling programme of analysis is carried out in respect of key areas of concern – ie, the top three complaint categories, civil litigation and security breaches.
- New civil claims and employment tribunal cases are assessed by the Deputy Head of PSD and reviewed for conduct and intelligence issues. The co-locating of the civil claims function within PSD enables effective linkage with other PS work.
- PSD does not have its own surveillance team or financial investigators but has made collaborative arrangements to use the expertise of other forces in these specialist and resource intensive areas.

AFIs

- Bedfordshire has taken the lead in the production and publication of a regional PS strategic assessment, but it is a compilation of the strategic assessments of the six forces and requires further refinement to make the exercise distinctive and pertinent.

- The internally operated confidential reporting telephone line to PSD is little used. Recognising the importance of enabling staff to report corrupt or unethical practice the Force will be introducing a confidential email system by the end of 2005.
- The intelligence unit consists of an intelligence manager, analyst (both part-time) and a researcher. The researcher is currently covering the analyst post. Recognising the current shortfall in capacity a temporary post of information assistant has been created.
- Although NIM is well established within PSD, tasking and coordination meetings (TCG) are only held monthly. More frequent TCG meetings would increase the effectiveness of the department.

Recommendation 1

Her Majesty's Inspector of Constabulary recommends that to increase the effectiveness of the department consideration should be given to holding tasking and coordination meetings fortnightly.

- A protocol exists for the sharing of intelligence with other forces in the region but there is no similar arrangement to cover the transfer of intelligence with partner agencies.

Prevention - *how the force tries to improve and prevent the abuse of standards*

Strengths

- The ACC provides strategic direction for PSD and chairs the Professional Standards Strategic Group (PSSG). This group owns the strategic assessment and control strategy and monitors appropriate action plans effectively. Staff associations, BCU commanders, IT and HR, Force Risk Manager and Freedom of Information Officer are key stakeholders contributing to the PSSG.
- PSD has introduced quarterly 'health checks' to BCUs. PSD data, trends and officers subject to frequent complaints are discussed with senior management teams.
- Complaints can be made via a number of means including telephone and email. The Force website also includes a link to the IPCC site. The Independent Advisory Group (IAG), on behalf of PSD, has facilitated the distribution of IPCC leaflets in many languages to communities.

- All PSD staff have attended diversity training which has been tailored to their work. There is evidence of good use of the King formula when investigating complaints involving potential racial or discriminatory elements.
- The Head of PSD has been presented with a Community Empowerment Award by the Luton Committee for Racial Harmony for her work in introducing a PSD sub-group for the IAG and increasing community confidence.
- Comprehensive analysis (covering a four year period) has been carried out on themes such as complaints against police of racial discrimination with reports prepared for the Police Authority Professional Standards Committee (PSC). The IAG Professional Standards sub-group has also reviewed complaints of discrimination.
- The principles of the ACPO vetting policy have been adopted and the Force has already implemented recruitment and management vetting policy and procedures. Work is underway to introduce a non-police personnel vetting policy and procedure which will be in place by early 2006.

AFIs

- Debriefs are held following high profile investigations/hearings and a lessons learnt sheet is completed for every file. Systems are in place to ensure that lessons are learnt, including those from direction and control complaints, grievances and civil actions. A Service Improvement Forum, to be chaired by the ACC, is about to be introduced and will link performance and review information with trend data and lessons learnt to identify training and development needs.
- Head of PSD does not sit on the force management board. Inclusion would enable the postholder to contribute specialist advice to mainstream Force business and raise the profile of PSD.
- The Force Security Manager is situated within PSD and is responsible for information security, vetting and data protection. This brings a number of advantages to the department, not least the sharing of intelligence. Freedom of information (FOI) requests and physical security sit outside PSD. Although currently there is little resilience within the team, an opportunity exists to locate all these functions under one manager.
- Although systems are in place to monitor ethnicity and the six strands of diversity, the Force recognises there is more work to do to in relation to reducing the percentage of complaints whose ethnicity is recorded as 'unknown'.
- The Force does not have a security management strategy, although one is currently being progressed by the security manager in liaison with the security management practitioners group.

Recommendation 2

Her Majesty's Inspector of Constabulary recommends that as part of the work surrounding the security management strategy, a review should be carried out as to where the FOI and physical security functions should sit within the force structure.

- The Force recognises the need to carry out customer surveys and plans to introduce them by the end of 2005.
- Alcohol and substance abuse feature in the strategic assessment but the Force has yet to introduce a policy on testing. Following the recent publication of national guidance, a policy should be finalised and published as soon as possible.

Enforcement - *its effectiveness in dealing with emerging problems*

Strengths

- Decisions on whether to suspend officers under investigation are taken by a chief officer on advice from Head of PSD and following consultation with the BCU commander/head of department and the Police Federation. The Force suspension policy is followed and decisions recorded in a policy book.
- All superintendents can be called on to sit on discipline panels and have received training. Recognising the need to ensure consistency in the use of sanctions, a workshop was arranged by PSD and attended by the PA, ACC, staff associations and specialist solicitors. Outcomes of the workshop included a common understanding of measures that can be taken following findings of guilt and the adoption of the Metropolitan Police sanction guidelines.
- Professional and constructive lines of communication exist between the PA, PSD and the IPCC. There is regular contact with IPCC caseworkers and positive feedback has been received by PSD on the quality of file papers.
- Relations between PSD, the Police Federation and the Superintendents Association are well established and effective. The Head of PSD meets with the Federation at least three times a year. An opportunity exists for PSD to develop the relationship with UNISON to the same extent.
- The PA is active in its oversight role and is intrusive but constructive in its dealings with PSD. The PA has open access to PSD and dip samples closed

complaint, misconduct, civil claims, employment tribunal and direction and control files.

- In an innovative move, the PA held a focus group with members of the public who had made a complaint. Points raised were captured and used to improve the service.

AFIs

- Although presentations are given by PSD and the PA to new recruits, sergeants and inspectors development courses, awareness of PSD throughout the Force, particularly amongst police staff, is limited. Many interviewed were unclear as to who is the force champion for PSD.
- PSD publishes 'The Standard' newsletter quarterly and is developing an intranet site. More could be done to raise the profile of the department, share the ethos behind it and publicise outcomes of cases.

Recommendation 3

Her Majesty's Inspector of Constabulary recommends a communications strategy is produced to raise the awareness of all aspects of PSD.

- The PA examines direction and control complaints but does not receive data or information on trends.
- Supervisors and managers would benefit from improved training on grievance handling and unsatisfactory performance procedures to increase their confidence in tackling challenging management issues.
- A perception exists amongst some staff that more effort is put into investigating minor misuse of email than investigating corrupt officers and staff. The Force has recognised this and as a result a new policy on internet and email use has been drafted and will soon be adopted.

Capacity and Capability – *(Having the resources and skills available to address the reactive and proactive challenge and providing a timely and proportionate response to lapses in professional standards)*

Strengths

- Effective systems and processes exist to receive, record and investigate complaints. The Deputy Head of PSD acts as gatekeeper, providing a consistent approach to the recording and allocation of complaints.
- Issues of proportionality are actively considered when deciding on the appropriate course of action to take following the report of a complaint or misconduct. Investigation plans have been introduced to assist with proportionality. Where complaints are identified as competency issues they are dealt with as such by line managers and actions plans developed for the staff concerned.
- The Force has taken an active lead in regional benchmarking of PSDs helping to develop a consistent way in which to measure and improve performance.
- To improve the quality of service around complaints, misconduct and civil cases, a local resolutions unit (LRU) has been introduced into the department. Training in local resolution has been delivered by PSD to a number of BCU inspectors, sergeants and police staff supervisors with a view to increasing public confidence and the number of complaints resolved using this method.
- The majority of staff within PSD are experienced investigators. The Deputy Head and a detective inspector are accredited SIOs. The Intelligence Unit manager is an experienced ex-police officer, having previously managed the drugs squad, surveillance unit and special branch.
- Training days are scheduled for PSD throughout the year. The PSD annual plan and action plans are discussed during these sessions, enabling all staff to contribute.

AFIs

- Bedfordshire is a comparatively small force and this is reflected in the size of its PSD. Following the introduction of the IPCC, the department experienced a 70% increase in workload without any growth in resources.
- It is anticipated that intelligence submitted to PSD will continue to increase, requiring resources to progress taskings and packages from the submissions.

- PSD does not have a dedicated proactive capability. A decision needs to be taken by the Force as to the level of resources it is prepared to invest in the proactive areas of business.

Recommendation 4

Her Majesty's Inspector of Constabulary recommends that the Force reviews the level of resources within PSD with a view to introducing a dedicated proactive capability.

- PSD is aware of the importance of timeliness and has identified a number of ways to accelerate the investigation process such as the use of written responses, tape summarisers and introduction of the LRU. There are a number of other processes that impact on timeliness. A comprehensive and joined up review of these should identify areas where improvements can be made.

Recommendation 5

Her Majesty's Inspector of Constabulary recommends that the Force conducts a process review of professional standards investigations to identify potential blockers with a view to speeding up the investigation process.

- Whilst there are many experienced staff within PSD, it is not regarded as a career posting for officers younger in service. In particular, the department has difficulty in attracting inspectors.
- The Force has introduced customer service managers on all BCUs and plans are in place to use these positions as local PSD 'champions'.

Glossary

ACC	assistant chief constable
ACCAG	ACPO Counter-Corruption Advisory Group
ACPO	Association of Chief Police Officers
ACPO PSC	ACPO Professional Standards Committee
BA	baseline assessment
BCU	basic command unit
BME	black and minority ethnic
CHIS	covert human intelligence source
CID	criminal investigation department
CPS	Crown Prosecution Service
DCC	deputy chief constable
DSU	dedicated source unit
ESU	ethical standards unit
FTE	full-time equivalent
HMI	Her Majesty's Inspector
HMIC	Her Majesty's Inspectorate of Constabulary
HoD	head of department
HQ	Headquarters
HR	human resources
IAG	independent advisory group – a body advising a force or BCU on race and diversity issues
IiP	Investors in People
IPCC	Independent Police Complaints Commission
LR	local resolution
MMR	monthly management review
MSF	most similar forces – a way of grouping forces to which each police force can be compared that has similar social and demographic characteristics
NCDG	National Complaints and Discipline Group
NCIS	National Criminal Intelligence Service
NIM	National Intelligence Model
PA	police authority
PCSO	police community support officer
PDR	performance development review
PNC	Police National Computer
PPAF	Police Performance Assessment Framework
PS	professional standards
PSD	Professional Standards Department
PSSG	Professional Standards Strategy Group
RDS	Research, Development and Statistics
RES	race equality scheme
RIPA	Regulation of Investigatory Powers Act, 2000
QA	quality assurance
SGC	specific grading criteria
SLA	service level agreement

SPI(s)	statutory performance indicators (SPIs) are used to monitor key aspects of police performance and form a critical component of performance assessments. SPIs are set each year following consultation with partners in line with powers under the Local Government Act 1999. SPIs are also known as 'best value performance indicators'
SPOC	single point of contact
TCG	tasking and co-ordination group
UPP	unsatisfactory performance procedure