

**Her Majesty's  
Her Majesty's Inspectorate of Constabulary**



**Inspection of Cheshire Constabulary  
Professional Standards**

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# 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 legislation<sup>1</sup> 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.

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<sup>1</sup> Section 15(1) of the Police Reform Act 2002

**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.

**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 27<sup>2</sup> 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 & Wales<sup>3</sup> 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.

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.

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<sup>2</sup> Number of frameworks in the 2004/05 assessment

<sup>3</sup> Also including British Transport Police and Ministry of Defence Police

The full grading criteria are set out in HMIC's website at:  
[www.inspectorates.homeoffice.gov.uk](http://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**

### **Force Overview and Context**

Cheshire Constabulary is responsible for policing Cheshire, Halton and Warrington, covering an area of 2,328 square kilometres with a population of 983,000 people. The population includes 1.71% black and minority ethnic (BME) people, the largest groups being Chinese, Indian, white and black Caribbean. The Force's area also has a significant resident gypsy and traveller population. The Chief Constable holds the Association of Chief Police Officers' (ACPO) portfolios for diversity and the Special Constabulary.

The Force's area has a diverse character, ranging from the Pennines on the eastern side through agricultural central Cheshire to the Dee estuary in South Wirral; the ancient city of Chester is the county town and is a centre for tourism.

Headquarters is located in the town of Winsford, in state-of-the-art purpose-built premises. The Chief Constable has been in post since December 2002.

The Force has recently implemented a major change programme, Taking Control, to focus effort in the right directions and improve public confidence with the development of neighbourhood policing. This has involved both strategic planning and a business-led implementation approach. Following restructuring as part of Taking Control, the Force comprises three basic command units.

The Force continues to face challenges in terms of reduction and detection of the remaining key crime categories and public disorder. The British Crime Survey (BCS) indicates that the public within Cheshire is more reassured than previous surveys in respect of their risk of being the victims of burglary, car crime and violent crime.

Cheshire Constabulary has seen increases in recorded crime when comparing the latest year to date period (April to October 2005) to the same period the previous year. There have been notable increases in domestic burglary, robbery and vehicle crime. Violent crime has increased significantly over the year to date comparison. Detection rates in the Constabulary have improved over the year to date comparison, especially in respect of sanctioned detections.

### **Professional Standards**

The deputy chief constable (DCC) holds portfolio responsibility for the professional standards department (PSD). The department is headed by a detective superintendent, supported by a detective chief inspector as deputy.

The department has a professional standards intelligence unit (PSIU) which is responsible for anti-corruption measures and covert professional standards operations. This unit consists of three police officers and an analyst who report directly to the deputy/head of PSD.

The PSD complaints investigating team consist of four inspectors, four sergeants and four constables who report to the deputy/head of PSD. The department has an investigation support manager (ISM), an officer manager and two additional police staff support members.

**GRADING : FAIR**

## Findings

**Intelligence** - *what the Constabulary knows about the health of professional standards.*

### Strengths

- The National Intelligence Model has been introduced across the Force including the Professional Standards Department. The department has in place a strategic assessment and a control strategy, which gives its focus. On a monthly basis a tactical assessment is produced using the NIM principles in relation to hot spots, trends and with regard to the Force control strategy. The assessment is presented at the monthly tasking and co-ordination meeting chaired by the DCC and covers both reactive and proactive matters.
- Information and trends highlighted in the tactical assessment are disseminated to BCU 'contact officers', who are of chief inspector rank, in order to help address causes of complaints. These officers also keep staff apprised of the latest guidance linked to integrity and ethical standards from the IPCC and other sources. Work is ongoing between PSD and area analysts, via the contact officers, to ensure the products are fit for purpose. Various aspects of the assessments are forwarded to the areas and form part of the Force's performance improvement meetings, which are held on a monthly basis and chaired by the Chief Constable, where negative corporate trends are also tackled.
- The PSD is developing the tactical assessment further by more detailed analysis and producing problem profiles on repeat complainers and those members of staff who receive repeated complaints, or complaints of a particular type. This is with a view to reducing the number of complaints received in the Force.
- The head of professional standards in conjunction with the DCC sets and leads the Force strategy and objectives on the investigation of corruption. The PSD intelligence unit, which is line managed by the head and deputy head of PSD, is responsible for the collation, development and dissemination of intelligence. In addition, these staff consisting of a detective sergeant and two detective constables provide the proactive capacity for the department and support covert and overt investigations.
- The Force has fully considered its vulnerability to corruption and documented its threats in a corruption assessment and the strategic threat assessment. The vulnerability to corruption assessment has been submitted to NCIS and is regularly updated. The top three threats are: 1) leakage of information, particularly through the misuse of information held on IT systems (this is being addressed by proactive monitoring of IT systems); 2) unethical relationships; and 3) drug misuse by staff, which is interlinked with 1 and 2 above. This issue is being addressed on a regional and national level. The Force has in place an alcohol policy, which is aimed at supporting staff in the resolution of problems.
- The PSD intelligence unit uses a secure, stand alone system for recording intelligence configured to allow the dedicated PSD analyst, who is trained to national standards, to complete relevant intelligence searches and linking. Intelligence is evaluated by supervising officers and the appropriate risk

assessment undertaken. Case files are created and retained electronically in relation to intelligence and generate an effective audit trail as they are progressed. Effective systems are in place for receiving, analysing and developing intelligence relating to unethical or corrupt behaviour.

- The Force has in place a confidential reporting policy aimed at encouraging staff to report inappropriate behaviour. An internal concern line is established and available throughout the Force. Intelligence obtained via this route is recorded, assessed and, if appropriate, acted upon. Posters are in place in prominent positions entitled 'Do you know somebody who has crossed that line'. The PSD utilises a confidential database to record and disseminate intelligence, and the Force OMEGA intelligence system sanitises submitted information. Where sources of information require more formal measures to be taken to protect anonymity and a decision is taken to register the source as a CHIS (covert human intelligence system), then this process is undertaken with trained staff outside the PSD. The Force is developing the proposal of a Level 2 dedicated source unit, which will provide a firewall between the intelligence and the operational activity.
- PSD intelligence unit officers attend the regional practitioners meeting which provides opportunities to discuss such issues as trends and intelligence as well as to share good practice and lessons learnt. There are numerous recent examples of information and intelligence exchange between PSD in Cheshire and other forces.
- The head of PSD is a nationally accredited 'authorising officer', although in line with the Regulation of Investigatory Powers Act (RIPA)/OSC directions he does not authorise PSD directed surveillance authorities. This responsibility sits with the d/superintendent director of intelligence. In line with RIPA the Chief Constable and or the DCC take responsibility where ACPO approval is required for PSD investigations. The Force received a favourable report from the OSC in August 2005. A close and effective working relationship has been developed between the Force's intelligence unit and covert policing unit, in an effort to ensure policies and procedures are complied with without breaches of confidentiality.
- The PSD is presently consulting on the most effective method of customer satisfaction surveys concerning complainants. Customer satisfaction is measured in a number of ways throughout the Constabulary. The number of complaints made is one indication and the figure is correlated against other indicators including the number of calls, non-emergency and 999 taken, and the number of arrests made. The letters of appreciation received are sorted and categorised into area and department. All this information together with feedback from partners is made available to the Force and Police Authority and contributes to intelligence.

### **Areas for Improvement**

- The PSD should continue to develop its intelligence-related activities and embed the principals of the National Intelligence Model into its structure, processes and policies.
- The DCC chairs a monthly tasking and co-ordination meeting with the heads of PSD and legal services in order to discuss issues and performance, as well as to

identify learning points. Representation should be widened to include the head of human resources and training in order to enhance specialist input in respect of employment law, police staff and wider personnel issues. Also the involvement of HR and training will assist in the exchange of intelligence and enhance professional links between departments.

- The role of the PSD analyst should be reviewed and expanded to take account of wider issues and activities undertaken by the department. The fact that the analyst is a shared resource reduces the department's capacity for data analysis and proactivity.
- Although there is in place a means and policy for confidential reporting, evidence obtained during the Inspection indicates that procedures are not widely known and reports are few. The PSD should proactively market the confidential reporting line accordingly or introduce an alternative means of confidential reporting such as the independent reporting system called 'SafeCall', which is currently under consideration and being progressed through the IS & I group. It is important that staff are aware of the existence of accessible confidential systems to report allegations of unethical or dishonest behaviour.
- There is no mechanism currently in place to gauge customer satisfaction specific to the work of PSD. The head of PSD is currently working with Aspect Market Research on an initiative to evaluate customer satisfaction. A suitable process should be employed by PSD to provide feedback from both external (public) and internal customers and used to identify future improvement and preventative opportunities. It is hoped that the findings of the research can be published to increase public confidence. At the time of the Inspection the deputy head of PSD was working on the Force response to the National Quality of Service Commitment, which focuses on customer care and feedback.

#### RECOMMENDATION 1

**The PSD should progress work to gauge customer satisfaction and evaluate satisfaction levels. A process should be introduced to provide feedback from both external (public) and internal customers, and used to identify future improvement and prevention opportunities. This recommendation should be addressed within six months by the head of PSD.**

- The head of PSD should continue to drive efforts to develop relationships with external 'hard to reach' groups. Contacts made with the Citizens Advice Bureau and ongoing work with the independent advisory group (IAG) should be maximised to build relations and obtain feedback on public satisfaction especially regarding the PSD function and to enhance relevant policies and strategies.

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

**Strengths**

- The DCC has responsibility for professional standards in the Force and demonstrates active leadership in respect of reactive and proactive investigations. He is highly accessible to the head of PSD for frequent briefings and advice, chairs the Force IS & I group and the information security group (ISG) and is a member of the Force confidence and equality board. The DCC and head of PSD reports to the Police Authority's statutory purposes committee on a quarterly basis. Reports include direction and control issues. He also convenes and chairs gold group meetings for critical PSD investigations. He is active, with the head of PSD, in driving integrity issues and emphasising Force values with staff and recruits. The DCC also attends regional ACPO PSD meetings and national conferences to discuss and share good practice and learning. Local performance on complaints is managed through Force performance improvement meetings.
- The IS & I group meetings are attended by senior managers and other key staff including representatives from staff associations, area commanders, human resources, the legal department, Force communications department and head of PSD. A member of the Police Authority also attends meetings. This group is committed to organisational learning and prevention, which includes experiences linked to misconduct, complaints, direction and control, grievance, exit interviews, employment tribunals, and civil actions. The process is designed to increase staff and public confidence in policies and procedures and therefore encourage reporting. Through this forum the DCC (chair) is able to influence and direct Force policy and strategy to inspire promote and support an ethical culture.
- Policies are in place covering integrity testing and gifts favours and hospitality, which informs staff of the standards expected. Attendance of PSD staff at local management meetings and training inputs are used as opportunities to promote the code of conduct and the reporting of unethical behaviour. Chief officers also speak with all probationers on these themes.
- The complaint against police form has been amended to facilitate recording the ethnicity of the complainant and of the staff member subject to complaint. Details are inputted onto the Centurion database in order that any disproportionality can be identified. The department has a commitment to ensure that fair and equitable treatment is afforded to all parts of the complaint process. The department has appointed two diversity champions and all members of staff have undergone relevant training. The Force's ethnic monitoring review group meets on a quarterly basis and examines statistics for disproportionality. Issues raised are fed back to the PSD.
- The head of PSD is committed to supporting presentations to a cross section of the Force in order to raise awareness of complaint procedures and professional standards. He and his deputy attend 'area' training days to emphasise the professional standards expected of staff and reinforce the PSD control strategy. The Force utilises a variety of mediums to promote professional standards including poster campaigns, splash screens and weekly order entries. Recent examples include a publication on the standards expected of staff when using computer systems.

- PSD senior management team meetings and office meetings provide an opportunity to discuss and develop, in an inclusive manner, policies and working practices that impact on professional standards. Policies are reviewed and updated on a continuous basis identifying amendments as necessary through feedback, organisational learning, complaints and new police techniques such as the use of Taser. All policies are vetted by the diversity unit to ensure compliance with the Race Relations Amendment Act. All new or amended policies are discussed at the IS & I group. As a direct result of PSD investigations and the submission of 'organisational learning forms', reviews and changes to Force policy and working practices have resulted.
- The Force has in place an 'integrity strategy', which it actively implements and ensures 'buy-in' from BCU commanders and heads of departments via IS & I group meetings. The PSD has an annual Business Plan which has been compiled with PSD staff, who have specific responsibilities within the plan, linked to PDR performance priorities. The NIM based meetings of PSD staff identifies fluctuations in performance at department and district level, and enables a prompt response to identify areas of the organisation which may be affecting performance and return target objectives.
- In the last year communication and training has been delivered by the PSD to ensure departmental aims and the new IPCC procedures were communicated. This included: training sessions; use of Force Intranet; articles in the Force newspaper; attendance at local management meetings; and a department 'open day'. Contact officers in areas/departments provide local advice, manage performance and act as a consultation body. The head of PSD meets with staff associations and UNISON bi-monthly, maintaining constructive and positive relationships.
- The Force information security database contains relevant policy and guidance in respect of the protection of crucial assets including the Government 'protected marking scheme' and the information security policy. This enables information and assets to be protected through a combination of personnel, physical, procedural, technical and management security controls. The information security group meets regularly, attended by the DCC and head of PSD. Staff from the data protection department report to the deputy head of PSD on a monthly basis identifying possible misuse of IT systems, identified by monitoring, blocking and filters, appropriate action is then taken.
- A single point of contact within information management enables the PSD intelligence unit to conduct covert enquiries on all IT systems. Security at the new Force HQ, which contains the Force's most valuable assets, includes the most up-to-date IT facilities including CCTV, card swipe access to the site, car parks, the building and individual departments, in addition to 24 hour security staff. PSD use the FIS Centurion system to record and manage investigations and attend the regional FIS users group.
- The Police Authority statutory purposes committee has adopted the APA good practice guidance. IT meets four times per year with the specific remit of exercising oversight on issues relating to the professional standards of the Force. The meetings involve the DCC and the head of PSD, and provide opportunity for open discussions seeking continuous learning and improvement. The committee receives an update on complaints, misconduct and direction and control issues.

The DCC meets with Police Authority members regularly to discuss operational issues that may impact on the Force and its reputation. Professional standards' issues often feature in these meetings.

- Members of the PA's statutory purposes committee dip sample complaints files and raise relevant issues with the head of PSD. The dip sampling process involves selecting at random a number of files followed by the examination of three files that have been locally resolved, three that have been withdrawn, three full investigations which were substantiated, and three that were unsubstantiated in addition to three dispensations. In addition, members of the Authority also dip sample both grievance and employment tribunal files through its HR committee. There is clear evidence of organisational learning with the aim of preventing re-occurrences of similar issues.
- The Force has responded effectively to the issues raised in the BBC documentary 'The Secret Policeman' and was involved in the subsequent joint investigation with GMP and North Wales. A strategic assessment resulted in an action plan to address the issues identified and a new race equality scheme was developed by the Force.
- The Force has a clear business interest policy that is owned by the human resource department. The PSD has sight of all applications of this nature to ensure consistency and integrity of each application.
- There is clear evidence that performance against key objectives/targets is a focus for the Force and PSD, and evidence of debriefing of investigations. Monthly meetings take place between the DCC, head of PSD and Force solicitor to identify issues/lessons from civil actions. Trends in complaints are identified in monthly tactical assessments and disseminated to areas/departments, and are also tackled through the Force's performance improvement meetings. In critical cases gold groups are established and terms of reference include identification of lessons to be learnt, for example in recent cases in respect of the handling of incidents involving gypsies and travellers and the transport of vulnerable persons in police vehicles.
- The Force solicitor and the head of PSD meet on a monthly basis with the DCC who line manages both areas of business. At these meetings conduct matters stemming from civil litigation grievances and employment tribunals are discussed. The remit of the IS & I group ensures lessons are learned and policies and procedures are amended. Anonymised scenarios are shared with this group to assist organisational learning.
- Advertisements to fill job vacancies in the PSD are approved by ACPO initially and progressed through the HR department to ensure quality, consistence and legal compliance.

### **Areas for Improvement**

- The newly agreed professional standards departmental plan should be revisited and amended to include appropriate improvement targets in respect of prevention activity.
- Although an alcohol policy is in place there is currently no drugs misuse policy. Drugs misuse is identified as a threat to the organisation and is identified in the

strategic assessment. The recently circulated national guidance on substance misuse was discussed at the latest regional heads of PSD meetings in Cheshire. It was agreed to develop consistent policy that would be adopted by all affected forces. A regional working group is to be formed to formulate a policy for testing, involving recruits identified as vulnerable/key posts, and also intelligence-led 'just cause' testing.

- Work is currently ongoing within PSD to identify staff that fall into groups vulnerable to complaints, together with identifying staff that receive a higher proportion of complaints and prolific complainers.
- There is a clear indication that communication between staff having responsibility for security and vetting is disjointed and lacks effectiveness. There are no clear links from either a supervisory or activity perspective. To aid communication and co-ordination of the functions, staff with responsibility for security and vetting should either be located within the PSD as suggested in the ACPO guidance, or efforts should be made to meaningfully involve PSD in the oversight of activities of the security and vetting function.
- Currently there is no vetting policy in place, although one exists in draft form. Personnel vetting is conducted only for recruits/employees and generally little supplementary vetting takes place. The vetting process is owned by the HR department, which is currently working through a consultation programme before implementing a vetting policy, which is based on the ACPO national vetting guidance. The subject of vetting features in the PSD control strategy. The Force should drive the policy forward as a matter of priority and ensure staffing is appropriate to allow the policy to be effectively implemented and managed.

## RECOMMENDATION 2

**The PSD should be proactive in driving improvements to communication and accountability between the functions of security, personnel vetting and PSD. In addition, it should drive the development of the personnel vetting policy and have, as a minimum, an oversight role of its management and delivery. This recommendation should be addressed within six months by the Force.**

- The Force should ensure that clear measures are put in place for the control and supervision of officers whose applications, relevant to the business interest policy, have been granted. Such measures should include reviews during and throughout the PDR process.
- The PSD should ensure that concerns and issues identified as part of the Police Authority dip-sampling process are recorded, addressed and disseminated as part of organisational learning. As the process of dip-sampling continues to be improved, Police Authority members should be kept updated on developments and when revised arrangements are agreed they should be provided with appropriate training.

- The head of PSD should consider the introduction of 'team days' to enhance the performance and service delivery of PSD. They should include members of the department, 'contact chief inspectors' at district and departmental levels, and appropriate representatives from HR and the Police Authority. The emphasis should be on providing a joint approach, current and future preventative opportunities and the sharing of learning from initiatives and pilots across the Force.
- The conducting of timely exit interviews would provide management with information about staff concerns prior to leaving the post of Force (as opposed to the current arrangement which offers exit interviews after the post holder has left). Information gained would enable lessons to be learnt.
- Although the overall security within the headquarters building is excellent with all internal doors working on an electric 'swipe card' system, the PSD is not isolated within the building and a passageway open to any officer or member of staff separates the various functional offices within the department. Although office doors are locked, the frequent human traffic which uses the passageway is not appropriate to the highly sensitive work undertaken within the department. The Force may wish to re-visit the appropriateness of this arrangement and in doing so reflect on ACPO guidance relating to security of the function.

**Enforcement** - *its effectiveness in dealing with emerging problems.*

**Strengths**

- The DCC provides a high profile lead for enforcement. He is highly accessible to the head of PSD for frequent briefings and advice.
- During the period from April to December 2004 Cheshire experienced a 103% increase in complaints following the introduction of the new IPCC procedures. The department has grown with the introduction of a senior police staff post to investigation support manager, four detective constable investigator posts and an additional detective inspector investigating officer. Officers entering the department undergo a six month development programme, which each must satisfactorily complete for confirmation of appointment. All new staff initially work in a team with two experienced PSD investigators. Training needs for PSD staff have been identified and where possible in-force training is provided (e.g. exhibit handling and advanced interview skills courses).
- The Force complies with the IPCC statutory guidelines, the Police Reform Act 2002 and Police Regulations 2004 in respect of the recording of complaints on which there is a clear focus. There is in place fair and transparent systems for receiving, investigating and resolving 'complaints against police' and 'direction and control' complaints, which are managed by the PSD. Standardisation and accurate recording is achieved by the ISM working closely with PSD 'contact officers' in areas and departments to ensure all potential complaints are referred to PSD. Policies concerning direction and control, service confidence procedures and ethical interviews are in place.
- In line with the Disability Discrimination Act (DDA) staff are encouraged to record complaints without visiting a police station. Good examples of this practice were

found within the call management bureau, where some complaints are recorded and locally resolved over the telephone. The Force strictly adheres to the reporting and recording criteria laid down, with the PSD's ISM assessing all complaints to ensure consistency. A dedicated e-mail address is available for members of the public wishing to use this facility to make complaints and a copy of the IPCC leaflet 'How to make a complaint' is available through the Force website. A spreadsheet with details of language skills held within the Force is available on the PSD database. Leaflets supplied by the IPCC in different languages are available at all main police stations.

- The current system of complaint assessment is conducted by the ISM who has considerable experience in PSD, having previously been head of the department prior to retirement. Files are then seen and endorsed by either the deputy or head of department. Files are generated and forwarded to the PSD contact officers for local investigation/resolution or to PSD staff if they are more serious or urgent. Current systems, however, often result in protracted investigations which produce large volumes of material, some being disproportionate to the nature of the allegations.
- The Force has a very robust suspension policy, which has been formulated in conjunction with the ACPO regional complaints & discipline panel. The policy stipulates that a monthly review of the circumstances of the suspension takes place to ensure they are still pertinent. The suspended person has the ability to make representations to the chief officer at any time. During the reporting period nine police officers were suspended as well as a police staff member.
- The head or deputy of PSD is involved in decisions regarding suspensions or the imposing of restricted duties for police officers to ensure there is a consistent approach. Suspensions/restricted duties are monitored within the intelligence unit and at least once a month a formal review takes place by the DCC. The HR department manages the process for all police staff. Welfare issues are addressed locally by line managers and area commanders to ensure the needs of the individual and the organisation are properly managed. Support is also available from staff associations, the welfare department and the occupational health unit.
- A process of keeping officers updated is in place and periodically discussed by the head of PSD and the Police Federation. Whilst suspensions/restrictions are treated on their individual merits, the criteria relates to ensuring that the investigation is not prejudiced nor matters of public interest. Reintegration to the workplace follows discussion between the area commander and head of PSD.
- Regulation 9 notices are prepared as soon as practicable in accordance with Police (Conduct) Regulations. Where it is inappropriate to serve a notice, reasons are documented in accordance with the agreed Reg. 9 policy. Links with the Force solicitor's office identify civil cases that may relate to misconduct. Monthly meetings are held with investigating officers and the deputy head of the department to ensure progress on individual cases. Investigating officers maintain case progress sheets containing necessary detail. Investigating officers are encouraged to maintain appropriate contact with complainants and officers subject of a complaint (at least every 28 days). A diarised system is maintained which is overseen by the ISM. Welfare officer support is provided where appropriate, in addition to the involvement of a Police Federation or Unison

representative. Proactive investigations are reviewed on a weekly basis and actions documented.

- A clear local resolution policy is in place with high levels of awareness in BCUs and departments being maintained through contact officers. The Force seeks to locally resolve as many complaints as possible, thereby attempting to deliver a timely and proportionate service. It follows IPCC guidance in respect of local resolution and insists on a supervisor of the rank of inspector, or in their absence a sergeant or a police staff supervisor, recording and dealing with an initial complaint. Where a complaint is immediately locally resolved, then the initial complaint form is countersigned by the area commander or his/her deputy. This encourages local solutions to local problems. Of all local resolutions achieved, 82% are dealt with locally. If there is not an immediate local resolution then assessment is made by the head of PSD as to the most appropriate method of resolution.
- A system is in place which identifies staff who attract three separate complaints in a year, and they are counselled by the area commander: action plans are prepared if necessary.
- Effective working relationships exist between the PSD and CPS. The DCC and the head of Greater Manchester CPS have in place a service level agreement regarding 'handling of allegations of criminal conduct against persons serving with the police', which gives clarity to working relationships and assists with timely advice and support.
- The Force has a consistent approach to sanctions. Legal advice is available to assist the panel throughout the hearings.
- When a complaint is locally resolved a letter is sent to the complainant from PSD and the staff member subject of the complaint is given feedback, which is recorded on the complaint form.
- The Police Authority has a lead on complaints matters and also chairs the statutory and purposes committee. Members of the statutory purposes committee have ready access to complaint files and ease of access to the head of PSD should queries arise. Oversight of the process by the chairman has ensured greater visibility and scrutiny of the complaints procedure and increased knowledge.
- The head of department and his deputy are trained informant handlers, however, no other members of the department have received training. Each BCU has a dedicated source unit and sources are handled at this level and feed information into the PSD intelligence unit.
- All complainants are informed of their rights to appeal to the IPCC and automatically provided with the relevant IPCC documentation on appeals. Civil claims are referred by legal services to PSD for review in relation to misconduct, on receipt. For misconduct, such as abuse of the Force e-mail and Internet systems, a standardised approach has been formulated to ensure consistency in decision-making. Policy decisions on investigations potentially involving large numbers of officers are, where appropriate, consulted upon with the Police Federation to ensure parity and openness of approach.

- Complaints of racial discrimination are dealt with in line with the recommendations of the PCA report 'Investigating Allegations of Racial Discrimination'. The whole process is overseen by the PA's statutory purposes committee. There are trained family liaison officers within the PSD.
- To share and disseminate good practice and areas of learning, the head of PSD attends regional heads of PSD meetings and national conferences. PSD staff also attend regional practitioners meetings. A productive relationship exists with the Police Authority and training has been delivered to members in respect of the IPCC/independent misconduct panels. The head of PSD chairs/sits on gold group meetings established to provide support to sensitive investigations and these meetings are attended by IAG members and other specialists from outside partnerships. He has also made contact with local Citizens Advice Bureaus to develop relationships with external 'hard to reach' groups.
- There is a good level of awareness of matters such as the IPCC statutory guidance, recommendations emerging from the CRE, Morris and Taylor reviews of police discipline. The DCC was involved in the consultative process during the drafting stages of the IPCC statutory guidance and the previous head of PSD was a member of the national 'workability' group. The DCC attends the regional PSD committee meetings and also meets with area commanders and heads of departments on a weekly basis (chief officer group) when local, regional and national PSD issues are discussed. He also sits on the confidence and equality board, which continues to explore and progress the issues raised by CRE, Morris and Taylor reports. The lead chief officer facilitated training for officers sitting on discipline tribunals via Greater Manchester Police.
- Appeals figures demonstrate that the vast majority of people are satisfied with the service provided by PSD. Details of appeals made against the Force's decision making in respect of complaints show that in the reporting period 929 complaints were recorded; a total of 20 appeals were made and of these only 2 were upheld. PSD promotes the appeals process when writing to complainants who firstly agree to the local resolution process, and secondly when complaints are resulted IPCC appeal leaflets are also sent. PSD have developed an effective working relationship with members of the IAG. Members of the IAG have been invited to sit as members of gold groups established following incidents, which may give rise to community concerns. They are also represented on the Force confidence and equality board.
- A positive relationship has been built with both the regional and national IPCC offices. The Force's IPCC commissioner and director commented that Cheshire is working in line with IPCC values in areas including recording and referrals. The Force was represented at the IPCC seminar on consistency in recording practices, which underlined the integrity and transparency of Cheshire's recording practices. The Chief Constable is the ACPO lead for the race and diversity business area and the Force has hosted conferences in relation to these matters.
- As stated earlier, the statutory purposes committee meets on a quarterly basis and amongst other things considers enforcement data relative to the work of PSD. The regional IPCC commissioner has attended these committee meetings and briefed members on their role. Detailed data is presented to members such as trends, area detail and a three year comparison chart. During the course of daily business, PSD staff have worked alongside IPCC staff on supervised or managed investigations. A good relationship exists with CPS.

- The PSD has established a system which enables compromised investigations to be reviewed by the DCI responsible for Level 2 crime. If any PSD investigations were compromised, reviews and debriefs would take place.

### Areas for Improvement

- The capacity and capability of the proactive team, which also conducts a dual intelligence cell function, is limited. On occasions the support of specialist Force resources and those of neighbouring forces have been utilised. In light of emerging new policies and the Force's focus on corruption, particularly taking account of top threats identified in the vulnerability to corruption assessment, i.e. leakage of information, unethical relationships and drug misuse by staff, proactive capacity in the unit should be reviewed. The PSD should ensure capacity can effectively handle current and projected demand, and sufficient resources with appropriate skills are in place to research and mount meaningful proactive investigations. Currently there are no protocols in place with other forces regarding corruption and misconduct investigations. In this regard the Force should reflect on the benefits of defined protocols to add to the resilience of the department and have agreements in place to quickly draw on additional resources when necessary.

### RECOMMENDATION 3

**The proactive capacity and capability in the intelligence unit should be reviewed in order to ensure the Force could effectively handle projected demand, and that sufficient resources with appropriate skills are in place to effectively deal with intelligence and mount meaningful proactive and covert investigations. This recommendation should be addressed within nine months by the Force.**

- The system of complaint assessment and allocation is currently being reviewed. Consultation has commenced and new proposals will utilise agreed lines of enquiry, provide more proportionate investigations with a focus on timeliness. They will introduce abbreviated files, which should see a better focus of resources and enable staff to concentrate on more serious allegations as well as speeding up the process, which will benefit the complainant and the staff under investigation. Time and resources made available to investigating officers as a result of this new approach should be diverted to strengthen the department's proactive capacity.
- A revised direction and control policy is being developed, and the head of PSD is intending to review the direction and control database currently in use in an effort to make further improvements.
- In the Eastern Area BCU an initiative commenced in September 2005 which involved one sergeant being dedicated to making contact with all members of the public who have made, or are considering making complaints in that geographic area. The initiative is a pilot and should be carefully monitored and ultimately

evaluated. The PSD should ensure that it maintains a full record of all e-mails relating to complaints or potential complaints, particularly those sent directly by call management to the established Eastern Area mailbox (part of pilot arrangements).

- The monitoring of suspensions and related support and welfare arrangements should be available on a monthly basis to inform the DCC and expanded gold group when reviewing a suspension. These should include the circumstances regarding suspensions of both police officers and police staff.
- The Force should revisit the area of policy concerning 'expunging' of records, and ensure that there are effective systems in place for 'removing' misconduct findings and that officers are informed of their removal.
- Whilst policies in respect of the suspension, restricted duties and updating of police officers and police staff are in place, a review of the process is being undertaken which includes the role of welfare officers. The Force should ensure that the review takes proper account of arrangements relating to the suspension and updating of police staff as well as officers. The proposed monthly update letter to be forwarded to suspended police officers should be extended to police staff. This process could be further enhanced by routinely contacting officers subject of a complaint regarding progress.
- There is awareness of new arrangements in respect of the impact of IPCC on police officers and police staff, and at a practical level PSD and HR staff are aware of their various responsibilities in respect of investigation, discipline procedures and welfare etc. However, relevant responsibilities and protocols for both PSD and HR are not clearly documented. A clear and comprehensive policy outlining the roles of PSD and HR should be developed which should provide appropriate guidance to staff.
- In consultation with areas, the head of PSD is currently developing spreadsheets which can be remotely viewed and utilised to monitor progress of complaints referred back to basic command units for action. The development of these spreadsheets should continue with focus being placed on improving the timeliness and quality of local resolutions.
- Timeliness of investigations is currently under review as is the monthly performance meeting, which takes place between the deputy head of department and the investigating officers during which workloads and timeliness are highlighted and discussed.

**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**

- The head of PSD was appointed in June 2005 and the deputy head in August 2005. Both have been proactive in developing and driving new initiatives towards improving processes and policies. They line manage four investigation teams headed by detective inspectors, three with geographical area responsibility and one responsible for misconduct and headquarters staff. An investigation support manager, office manager and two police staff members complete the team. The head and deputy also supervise the intelligence unit, which sits outside the main PSD office. It consists of a detective sergeant, two detective constables and an analyst.
- The detective chief inspector in the department takes on a performance management role and monitors complaints recorded compared to complaints finalised, timeliness, proportionality and individual caseloads. Major PSD investigations, where an SIO is appointed, are allocated to staff outside the PSD. The Force major incident team has a responsibility to support such investigations, with PSD staff usually performing the deputy SIO role. The resourcing of proactive investigations is agreed at tasking and co-ordination meetings by the DCC.
- In April 2005 the Force was restructured under a project entitled 'Taking Control'. The business planning process has been reviewed and a new business planning system is being introduced. Resources, policies and procedures in PSD have been realigned to meet the growth in demand following the formation of the IPCC. The PSD have recently formulated a departmental plan, aligned with Policing Strategy 2005-08. A strategic assessment has been undertaken and a subsequent control strategy accessible on the PSD database. The establishment of 'contact officers' within the areas/departments provides communications to single points across the Force.
- Investigating officers have undergone various modules of the SIO development course, although financial constraints have reduced training opportunities. PSD staff have received some training in race and diversity. The IPCC guidance on investigating allegations of racially discriminatory behaviour has been adopted and all staff have been provided with a copy of the booklet. The deputy and head of department are both currently SIOs on ongoing sensitive misconduct investigations, and they also mentor and advise staff within and outside the department. Both provide 24/7 'head of department' cover in support of PSD staff who are 'on call' for the Force.
- The department supports attachments to the PSD to enhance individual skills and expertise. In addition, opportunities are available for members of staff within PSD who wish to develop additional skills to enhance their contribution to the department. PDR development plans identify development issues. There has been considerable support given to those officers undertaking promotion examinations.

- The grievance process is managed through human resources and the diversity unit, and any matters of misconduct which arise out of such actions are directed to the head of PSD.
- As a result of the restructure a review of the complaint types has taken place, and as a consequence the investigation of some complaints are being directed towards TPT inspectors. A monitoring process within PSD ensures that TPT inspector performance is scrutinised and target dates achieved. Within the department each inspector meets monthly with the chief inspector to discuss performance of teams and their caseloads. This should also be monitored in line with the ongoing pilot in the Eastern BCU.
- The Force strength includes 20.8% female police officers and 63.5% female police staff. The department reflects these proportions and is representative of the overall Force strength. The department supports part-time working and the age profile and experience of the staff within the department is diverse. There are no BME staff within the department.

### **Areas for Improvement**

- The professional standards departmental plan has very recently been formulated. This interim plan covers the period from October 2005 to April 2006. The plan highlights a number of areas for improvement following a health check undertaken by the PSD management team against the Inspection protocols. The accompanying action plan (called a development programme) should align and prioritise the specific activities to be undertaken to support wider strategic objectives. It should take account of existing and potential increases in resource capacity and have agreed milestone and completion dates for each activity.
- Applicants to the department are informed that a 'vetting' procedure will be undertaken in respect of their antecedents. In the absence of a formal vetting policy in the Force the department should be mindful of the impact of a process which may impact on equal opportunities. Staff need to be aware of exactly what enquiries will be made in respect of their suitability for a post.
- The department should consider the introduction of a tenure period for police posts within the department. This will assist in succession planning and enable skills and training to be delivered prior to successful applicants being posted into the department. It will assist in maintaining a high performance in a relatively small team of staff.
- A full training review is currently being undertaken in the PSD and training needs are identified in the annual PDR process. Specifically, managers within the department arrange additional generic training, such as diversity training. Some staff within the department have received training on the SIO modular course, whilst others have been nominated to attend. The review of the skills base within the department should incorporate an evaluation of current knowledge of issues impacting on PSD, Morris and Taylor, CRE, DDA etc, and a programme of development implemented to capture the needs of all staff coupled with appropriate review dates to assess progress. Additionally, training should embrace the national initiative for professionalising the investigative process (PIP) and informant handling.

- The Force should look to a structured approach to the allocation of PSD attachments, and the experience and development gained targeted at individuals showing potential either through the HPD scheme or through PDR for advancement within the service.
- The department is under represented in respect of BME officers and police staff. The Force should continue to pursue opportunities for the positive recruitment of BME staff into the department. Although advertisements have included the statement welcoming applicants from the BME staff within the Force, there should be more opportunities presented through attachments and open days to break down any barriers or negative perceptions held of the department.
- Investigating officers mentor and develop sergeants in their team with a view to performing the investigating officer's role in the future. This approach should be incorporated into a structured development plan and be linked to development objectives within individual's PDRs.

## **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
liP	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
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