

Her Majesty's Inspectorate of Constabulary



Inspection of Dyfed-Powys Police

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 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

Force Overview and Context

Dyfed-Powys Police covers more than half of the landmass of Wales and is the largest police area in Wales and England. Although the resident population comprises only 494,122 this figure is swelled annually by over 13 million visitors. At the end of March 2005, the Force consisted of 1,183 police officers and 588.3 police staff members.

The force headquarters is in the town of Carmarthen, and there are four basic command units (known locally as divisions). These are Carmarthenshire, with a population of 175,955; Powys with a population of 129,262; Pembrokeshire with a population of 116,323; and Ceredigion with a population of 77,155 (ONS 2003 mid-year estimates). Since 1 April 2001 each BCU (basic command unit) has been coterminous with its local council and CSP (community safety partnership).

The command team is based at headquarters and comprises Chief Constable Terence Grange, Deputy Chief Constable Barry Taylor, who holds the operational portfolio, and Assistant Chief Constable Andrew Edwards, who holds the support portfolio, and the non-police Director of Finance and Resources, Andrew Bevan. The Police Authority has developed an effective partnership with the chief officer team.

Professional Standards

The ACC holds the portfolio for professional standards (PS). The head of the professional standards department (PSD) is a superintendent and he is assisted by a chief inspector.

The chief inspector has line management responsibility for all professional standards functions – complaint investigators, disclosure unit, freedom of information unit, ethical standards unit, data protection, information security and vetting.

The complaints investigation unit consists of two detective inspectors who are assisted by two police staff investigators. There is an administration support officer and three clerical support posts. The disclosure unit has a senior disclosure officer, with two full time and one part time disclosure officers. The head of the ethical standards unit is a detective inspector who is supported by a detective sergeant and three detective constables. There is also a data protection officer and a sergeant with responsibility for information security and vetting.

Findings

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

Strengths

- The Force professional standards department (PSD) has adopted the principles of the National Intelligence Model (NIM). A strategic assessment and control strategy has been produced and there is a clear desire to ensure that PSD activity is NIM driven. A guidance document – “*Professional Standards and the National Intelligence Model – The Way Forward*” has been produced to raise awareness of the benefits of the NIM.
- A risk assessment of integrity and the vulnerability to corruption has been completed and forwarded to NCIS. The most significant threats to the organisation were identified as being: vetting, leakage of information and substance misuse. The Force has a published Corruption, Dishonesty and Unethical Behaviour Policy and the head of PSD worked in conjunction with the Police Authority to introduce the Authority’s “Anti Fraud and Corruption Policy”.
- Intelligence received by the ethical standards unit is graded using the 5x5x5 process and each piece of intelligence is ‘flagged’ with a review date of three, six or twelve months. National templates are used to generate target and problem profiles.
- A standalone intelligence database has been introduced to replace an old paper system and all records since 2000 have been back record converted onto the new system.
- The PSD has the advantage of having some staff trained in specialist areas. As an example, there is a trained financial investigation officer and family liaison officer within the department.
- Staff within the PSD have current Personal Development Reviews (PDRs) and their objectives are linked to the priorities identified in the control strategy for PSD. The PDRs are reviewed 6-monthly by their line manager.
- The Force does not have a formal PSD committee but the ACC does however, meet regularly with the staff associations and has a ‘good open relationship’ to discuss any issues. The ACC is also involved at force and regional level and considers that the routine interaction with force, regional and staff associations is, in effect, an informal committee.

Areas for Improvement

- Implementation of the NIM is in its infancy and applied predominantly to the ethical standards unit (ESU) pro-active investigations. Although the Force has experienced an increase (75%) in the number of complaints compared to the previous year, the number is still small when compared to other forces. There is an opportunity, however, to extend the scope of the NIM to incorporate all areas

of the business, i.e. reactive complaints investigation, civil actions and direction and control complaints.

Recommendation 1

Her Majesty's Inspector of Constabulary recommends that the Force explores the opportunity of using the NIM principles in the reactive work, civil actions and direction and control complaints to help reduce the number of complaints against police.

- Directed surveillance authorities for PSD investigations is authorised by the head of the professional standards department. This was commented upon by the surveillance commissioner in 2004/05 and force policy was amended so that they are considered on a 'case by case' basis. Surveillance authorities are now authorised either by the head of PSD or the head of intelligence.

Recommendation 2

Her Majesty's Inspector of Constabulary recommends that directed surveillance authorities for professional standards investigations is authorised by an officer outside of the PSD to ensure impartiality in the decision-making and to reduce the risk of cases collapsing at Court.

- The Force does not believe that the workload justifies the appointment of a dedicated analyst to the PSD and, although the information coming into the department has increased, it is manageable. The Force does, however, have a large proactive capability compared to similar forces and the introduction of 'Safecall' should produce a higher volume of intelligence that requires proper analysis and interpretation.

Recommendation 3

Her Majesty's Inspector of Constabulary recommends that consideration is given to providing dedicated analytical support to the PSD.

- There is a strategic assessment for professional standards although it is not fully developed to incorporate all ethical standards issues and the review process is limited. The Force does not feel that there is a need for a PSD committee as they get a 'feel' for what goes on from their informal communications channels.
- There are links between intelligence from misconduct investigations and anti-corruption initiatives and this could be shared more readily with the ethical standards unit to identify any emerging issues at an early stage.

- Although there is a new standalone intelligence database, there is a reluctance to delete any information from it. There are records going back to 2000 in the intelligence database that have not been weeded.

Recommendation 4

Her Majesty's Inspector of Constabulary recommends that a weeding policy be developed for the PS intelligence database to ensure that irrelevant or obsolete intelligence is deleted.

- The Force is in consultation with staff associations and is engaged in regional discussions about the implementation of an alcohol and substance misuse policy. They are looking at implementing 'just cause' testing and, although it has not yet been finalised, money has been set aside from next year's budget. The Force considers it prudent to work towards harmony of policy between the regional forces before implementation, as differences in policy are likely to be difficult to overcome in the event of regional mergers of forces. April 2007 is considered to be a realistic implementation date.
- While the anti-corruption side of the business is intelligence-led the complaints side of the business is entirely reactive, with little evidence that NIM principles have been considered. This has resulted in limited direction in respect of prioritising and focusing resources on behaviour and complaints, which cause a risk to public confidence. An example of this is a case where an officer had been under investigation for some 6 months following an allegation of off duty conduct resulting in words of advice. During the investigation 10 statements had been taken and the officer had been interviewed for some four hours.

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

Strengths

- The ACC has portfolio responsibility for the PSD. The head of PSD meets the ACC formally on a monthly basis together with the head of HR and head of corporate services to discuss complaints and other cross cutting issues. The ACC provides active leadership and direction and takes part in regional and national PS meetings.
- The head of PSD is a member of the ACPO Professional Standards Complaints and Discipline Sub Committee which is working to identify a 'National Complaint Recording Standard' to bring more clarity and consistency to the recording of complaints.
- Individuals who attract complaints on a regular basis are identified within the PSD and, where considered appropriate, the head of department would discuss them with the ACC. Contact is also made with the divisional commander/departmental head to discuss the issue with the officer concerned and an action plan would be developed where appropriate.

- There is awareness training for probationer constables which outlines expected levels of conduct/professional standards. The Force has also introduced the LAPD (Leadership, Accountability, Professionalism and Development) programme for supervisors and managers which also has an element of managing standards of conduct and behaviour. The Force has recently been awarded liP status and the ACC believes that the processes implemented to achieve this are evidence of the development of clear standards of conduct.
- Lessons learnt from complaint investigations are circulated in a publication known as 'Police Blues'. Where force policy and/or procedures need to be reinforced, details are included in routine orders and divisions have their own systems for disseminating them to staff.
- Outcomes of anti-corruption investigations are circulated to make staff aware that the Force is serious about pursuing corrupt staff.
- A force vetting policy is being developed in accordance with ACPO guidance and is currently out for consultation. It is due to be sanctioned by the Corporate Strategy Board in December. Vetting of officer recruits, PCSOs and special constables is done to CTC level. Vetting of contractors and agency staff is done in conjunction with the HR department. All vetting checks are carried out by the disclosure unit within the PSD.

Areas for Improvement

- There are currently no facilities in place via 'gateway organisations' to enable third party reporting of complaints against the police. The Force is awaiting guidance from the IPCC before progressing this. There is, however, third party reporting of complaints via solicitors and relatives etc.
- There is an internal confidential line to enable officers to report misconduct and/or corrupt behaviour. The Force reports low usage of this facility and is in the process of negotiating to introduce 'Safecall', an independent internal confidential reporting line.

Recommendation 5

Her Majesty's Inspector of Constabulary recommends that when the 'Safecall' confidential reporting line is introduced, the Force develops an effective marketing campaign to ensure staff are aware of it and understand what it should be used for. This would also present an opportunity for the Force to raise the general standard of awareness of complaints issues and reinforce the determination to confront corrupt behaviour.

- There are systems in place to monitor ethnicity and other strands of diversity but, while the numbers of complaints from members of BME communities is low, it is accepted that more proactive work could be done to actively engage diverse groups. Citizens' panels have been established in Carmarthenshire and

Pembrokeshire and these are utilised to engage communities and gauge public confidence.

- Although there is an information security board which meets quarterly, the responsibility for the security of assets is fragmented. As an example, security of buildings is the responsibility of the operations department, vetting and information security is the responsibility of professional standards, systems and technical security is the responsibility of the information technology security officer and there is an information management strategy group. In addition, the information security officer does not have any involvement in the security of buildings.
- The main computer systems within force have systems owners who are responsible for granting access to users. Access, however, requires the completion of a form for each system – at present there are seven main systems. This bureaucratic process could leave some systems open to security gaps. As an example, induction and leavers procedures do not clearly identify who should have access to what systems. Officers/staff who left the organisation some months ago still have access to email, PNC etc.

Recommendation 6

Her Majesty's Inspector of Constabulary recommends that the Force ensures that there are robust systems in place to effectively audit the use of computer systems.

- The Force has appointed a vetting officer but has combined this role with that of the information security officer. When the vetting policy is introduced there may be a capacity issue due to the requirements of the new policy. The Force has not yet introduced management vetting.

Recommendation 7

Her Majesty's Inspector of Constabulary recommends that the force's vetting policy be introduced without delay and the responsibilities for vetting be clearly defined to alleviate any confusion of roles.

Enforcement - *its effectiveness in dealing with emerging problems*

Strengths

- The DCI within the professional standards department assesses all complaints and discusses options with the investigating officers. Proportionality of response is a key consideration and a decision record is kept on the file outlining the reasons why a particular course of action was followed. The force has a policy in

place, which identifies how direction and control complaints are identified and managed.

- Where the ACC is considering suspending a member of staff, the police federation or UNISON is informed and they are given the opportunity to make representations.
- Inspectors and sergeants are encouraged to deal with complaints at first point of contact and will seek local resolution as a first option. Details of all complaints are forwarded to the PSD to ensure that a record is maintained centrally of all complaints as they are reported so that PSD can monitor the quality of resolution.
- There is a PSD intranet site which incorporates guidance on how to deal with complaint and misconduct issues. There is a 24 hour on call facility where PSD staff can be contacted for advice to ensure quality and speed of investigations. PSD staff are appointed as liaison officers for divisions and act as first point of contact for general complaint advice.
- The office manager provides the chief inspector with regular reports of outstanding complaints and how long they have been active. The chief inspector then meets with the investigating officers to establish the reasons for any delays and discuss ways of moving the investigation on.
- There are monthly meetings between the force solicitor, the head of the PSD and the head of commercial services to discuss civil cases that may include misconduct issues. Where possible misconduct is identified, this is investigated before the civil claim is settled.
- Relationships between the PSD and Police Authority/IPCC are described as good and the head of PSD meets with the IPCC commissioner on a bi-monthly basis. The ACC and Police Authority also meet with the IPCC commissioner to discuss the management of complaints. The Force and IPCC are arranging a joint (regional) seminar scheduled to take place in January 2006 to discuss and raise awareness of issues relating to discrimination against BME communities.
- There is a Police Authority PSD committee which meets twice a year. The head of the PSD attends and the staff associations are invited as observers. Authority members dip sample closed files and feed back any issues to the committee and the Force. The Clerk to the Authority has developed a more robust process following APA/IPCC advice to achieve a more intrusive and consistent approach.
- The Centurion system produces reminders every 28 days for investigating officers to update complainants as to the progress of the investigation. Officers subject to the complaint are also informed of progress and details of the contact are recorded on the file.

Areas for Improvement

- Unsatisfactory performance procedures (UPP) are not widely used throughout the Force and no officer within the Force is currently subject to the process. Some officers are, however, subject to action plans outside the formal UPP and the efficiency regulations have been used effectively to manage poor attendance.

Recommendation 8

Her Majesty's Inspector of Constabulary recommends that the Force reviews the use of unsatisfactory performance procedures and introduces awareness training for supervisors to improve their knowledge and confidence in dealing with poor performance.

- Although the Police Authority has a PS Sub Committee, which undertakes dip sampling of closed files, there is no involvement of the staff associations in this process.

Recommendation 9

Her Majesty's Inspector of Constabulary recommends that consideration be given to inviting the staff associations to be involved in the dip sampling of closed files undertaken by Police Authority members. This could help improve the understanding of authority members and make the review process more transparent.

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 Force conducts customer satisfaction surveys to identify the needs of the public and it uses the number of cases going to appeal to the IPCC as a measure of public confidence. A customer focused approach to the recording of complaints (likened to NCRS) has been adopted. A large proportion of complaints are locally resolved with only one going to appeal.
- All PSD staff have current PDRs linked to the priorities identified in the departmental plan and control strategy.
- The PSD is well resourced when compared to other similar forces and there is a good representation of specialist skills e.g. financial investigation and family liaison. The head of department and the detective inspector, ethical standards have experience in source management and all officers within the ethical standards unit are trained CHIS handlers. There are collaborative arrangements in place with South Wales and Gwent forces particularly when surveillance is required.

Areas for Improvement

- Although investigating officers and ethical standards unit staff brought to the PSD skills and experience developed in previous roles, there is no departmental

training plan, which identifies skill gaps, what training has been delivered or is required and whether it needs to be refreshed. As an example, all investigating officers and ethical standards unit staff appear to have received 'PEACE' interview training, but in some cases the training was received more than five years ago.

Recommendation 10

Her Majesty's Inspector of Constabulary recommends that a review of the skills and experience of PSD staff is carried out and the introduction of a training and development plan to ensure that the right combination of skills exists within the department and that they are kept up to date.

NB: Training of PSD staff is recognised as a national issue and it is hoped that one of the recommendations to be carried forward at a national level will be the development of more national training courses for PSD staff.

- Awareness training is delivered to probationers and newly promoted sergeants and inspectors but there is nothing in place for mid service officers or police staff.

Recommendation 11

Her Majesty's Inspector of Constabulary recommends that consideration is given to providing training to all officers and police staff to raise their awareness of complaints issues and reinforce the standards of professionalism and behaviour expected of them.

Glossary

ACC	Assistant Chief Constable
ACCAG	ACPO Counter-Corruption Advisory Group
ACPO	Association of Chief Police Officers
ACPO PSC	ACPO Professional Standards Committee
ACU	anti-corruption unit
BA	baseline assessment
BCU	basic command unit
BME	black and minority ethnic
CHIS	covert human intelligence source
CID	criminal investigation department
CMU	complaints and misconduct unit
CPS	Crown Prosecution Service
DCC	deputy chief constable
HMI	Her Majesty's Inspector
HMIC	Her Majesty's Inspectorate of Constabulary
HoD	head of department
HQ	headquarters
HR	human resources
liP	Investors in People
IO	investigating officer
IPCC	Independent Police Complaints Commission

NCIS	National Criminal Intelligence Service
NIM	National Intelligence Model
PA	police authority
PCSO	police community support officer
PDR	performance development review
PEACE	a national police model of interviewing
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
SGC	specific grading criteria
TCG	tasking and co-ordination group
UPP	unsatisfactory performance procedure