

Her Majesty's Inspectorate of Constabulary



Inspection of South Yorkshire 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

South Yorkshire Police is the thirteenth largest of the 44 forces within England, Wales and Northern Ireland and has responsibility for policing the county's three boroughs of Barnsley, Doncaster, Rotherham and also the City of Sheffield. It covers a geographic area of approximately 600 square miles with a resident population in excess of 1.2 million people, of which 5% are classified as belonging to a non-white minority ethnic group, predominantly in Sheffield.

Historically, South Yorkshire had two main traditional industries: steel (based mainly around Sheffield) and coal mining (based around the towns of Barnsley, Doncaster and Rotherham). The last twenty years have seen a considerable decline in both industries, leading to an increase in unemployment and its related socioeconomic problems. However, there has been a move towards tertiary industry and substantial regeneration in those areas worst affected by the demise of the coal and steel industry, such as in the Lower Don Valley in Sheffield and the Dearne Valley area. Employment for the county now stands at 56.1%, still approximately 4% below the national average. The local average wage is approximately 82% of the national average.

South Yorkshire Police faces the challenges posed by policing five football league grounds, and sporting events such as the St Leger race in Doncaster and the World Snooker Championship. There is a large student population, especially at the two universities in Sheffield. The Robin Hood – Doncaster Sheffield Airport, based at the former RAF Finningley airbase, officially opened to international flights on 28 April and there is also the existing smaller airport in Sheffield.

The Force headquarters is in Sheffield, and each of the five basic command units (Barnsley, Doncaster, Rotherham, Sheffield Central, Sheffield North and Sheffield South) has a district headquarters. The ACPO team is based at Force headquarters and comprises the Chief Constable, DCC, ACC (specialist operations), ACC (territorial operations), ACC (media and personnel) and the director of finance and administration. Meredydd Hughes was appointed Chief Constable in September 2004 having joined the Force as deputy in 2002. Grahame Maxwell joined South Yorkshire Police as deputy chief constable in January 2005.

Barnsley, Doncaster and Rotherham districts have coterminous boundaries with their district council and crime and disorder reduction partnerships, but the Sheffield Council and CDRP covers two policing districts: Sheffield One and Sheffield Two.

The Police Authority has 17 members, 9 of which are elected members of local authorities in Barnsley, Doncaster, Rotherham and Sheffield; three are local magistrates nominated by the magistrates benches within the County; and five are independent members of the public selected following application to serve on the authority. The chairman of the authority, Alan Hartley, has been in post since September 2004.

Professional Standards

The DCC holds portfolio responsibility for professional standards. The professional standards department (PSD) is headed by a chief superintendent and is split into two clearly defined areas of responsibility: complaints and discipline, and standards and security, each headed by a superintendent.

The complaints and discipline section, contains four investigative teams, each headed by a chief inspector. There are five inspectors and a caseworker within investigation teams one and two. Team three, corporate crime, consists of the detective chief inspector and a detective inspector. Investigation team four, consists of the chief inspector and an inspector. All of the teams are supported by a caseworker unit, consisting of two part-time executive caseworkers and five part-time caseworkers who undertake a myriad of tasks in supporting investigations, misconduct proceedings and training inputs.

The standards and security section consists of an intelligence development unit, responsible for anti-corruption measures and covert operations, in conjunction with the corporate crime team. This unit consists of a detective inspector, two detective constables and a caseworker with direct reporting to the standards and security superintendent. The audit and data protection unit, containing a senior manager, deputy and two assistants is also housed within this section, together with the vetting unit, consisting of a manager and two clerks and the freedom of information unit, headed by an inspector with two clerks. This ensures a corporate approach to information compliance. An inspections and policy compliance unit is headed by an inspector with a sergeant and police constable in support. The diversity unit is headed by a chief inspector with an assistant.

Administrative support for the department is provided by an administration manager, part-time finance administrator, part-time finance assistant, secretary, secretarial assistant, team leader, 4.5 clerical assistants, 1 ROTI typist, 1.5 typists and a handy person.

GRADING : GOOD

Findings

Intelligence - *what the Force knows about the health of professional standards*

Strengths

- Whilst the head of department is recently newly appointed, he has a clear vision of strategic priorities for the ensuing medium term. These include addressing issues around Force culture and achieving consistency of approach.
- The Force has conducted a strategic assessment of its vulnerability to corruption incorporating the PESTELO scanning process and has forwarded this to the National Criminal Intelligence Service. The findings of the assessment are the clear basis for the formulation of the control strategy.
- The Force has an alcohol and drug abuse policy in place with clearly identified aims and clearly defined roles and responsibilities. This includes a self-referral policy.
- National Intelligence Model (NIM) principles are applied to the assessment and prioritisation of cases, and the control strategy is regularly reviewed at the professional standards committee (PSC) meetings.
- The department has a good mix of police investigators and police staff caseworkers with relevant experience and knowledge in order to conduct appropriate investigations. Cases of a racial or discriminatory nature are allocated to senior investigators for completion.
- The role of the intelligence unit is developing and is now starting to drive PSD business through NIM products such as target and problem profiles. There are effective links to the tasking and co-ordinating group (TCG) meetings.
- The information security officer conducts regular checks and auditing of Force systems and feeds issues into the TCG process. She also maintains regular liaison with the Force IT department with regard to the development of IT systems.
- The Force conducts regular public satisfaction surveys that include PSD issues, and district commanders have the facility to initiate immediate resolutions through compensation or apology where appropriate without recourse to the department.
- Fairness at work, civil litigation and misconduct matters are identified and discussed from early assessment on receipt of complaints and these issues are fed into the tasking and co-ordination process.

Areas for Improvement

- The intelligence development unit (IDU) has introduced a tasking and co-ordinating meeting in line with the NIM model. The first meeting was held in the week prior to the inspection and the unit is exploring ways in which this process can further develop and support PSD activity.

- The Force is currently recruiting an analyst for the IDU in order to further develop and support the evolving NIM driven ethos of the department.
- The Force policy in relation to drug and alcohol testing has been agreed and drafted. The Force is awaiting the outcome of national guidance prior to its implementation.
- The recently conducted review of NIM processes in PSD identified some shortfalls and a development plan is now being implemented. For example, the recruitment of an analyst and regular reviews of the control strategy through tactical assessments.
- The Force does not have a consistent approach to IAG attendance and confusion exists over whether the diversity officer attends in own right or as member of PSD. The Force is considering the potential role development of PSD champions at district level meetings.

Recommendation 1

That the Force reviews the current role and position of the diversity manager within the professional standards department.

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

Strengths

- There is a clear and effective chief officer lead from the deputy chief constable with a published strategy which is accessible to all via a number of means including the Force intranet. The Force has a clear vision of developing a culture in which people are empowered to make decisions and treat genuine mistakes as a learning opportunity.
- The Force has a number of open and accessible means by which complaints can be made. This includes telephone, e-mail, fax and third party reporting. The Force also has made use of 'Podcast' technology on its internet site to explain how to make a complaint.
- Upon the conclusion of each investigation, the investigating officer conducts a review in order to inform the 'Lessons Learned' process. The outcome of this is presented to the policy advisory group at Force level and further developed through PSD champions at district level.
- The Force has appointed a vetting officer and there is a clear, structured plan for the vetting process throughout the Force that is already well advanced. There is evidence of good communication between the department and staff in order to address concerns about the process. One example of this is the use of roadshows.
- The Force has adopted the principles of joint operational procedural instructions (JOPI) and produced an effective training video to brief all staff in relation to their obligations.

- Confidential reporting of PSD matters has been increased through the development of a new partnership with Crimestoppers.
- The Force diversity manager is the single point of contact for the 'Fairness at Work' (FAW) procedure, which is very much victim led. A process is in place whereby potential misconduct issues are highlighted at an early stage.
- One of the investigating officers is a fully trained first contact officer and represents the women's management group on the Force diversity steering group (DSG).
- There is an increasing awareness across the Force of the role of the PSU and evidence exists of increased reporting of potentially criminal or corruption issues through personal contact with the unit.
- District PSD champions are tasked with analysing local complaints trends and bring the issues to divisional management meetings in order to inform the 'Lessons Learned' process. PSD issues are a standing agenda item at these meetings.

Areas for Improvement

- Whilst the Force does undertake monitoring in relation to the diversity of complainants, it is currently inhibited by software restrictions and the reluctance of some complainants to disclose certain information.
- Staff associations and support networks expressed concerns that confidence in the FAW procedure is low and that some managers are failing to ensure that related developmental action plans are followed. There is further concern that the role of the diversity manager within PSD sends out confusing messages to staff and that the FAW procedure can be interpreted as a misconduct/complaints procedure.
- A number of concerns were expressed by a range of interviewees that special constables were not currently, adequately legally represented in the event of criminal allegations against them. The Police Federation currently, voluntarily provides one hour of free legal advice.
- Whilst the use of innovative techniques such as 'Podcast' technology is to be applauded, this is currently only available in the English language and the Force is considering how this can be extended to other non-English speaking communities.

Enforcement - *its effectiveness in dealing with emerging problems*

Strengths

- The LR process is very much complainant driven and the Force makes good use of mutually agreed action plans in order to resolve matters to the satisfaction of complainants. Some 49% of all complaints were resolved in this way in 2004/05.
- There are a number of police officers and police staff across the Force who have been trained in mediation skills and these people are used in the facilitation of restorative conferences to resolve complaints where appropriate.
- The Force system of assessment and allocation of complaint takes due cognisance of the likely outcome and thus informs and influences the proportionality of the investigation.
- A healthy and open relationship exists between the department and the Police Federation and this has been cemented with the appointment of a full time discipline liaison officer (DLO) within the Federation office.
- The Police Authority is developing its oversight role and is keen to have a positive influence on the 'Lessons Learned' process. A regular meeting between the PA and the head of department takes place whereby issues are discussed in an open and frank manner.
- The PA enjoys a positive and developing relationship with the IPCC and is satisfied with the level of referral to, and interaction with them.
- The Force has recognised the need to re-emphasise the benefits of the LR process to front line managers and supervisors and has re-launched this process by means of a training programme to all district and department supervisors.

Areas for Improvement

- There appears to be a prevalent culture within the Force of supervisors and managers referring complaints and misconduct issues to PSD at an early stage. The inspection team was made aware of a number of examples whereby the opportunity to deal with issues at the lowest, most appropriate level was missed.
- The current Force requirement, in line with IPCC statutory guidance, for complaints to be initially recorded and allocated by PSD may contribute to the lack of ownership displayed by some managers. The process requires continual review which will be facilitated by district and department champions.
- The department does not currently hold responsibility for dealing with direction and control complaints. This process is owned by and overseen by the corporate development department (CDD) and emerging issues are brought to and discussed at policy advisory group (PAG) which PSD also attend. However, there is no direct, formal link between CDD and PSD which would ensure early identification of all issues arising.
- Concerns were identified amongst officers interviewed that the Force system of communicating new and amended policies is not effective. The reliance on self-learning and development, without an effective supervisory input, has led to this lack of knowledge and awareness becoming evident during complaints and misconduct investigations.

- The full PA oversight process has yet to evolve to a stage where it is mutually beneficial and effective. The PA members involved in this process are keen to develop this further and options are currently being explored.
- The legal services unit is currently recruiting a police inspector in order to examine issues arising from civil claims and ensure that these inform the 'Lessons Learnt' process.

Recommendation 2

That the Force makes best use of the dedicated training day afforded by the introduction of an amended shift pattern in order to communicate new and amended policy and thereby remove the reliance on self-updating by staff.

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 department, overall, appears to be adequately resourced with good evidence of effective workload management and case review.
- Officers and staff are subject to regular performance monitoring and receive necessary training identified through the PDR process.
- Staff are suitably skilled and the use of attachments to the department of duty group inspectors is developing to enhance their overall awareness and ability to use local resolutions effectively.
- The use of police staff caseworkers to support investigations appears to work well and was well regarded by investigators within the department.
- The Force has appointed PSD champions on each operational district. This is an effective two-way communication channel for PSD issues and for promulgating best practice and lessons learnt.
- In support of the DCC's emphasis on targeted, resource efficient investigations, the intelligence unit within PSU are supported by a DCI and DI who oversee the proactive criminal or serious misconduct investigations arising from the T and CG process. Their role is to manage the investigations within the department, where feasible, and to co-ordinate the deployment of SIOs and associated staff in more protracted enquiries.
- Evidence was presented of effective investigations which resulted in serious lapses in professional standards being identified, investigated and sanctions applied.

- Evidence was also presented of a developing culture of support and openness within the Force, where honest mistakes are used to identify system failures. This is effectively balanced by a rigorous approach to identified wrongdoing.

Areas for Improvement

- There is scope for the role of district PSD champions to be widened in a number of ways that include playing a more active role in influencing the development of the LR process, promoting the furtherance of a 'no blame' for genuine mistakes culture and playing a pivotal role in district IAG/consultative groups in order to develop additional complainant access points.

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