

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



## **Inspection of Thames Valley Police**

### **Professional Standards**

**JANUARY 2006**

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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.

#### **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.

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<sup>1</sup> 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 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.

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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 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](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**

### **1. Force Overview and Context**

Thames Valley Police is the largest non-metropolitan police force in the country, covering 2,200 square miles and serving a population of 2.1 million, with over 6 million visitors annually. It covers 16 Crime and Disorder Reduction Partnerships (CDRPs), within the areas of two county councils (Oxfordshire and Buckinghamshire) and seven unitary authorities. It has five basic command units, reduced from ten in the past year as part of a major restructuring entitled Challenge and Change.

The local economy is prosperous, with low unemployment and above average earnings, although the overall position hides pockets of deprivation. Steady continued economic growth is predicted. In terms of demography, the Thames Valley area is experiencing continued population growth, most notably at Milton Keynes and Aylesbury. Some 6% of the population in Thames Valley are from ethnic minorities with a much higher proportion in the south east of the force area.

The chief officer team comprises the Chief Constable, Deputy Chief Constable (DCC), Assistant Chief Constable (ACC) (local policing), ACC (specialist operations), ACC (operational support) and the Director of Resources. It has recently been announced that the Chief Constable, Peter Neyroud, in post since February 2002, will become the first Chief Executive of the National Policing Improvement Agency. The DCC has been in post since August 2003, an internal appointment. The Police Authority and the Chief Constable's management team have a very good working relationship.

#### **Professional Standards**

The DCC holds portfolio responsibility for Professional Standards (PS). The Professional Standards Department (PSD) is led by a Chief Superintendent, with a Superintendent deputy who leads on anti-corruption and intelligence. The department consists of 50 staff, 13 of whom work in the proactive operations unit. There are two teams of complaints investigators, one covering the north of the Force area and the other the south, each led by experienced detective chief inspectors. The Force Security Manager heads a wing of the department that includes three units: the vetting team, data protection and information security, and the freedom of information team.

The areas for improvement and recommendations set out below are designed to assist further development from what is already excellent performance. The Force self-assessment identified many of these issues, reflecting a clear commitment to continuous improvement.

## **2. Findings**

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

### **Strengths**

- The National Intelligence Model (NIM) is used to drive all resources within PSD, both reactive and proactive. Based on an up-to-date comprehensive strategic assessment and control strategy, two-weekly tactical assessments identify critical cases, and support a tasking and coordination process that ensures investigations are proportionate and being expedited. Workloads are closely monitored and staff are held to account for key actions at subsequent meetings.
- The strategic assessment of risks to integrity and vulnerability to corruption is fully reviewed every six months. In line with the national assessment, the three priority threats are unauthorised disclosure of information, staff associating with criminals and drug or alcohol abuse. The strategic assessment identifies intelligence gaps, leading to the control strategy that drives the work of the proactive team.
- Staff within the operations unit are highly skilled and experienced; all are surveillance trained, there are two financial investigators and four trained source handlers. Effective arrangements have been made to ensure justification, proportionality and accountability in relation to intrusive surveillance applications.
- Effective relationships have been established with a wide range of other units within the Force and in neighbouring forces to improve intelligence gathering and make best use of resources. A good example of internal collaboration is that in priority investigations the vetting unit within PSD assists in gathering intelligence from computer systems.
- Covert cases are referred to the IPCC in line with the national protocol and the IPCC Commissioner is briefed monthly on intelligence and operations.

### **AFIs**

- The operations unit has a goal this year to broaden the scope of intelligence, including generating more intelligence about external corrupters rather than focusing on staff suspected of corruption. This includes exploring various options for increasing the use of confidential reporting systems.
- The analyst post in the operations unit is currently part-time. Although target profiles are used effectively, there is scope for increasing analytical capacity in order that other products such as problem profiles can be developed.

### Recommendation 1

**Her Majesty's Inspector of Constabulary recommends that consideration should be given to increasing analytical capability within the operations unit in order that a range of analytical products can be fully utilised.**

- Some key operational computer systems are not amenable to full audit to identify misuse. The department is alive to the need to ensure that effective audit capability is built into all new systems and applications. In the meantime, the information and communications technology department has assisted in developing more efficient ways of searching and auditing existing systems.

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

#### **Strengths**

- The DCC provides an active lead on the development and implementation of professional standards strategy. One of the key elements has been development of an organisational learning strategy, just approved at the time of this inspection. Drawing upon learning opportunities from public complaints, misconduct cases, direction and control complaints, staff grievances and civil claims, PSD will coordinate the use of several existing and new methods to improve policies, procedures and behaviour.
- Even in advance of this new approach there have been some good examples of identifying units where several complaints have been made about certain officers. The departments concerned were required to put in place action plans for each officer to rectify the behaviour giving rise to complaints. Since then, there have been no further complaints.
- Good links have been established with the training department to identify training needs, based on the strategic assessment and emerging issues, and to quality-assure PSD training plans. A current objective in the departmental plan sets out action to improve further in this area. During the inspection it became clear that PSD staff who deliver training regard it as a key part of their roles.
- Other methods used to deliver the organisational learning strategy include:
  - a regular good quality newsletter, 'Integrity', that includes complaints and misconduct trends, updates on policies and procedures, and examples of good and poor practices;
  - a structured programme of visits by the Head of Department to BCUs and departments to deliver key learning messages;
  - a PSD intranet site with a section dedicated to organisational learning (and use of an intranet discussion forum);
  - the use of weekly orders to publicise misconduct cases where there are clear learning points for staff; and

- fast-track messages authorised by the DCC where there is an urgent need for staff to be informed – recent examples include clear statements about e-mail abuse and drugs misuse.
- The Force Security Manager heads a wing of PSD that includes a central vetting unit, data protection (including information security officer) and freedom of information. A suite of policies meeting national requirements has been completed in the past year with comprehensive supporting procedural documentation. Excellent progress has been made on vetting to the point where vetting no longer delays recruitment. Preparations are being made to re-vet all staff over the next two years.
- Good liaison has been established with the audit team in the performance review department enabling the exchange of information about potentially corrupt practices and/or mismanagement in areas such as crime investigation and recording.
- A high percentage of complaints against police originate from detainees and relate to their treatment whilst in custody. An example of the active oversight by the Police Authority has been its role in driving forward improvements to custody facilities (many of the existing facilities being of poor quality and lacking CCTV) as part of the complaints reduction strategy.
- Significant organisational learning has taken place after a serious firearms incident in 2004 following which the Force received some criticism regarding its response. The incident was referred voluntarily to the IPCC who oversaw a review into Thames Valley firearms policy. The enquiry was characterised by its openness – to staff and to the public - and a refusal to search for individuals to blame. Some key policies and procedures were changed very quickly while others were changed following more detailed research and consultation. The changes have benefited TVP and the police service nationally, great efforts having been made to share the learning points with other forces.

## **AFIs**

- The organisational learning strategy would benefit from more clearly defined arrangements for monitoring and evaluation. These arrangements should be proportionate to the scope and importance of each learning activity. In addition to quantitative assessment of subsequent complaints trends, use could be made of internal force inspections to check whether BCUs and departments are taking appropriate action in support of the strategy.
- Bids have been made for four posts to strengthen the vetting unit and other security functions. In the meantime, good use is being made of officers on recuperative duties to assist in this important work.

## **Enforcement** – *the force's effectiveness in dealing with emerging problems*

### **Strengths**

- The Head of PSD has received widespread acclaim for his work in establishing a new strategic direction and spearheading cultural change. He has made a significant contribution to ensuring the force moves away from being reactive and apportioning blame to an approach based on promoting confidence in the system amongst the public and staff so that the organisation can learn lessons and improve. He has established effective dialogue with key stakeholders, both internal and external and ensured full engagement of PSD senior staff at the early stage of critical incident management.
- BCU Command teams have good awareness and understanding of the force ethos on professional standards and are increasingly being held to account for the behaviour of their staff.
- Excellent relationships between PSD and staff associations, the Police Authority and BCU Commanders have helped establish high levels of trust and confidence. This has been a significant enabler in achieving the cultural and procedural changes required to forward recommendations from the Morris, Taylor and CRE enquiries.
- A very effective working relationship is developing between the force and the IPCC at both strategic and tactical levels. A climate of openness, helped by a particular critical incident and subsequent voluntary referral to the IPCC, has contributed to high levels of trust developing between key individuals. This has been sufficient to enable the head of PSD and the IPCC Commissioner to agree a protocol for oversight of sensitive covert activities.
- The Police Federation in particular expressed satisfaction with the degree of information sharing which allows them to provide early support to members under investigation. They also highlighted the selective service of Regulation 9 notices and the use of 'voluntary' statements which have assisted achieve more proportionate investigations as good practice.
- Staff associations are regularly and formally consulted, the formulation of the drugs testing policy being a recent example of their active engagement in policy development.
- The IPCC views improvements in the proportionality of investigations as clear evidence of how TVP has made significant cultural change. Early assessments of complaints are undertaken within PSD and a new role has been created to extend this approach. Together with the development of investigation plans, regular reviews and a target of 70 days for completion of investigations, this has contributed to a much more focussed and timely response. Between April and September 2005, the average investigation time was 56 days, less than half the nationally recommended target of 120 days.
- A recent innovation has helped to promote proportionality of investigation. When, if fully proved, a case is likely to lead to no greater sanction than management advice instead of a written warning, it will be allocated through BCU Commanders to local inspectors and fast-tracked to the written warning.

An investigation template is provided by HQ PSD and early indications are that investigations are of a high standard, and completed much more quickly – to the benefit of both complainants and staff subject to complaints.

- The proportion of complaints locally resolved (LR) continues to increase, rising from 27% in 2001/02 to over 45% in 2004/05 and 54% between April and June 2005. This has been helped by a drive to raise awareness and understanding through training all new sergeants and inspectors, easy access to guidance, and availability of trained facilitators to undertake restorative conferencing where appropriate. In 2004/05 over half the local resolutions were completed by BCU supervisors.
- Effective recording practices, professional investigations and open and transparent processes have contributed to a very low number of appeals to the IPCC. This is considered a good indicator of an effective PSD.
- A clear suspension policy and strenuous efforts to keep staff at work and use suspension sparingly is ensuring officers remain productive and reducing the difficulties associated with re-entry following a long period of suspension.
- There is a well established system for recording and responding to direction and control complaints. Coordinated by a small Quality of Service unit at headquarters, there are clear policy and procedures and an effective recording system. Useful information is produced to enable managers to improve operational procedures when necessary, as part of the organisational learning strategy.
- The Superintendents' Association is positive about arrangements for their members, particularly in respect of training and support for members of misconduct hearing panels.
- Regular dialogue between the heads of HR and PSD, both formal and informal, ensures lessons are learned from grievance handling, and helps better manage the anomalies arising from the different employment conditions for police staff and police officers. Similar liaison is in place with force solicitors to ensure misconduct issues are picked up from civil claims.
- There is extensive Police Authority oversight of complaints procedures through the complaints and professional standards committee. At each meeting all abbreviated files are examined and one case selected for full review, leading on occasion to investigations, policy, or procedure being challenged.

## **AFIs**

- Although the comparatively low level of appeals to the IPCC indicates high standards in recording, investigation and customer focus, there is currently no monitoring of complainants' satisfaction with the investigation process or for collating their views about how it might be improved.

## Recommendation 2

**Her Majesty's Inspector of Constabulary recommends that consideration should be given to ways of measuring complainant satisfaction and to collating their views on how the process can be improved.**

- Recent efforts to improve performance information to help ensure fairness and equality of service are having a significant impact. The BPA expressed the view that much has been achieved in the past six months. A good working relationship and high levels of trust now exist between the BPA and the Head of PSD and information sharing is increasing. The force acknowledges, however, that there remains work to be done in this area to tackle some apparent disproportionality in the number of complaints made against some groups of staff.
- There is a need to continue to develop sanction guidelines to help ensure consistency of approach.
- There is a perception by some that, whilst the suspension policy is clear, officers and staff on suspension do not always receive regular support and contact from their line managers or nominated liaison officers. There is also a need to ensure staff under investigation are informed promptly when cases have been completed.
- Although accessibility to the complaints system has been much improved, the way in which complaints are made should be monitored so that further efforts can be made to promote underused methods.

**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

- There is a well resourced professional standards department. Its excellent performance on timeliness reflects sufficient reactive capacity and efficient investigative processes. On the proactive side, it is probably the best resourced department in the region and has excellent working relationships with surrounding forces enabling it to exchange resources when necessary – eg, for test purchase operations.
- The department benefits from:
  - experienced detectives;
  - police staff case workers with good investigative experience;
  - access to restorative conferencing facilitators;
  - good organisational skills to manage tribunals and hearings;
  - support staff with detailed knowledge of systems and processes;
  - excellent letter writing ability;

- substantial proactive and covert capability, the best in the region; and
  - skilled surveillance officers and financial investigators.
- Training and development of staff is given high priority and PSD staff feel well supported, for example, through training sessions on discrimination issues, briefings on the new IPCC guidance and through development objectives in PDRs. Good practice is shared between investigators, a process enhanced recently by new investigating officers' meetings.
  - Effective planning and consultation have helped ensure ownership of departmental plans and delegation of tasks within the plans provides development opportunities for staff. A delivery plan is used effectively to drive departmental improvement. When data standards have improved, there will be opportunities to drive performance improvement through more precise objectives and quantitative targets.
  - PSD effectiveness across the organisation is assisted by BCU 'champions', usually of inspector rank. The IPCC considers their role has been instrumental in increasing the use of local resolution and in ensuring a low rate of appeals. At the time of inspection it was planned to relaunch the 'champions' in the light of force reorganisation, increasing their number to one on each of the 16 local policing areas.
  - Cooperation with the CPS has helped to reduce delays in finalising cases. The Head of PSD decides whether there is sufficient evidence in an allegation of crime to put the matter to the CPS, rather than automatic referral. This approach accords with the provisions of the Police Reform Act 2002, and is fully supported by the CPS.

## AFIs

- There is a clear policy on 'doing the right thing' and staff can report unethical and dishonest behaviour through crime stoppers, the intranet and an internal confidential reporting line. The latter is not extensively used. Consideration is being given to the use of a third party reporting line or an anonymous e-mail link which would ensure confidentiality.

### Recommendation 3

**Her Majesty's Inspector of Constabulary recommends that a timetable should be set for introduction of an independent confidential system by which staff can report misconduct.**

- Progress has been made in developing performance information to meet the needs of managers at various levels. Analytical capacity needs to be enhanced, however, in order that further progress can be made. Alongside national efforts to improve data standards there is scope for the force itself to make better use of data to monitor performance. Arrangements should be made to benchmark performance against forces in the MSF group. During the on-site visit agreement was reached to create a performance analyst post.

#### **Recommendation 4**

**Her Majesty's Inspector of Constabulary recommends that plans to create a performance analyst post in PSD should be progressed in order that better use can be made of performance data, including benchmarking with similar forces.**

- Currently there are occasionally delays in some units before PSD is notified about a complaint. Steps should be taken to ensure all complaints are immediately notified to PSD so that they can be formally recorded, even when local resolution is being attempted.
- The service confidence procedure, which is in draft form, needs to be finalised, ratified and published.
- BME staff are under-represented within PSD. The BPA and head of PSD are keen to introduce some form of positive action to increase representation, perhaps by way of short term secondments. The practicalities of achieving this in a fair and equitable way should be explored by HR department.
- The local resolution rate is comparatively high but there remains a tendency for some staff to forward complaints for investigation which are suitable for early local resolution. The local 'champions' have an important task in improving skills among front line supervisors. Arrangements should also be made to ensure that sufficient priority is given to early local resolution in the work of duty inspectors.

## **Glossary**

ACC	assistant chief constable
ACCAG	ACPO Counter-Corruption Advisory Group
ACPO	Association of Chief Police Officers
ACPO PSC	ACPO Professional Standards Committee
AFI	Area for improvement
BA	baseline assessment
BCU	basic command unit
BME	black and minority ethnic
BPA	Black Police Association
CHIS	covert human intelligence source
CID	criminal investigation department
CRE	Commission for Racial Equality
CPS	Crown Prosecution Service
DCC	deputy chief constable
DSU	dedicated source unit
ESU	ethical standards unit
FTE	full-time equivalent
HMI	Her Majesty's Inspector
HMIC	Her Majesty's Inspectorate of Constabulary
HoD	head of department

HQ	Headquarters
HR	human resources
IAG	independent advisory group – a body advising a force or BCU on race and diversity issues
IiP	Investors in People
IPCC	Independent Police Complaints Commission
LR	local resolution
MMR	monthly management review
MSF	most similar forces – a way of grouping forces to which each police force can be compared that has similar social and demographic characteristics
NCDG	National Complaints and Discipline Group
NCIS	National Criminal Intelligence Service
NIM	National Intelligence Model
PA	police authority
PCSO	police community support officer
PDR	performance development review
PNC	Police National Computer
PPAF	Police Performance Assessment Framework
PS	professional standards
PSD	professional standards department
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
TTCG	tactical tasking and co-ordination group
UPP	unsatisfactory performance procedure