

Her Majesty's Inspectorate of Constabulary



Inspection of Gwent 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

Gwent is responsible for policing the south east of Wales, an area with a resident population of just over half a million. The Force covers over 600 square miles (155,600 hectares) comprising valley communities as well as a number of larger towns, including Monmouth, Caerphilly, Pontypool and Ebbw Vale and the city of Newport. Newport experiences policing problems unlike those anywhere else in the Force, as a result both of its multi-ethnic community and its vibrant social scene. The area's economy, once reliant on heavy industry and mining, has suffered considerably in recent years as these industries have declined or ceased. Within the Force area are high levels of deprivation: the county borough councils (CBCs) of Caerphilly, Torfaen and Blaenau Gwent fall within the West Wales and Valleys Objective 1 area (which gives access to special grants from the European Community available for areas where, per capita, the gross domestic product is less than 75% of the EC average). In addition, all the wards in Newport city council and 31 of the 36 wards in Monmouthshire county council contain areas of economic hardship that qualify for funding under either Objective 2 or transitional programmes to support the economic and social conversion of areas.

The force headquarters is in the town of Cwmbran, and the force area is divided into three basic command units (known locally as divisions). These are Newport, Torfaen and Monmouthshire and Caerphilly and Blaenau Gwent. Each BCU is co-terminous with one or more unitary authority and community safety partnership (CSP). The chief officer team is based at headquarters and comprises the Chief Constable, Michael Tonge, Deputy Chief Constable Mick Giannasi, Assistant Chief Constable William Horne and Director of Finance and Administration David Ansell. The command team has been together since May 2005. Chief Officer portfolios have been designed to place the Force in the optimum position to deliver a citizen-focused neighbourhood policing style. The DCC has responsibility for policing activities which directly deliver this style of policing (area policing, call handling, criminal justice, community safety and strategic planning). The ACC is responsible for those areas of the business which enable and support this delivery (specialist operational support, information services, human resources, diversity and professional standards). The Chair of the Police Authority has established with the Chief Constable what both view as an open and constructive working relationship.

Professional Standards

The ACC holds portfolio responsibility for professional standards (known as Standards in Gwent) and the unit consists of a detective superintendent, head of standards and a detective chief inspector, head of complaints. In addition to investigating complaints and misconduct, the unit has responsibility for vetting, risk management and civil claims plus data protection and freedom of information. The investigation team consists of three detective inspectors, supported by detective sergeants and a police staff investigator. The unit has an analyst and makes follows the principles of the National Intelligence Model in conducting its business.

GRADING : GOOD

Findings

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

Strengths

- The National Intelligence Model is fully adopted within the professional standards department (known as Standards in Gwent Police), with the department producing a strategic and tactical assessment and holding tasking and co-ordinating meetings every week. As a result, there is a control strategy and an identified intelligence requirement.
- The department has access to National Intelligence Model qualified analysts that are used to develop problem and target profiles.
- The Force has completed its assessment of vulnerability to corruption and any matters impacting on this area are discussed in the professional standards department tasking and co-ordinating meeting. A copy of the assessment has been forwarded to NCIS in accordance with national guidelines.
- The informant (CHIS) handling process is managed by a dedicated source unit, who are trained specialists. They work in a base away from the main headquarters and also handle informants (CHIS) in respect of police corruption and misconduct issues.
- The Force has a confidential reporting line for professional standards issues, available to all staff. This is an internal line that is not available to the general public. The force is progressing with 'Safecall', along with the other forces in Wales, and this should be adopted shortly when the business case for its development has been approved.
- All investigating staff within professional standards are SIO qualified and have a development plan to ensure they become accredited in professional standards issues. Staff are selected so that good investigative skills are a requirement and they tend to be experienced detectives. All selection processes are transparent, with application forms having to be completed and interviews held.
- There is a transparent process for dealing with complaints, with minute/audit sheets (green form) being completed by the DCI detailing decisions made and action to be taken. The complaint is entered onto the force system (CENTURION) within 24 hours.
- Civil actions are dealt with in-house by the risk management and civil claims section of Standards with legal advice from the force solicitor and specialist advice where necessary. Such actions are discussed at the departmental tasking meeting.

Areas for Improvement

- The Force has identified that alcohol and substance misuse is an issue, but the policy in respect of alcohol/substance abuse is still in its draft form, although meetings have been held with staff associations and occupational health. The policy needs to take into account police conduct amendment regulations 2005. It is anticipated that the policy will be in place by December 2005.
- Informants (CHIS) are handled by specialist officers. Although the Force has protocols between professional standards and the dedicated source unit dealing with the management of this sensitive intelligence, there are examples of delays in the intelligence handling process as handlers will submit intelligence and await tasking by the Standards Tasking meeting before progressing matters.

Recommendation 1

Her Majesty's Inspector of Constabulary recommends that the Force ensures that the protocol is followed by all staff responsible for handling intelligence and that the dedicated source unit responds in a timely manner to information, without having to await the outcome of the next standards tasking meeting.

- There were some members of staff unaware of the arrangements for making confidential reports to PSD and had not seen the posters, pens and other media that are in circulation. The PSD website is not regarded as user friendly and there is an issue over the communicating of standards and values to all levels within the Force.

Recommendation 2

Her Majesty's Inspector of Constabulary recommends that further efforts are made in communicating force values and standards to all staff, with a process formulated to ensure messages are cascaded to all levels.

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

Strengths

- The Assistant Chief Constable is the chief officer lead on professional standards and he meets almost daily with the head of Standards and provides the strategic direction for the Force. In addition, executive decisions are the responsibility of this officer and he consults with staff associations and professional standards staff on a regular basis when making certain decisions, such as the decision to suspend staff. Each week, there is a formal meeting with the head of professional

standards, where cases are discussed and tasks actioned in accordance with the National Intelligence Model.

- The levels of complaints and number of misconduct investigations are monitored via the personnel strategy group (PSG) with the situation reported on a regular basis to Police Authority Complaints committee. Any information that would prevent misconduct occurring is immediately considered for disseminating to the Force, provided it does not compromise ongoing investigations.
- The standards unit has introduced a lessons learned/good practice form known as the service improvement document. All lessons learned are recorded and communicated to BCU commanders/departmental heads. Learning that impacts on the departmental plan and the PSD strategy is reviewed by the ACC on a monthly basis.
- There is a transparent process for reporting and dealing with complaints. They may be made using any communication processes (telephone, in person, by letter) and are sent daily to the standards unit. A minute/audit sheet (green form) is completed by the DCI detailing decisions made and action to be taken. The complaint is entered onto the force system within 24 hours.
- As reported in the above section, there is a confidential reporting line in place and the Force is about to outsource to 'Safecall' (a commercial company providing 24 hour service) in line with other forces in the Wales region.
- The Force records full details of complainants and those complained about and the head of standards unit provides updates to operational commanders (monthly) and the Police Authority (every two months). These updates include information relating to the number of complaints recorded, categories of complaints including the top three, timeliness issues, ethnicity of complainants, appeals to the IPCC and the outcome and direction and control of complaints.
- The Force has engaged with local BME groups, along with the IPCC, to manage public confidence in complaints. It was found that there were low numbers of complaints from such groups and the engagement process was delivered to meet local needs and allay fears. The meetings have been successful in one division and are soon to be repeated at another division where the same perceived problems exist.
- The Police Authority Professional Standards Committee reviews every completed file and completes a pro-forma (which is attached to the file) to indicate their findings. The committee also makes sure that the service improvement document is used to learn lessons and to provide information that could prevent misconduct by officers and staff.
- Each complaint is the subject of early assessment with the head of professional standards or the DCI making decisions as to the action to be taken and the direction of any enquiry. Issues such as proportionality are considered at this stage and investigating officers advised accordingly.
- The force has an information security policy that incorporates compliance with legislation and procedural documents and the headquarters security group manages issues in this area. The main computer systems have a robust auditing capability.

- There is a force vetting policy, developed in accordance with the ACPO national vetting guidance. Vetting is included in the Departmental Plan for 2005-2006 and all vulnerable posts will be the subject of security clearance in line with national guidance.

Areas for Improvement

- Staff associations and support groups are not involved at any open strategic meetings concerning PSD matters. Neither are they part of the personnel strategy group (PSG). The PSG does not reflect the six strands of diversity, although there is representation for minority groups provided by the Force diversity officer.

Recommendation 3

Her Majesty's Inspector of Constabulary recommends that staff associations and support groups are represented at the personnel strategy group. Further, membership of this group needs to be reviewed to address the concerns that it does not currently reflect all the strands of diversity. (Note: HMIC is aware that the Force has started to address this issue and since the inspection, has invited staff associations to the PSG meetings.)

- There was concern amongst some staff over the confidential reporting line, with people being unclear of the arrangements for the handling of confidential reports. This has impacted on the use made of the line.
- There is no robust monitoring of unsatisfactory performance procedures (UPP), with little in the way of links between HR and professional standards. There is little training for supervisors in managing staff issues and, as a result, many issues are recorded as complaints instead of supervisors invoking the unsatisfactory performance procedures. There needs to be better development offered to all supervisors, both police officer and police staff, to deal effectively with unsatisfactory performance and complaints.

Recommendation 4

Her Majesty's Inspector of Constabulary recommends that unsatisfactory performance procedures are used to better effect and policies need to be written and followed in respect of this. Adequate training must be offered to supervisors and managers, with definite links being made between HR and Standards in all aspects of UPP.

- Not all force computer systems have the capability of being audited. An example is the force crime recording system, where there is a limitation on what can be accessed due to the age of the programme.
- There is concern that the professional standards department is gaining access to personal, sensitive data through unfair means. Examples were given of the Force accessing medical records and suggesting that they had permission to do so. On at least two occasions, this has resulted in individuals reporting the Force to the information commissioners; the outcome of whose enquiry is awaited.

Recommendation 5

Her Majesty's Inspector of Constabulary recommends that there is a clear policy on what sensitive data the Force can access and use when carrying out misconduct investigations, ensuring compliance with data protection legislation. The Force might benefit from enquiring into this issue to learn from any mistakes or to inform its workforce of the legal authority for obtaining such data.

Enforcement - *its effectiveness in dealing with emerging problems*

Strengths

- Strategic leadership is provided by the head of standards, who is line managed by the Assistant Chief Constable. The department produces a strategic assessment and has a developed control strategy and an identified intelligence requirement. The department has a published annual plan that incorporates the direction of the Force in respect of professional standards issues.
- All complaints are received at professional standards department within 24 hours of being recorded and there are policies that ensure decisions are made in respect of how they will be dealt with by the head of department or deputy. This allows for the early assessment of each complaint and an audit of decisions made.
- Complaint cases are assessed and any complainant engaged using the IPCC guidance principles. Each week, all outstanding cases are discussed to ensure completion. Sector inspectors are encouraged to resolve more complaints at source instead of forwarding to the professional standards department. Trends regarding civil claims are monitored by the head of Standards meeting with the force solicitor on a monthly basis. This is evidence of good direction from the head of Standards.
- Terms of reference and investigation plans are agreed with the IPCC for supervised/managed investigations. Upon receipt of a complaint it is screened by the superintendent/chief inspector for proportionality in investigation and then allocated to an investigating officer for either full investigation or local resolution.

- Learning points are captured by the investigating officer, who completes a proforma for each complaint dealt with (service improvement document). Any lessons to be learned are then cascaded to the appropriate level for action by local managers.
- The standards unit has intelligence gathering provisions in place that follow National Intelligence Model principles. For example, intelligence-log is received, evaluated, recorded and considered by the detective inspector or detective chief inspector, as appropriate for actioning. National Intelligence Model templates are used for preparation of profiles and/or packages.
- Collaborative arrangements are in existence with Gloucester Constabulary regarding Operation Rhino and there are informal arrangements with the other forces in the South Wales area for issues such as surveillance and covert activity.
- There is a consistent response by chief officers to misconduct. As an example, decisions to suspend staff are not taken lightly and whenever possible staff associations are involved in discussions at an early stage.
- There is a good relationship with the Police Authority and the IPCC, and this has developed well over the last year. Further, all staff associations are consulted about matters affecting their members and there are examples of close engagement with staff associations when deciding on whether or not to suspend members of staff.
- The Police Authority liaises with the APA and has a standards committee that looks specifically at complaints. National guidelines are followed and the chair and vice chair of the standards committee are also the chair and vice chair of the full Police Authority. This gives a strong message about the status of complaints within the Police Authority functions.
- The head of standards meets formally with the head of HR at the personnel strategy group where training and awareness issues are discussed. The service improvement documents are discussed and lessons to be learned are implemented where appropriate.

Areas for Improvement

- Although there is an annual plan, the standards department strategy is still in draft format. It brings together other key documents, such as vetting and integrity policies, but is still going through the consultation phase.
- There is no method of ensuring that learning points are actioned by divisions. There is concern that as there are few training events held, learning from any complaint is not cascaded as widely as it could be.

Recommendation 6

Her Majesty's Inspector of Constabulary recommends that the Force considers how best to communicate lessons learned to all staff and sets in place a process of ensuring that local managers respond to any communication.

- The Force does not have staff dedicated for proactive work within the department, although HMIC is aware that a business case has been submitted for a small team to fulfill the proactive function. At present, the Investigating Officers perform the duties of proactive investigators; a situation that is far from ideal.
- There is no full time dedicated analyst in Standards. PSD is reliant upon co-opting an analyst into the unit from other business areas, e.g. drugs. Resources in the proactive arena are minimal.

Recommendation 7

HMIC is aware that a business case has been submitted, requesting funding for the resources mentioned in the above two paragraphs. Her Majesty's Inspector of Constabulary recommends that this matter is progressed so that the standards unit can meet the anticipated future demands that will be placed on it.

- Staff who are suspended should receive welfare support from divisional managers and the force welfare officer. However, there is an inconsistent approach to welfare provided to officers subject to investigations. It is accepted that such support is only as good as the officer conducting welfare visits and the Force needs to consider a protocol/policy that ensures visits are carried out and details reported back to HR/welfare.
- The Police Authority is aware of the force's independent advisory group (IAG), recently set up and accepts it is a positive move. However, there needs to be protocols for what the IAG will be used for to ensure the statutory responsibilities of the Police Authority are not carried out by the IAG. At present there is no force policy that explains how the IAG will be used in the context of professional standards.

Recommendation 8

Her Majesty's Inspector of Constabulary recommends that a policy and operating protocol is developed dealing with the manner in which the IAG can contribute to the Force, particularly in respect of professional standards issues.

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

- Although being one of the smaller forces in terms of establishment, Gwent Police is currently engaged in a sizeable investigation as a result of intelligence received concerning the activities of some police officers (Operation Rhino). This operation

has been running for a number of months and the Standards unit has used officers from divisions and neighbouring forces so that day to day issues can still be dealt with. HMIC is aware of the ability of the Force to manage this operation and thoroughly investigate all allegations.

- Standards and divisions work together to promote a culture of integrity using a liaison process, with investigation officers being allocated liaison roles in divisions. In one division a series of seminars have been introduced for sergeants and inspectors where integrity issues are promoted and discussed, in particular with regard to management responsibilities.
- The Force vulnerability to corruption assessment has highlighted specific areas of risk that has become the action for any anti corruption activity. An example would be the risks posed to the Force through improper disclosure of information from force systems that is being combated by a rigorous audit of the use of systems and the handling of information by staff.
- There is a definite emphasis on local resolution. Process is designed to ensure completion within 28 days and for the year ending 31 March 2005 the percentage of local resolutions (LRs) was 59% of all complaints.
- Standards have a dedicated CIPD qualified HR professional (police staff) in post to manage police staff investigations. The role holder has been invaluable in resolving police staff issues of misconduct.
- The standards unit has a departmental training officer in place whose role is to co-ordinate the training needs of staff. All investigating staff within professional standards are SIO qualified and have a development plan to ensure they become accredited in professional standards issues. Staff are selected so that good investigative skills are a requirement and staff tend to be experienced detectives.

Areas for Improvement

- When large or complex cases have to be investigated by the standards unit, there is little resilience to manage such investigations without using divisional staff that are outside the professional standards department. Whilst accepting that most cases can be effectively managed in this way, there is concern over the risk of leakage of intelligence when involving larger number of officers that are not from the standards unit.
- With the recent changes in regulations concerning police staff, there is concern over the lack of training for police staff managers. As a consequence, workers are getting away with poor performance or discipline issues because managers do not know what course of action to follow.

Recommendation 9

Her Majesty's Inspector of Constabulary recommends that the Force considers the training implications for all supervisors and ensures that officers and staff are skilled in the use of unsatisfactory performance processes.

- Although the force has a vetting policy, the force does not yet undertake management vetting due to limited staff availability.
- The force strategic assessment has identified that alcohol misuse is an issue, with some evidence of substance misuse. The Force is still developing its alcohol and substance abuse testing policy, but should consider a proactive approach to dealing with this identified problem.
- The Force does not have a professional standards committee and manages complaint and misconduct issues through the PSG. Whilst this is a decision taken by the Force, the group does not include staff associations and they are unable to influence processes within the Force concerning capacity and capability.

Recommendation 10

Her Majesty's Inspector of Constabulary recommends that the Force needs to consider how best to involve staff associations at a strategic level so they are engaged in the issues affecting PSD.

(Note: HMIC is aware that the Force has started to address this issue and since the inspection, has invited staff associations to the PSG meetings.)

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
IAG	independent advisory group – a body advising a force or BCU on race and diversity issues
liP	Investors in People
IO	investigating officer

IPCC	Independent Police Complaints Commission
LR	local resolution
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
PSG	Personnel Strategy Group
SGC	specific grading criteria
TCG	tasking and co-ordination group
UPP	unsatisfactory performance procedure