

Her Majesty's Inspectorate of Constabulary



Inspection of North Wales Police

Professional Standards

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CONTENTS

A – INTRODUCTION AND METHODOLOGY

1. Introduction
2. Inspection scope
3. Methodology
4. Baseline grading

B – FORCE REPORT

1. Force Overview and Context
2. Findings
 - **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)*

C – GLOSSARY

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

North Wales Police is responsible for policing a resident population of 670,808 in 279,900 households. Particularly in Central and Western divisions, the population increases substantially with the influx of tourists during the summer months. The Force (one of four Welsh forces) contains both large rural areas, which include the Snowdonia National Park and urban conurbations surrounding Wrexham and the ferry port at Holyhead. The industrial region, which is located in Eastern division, is currently experiencing a surge in development.

The force area is policed by 1,670 police officers supported by 887 police staff. The annual budget for 2005/06 is £120.5 million; an increase of £5.23 million from 2004/05.

The force headquarters is in the town of Colwyn Bay, and there are three basic command units (known locally as divisions). These are Eastern with a population of 279,173; Central with a population of 205,764; and Western with a population of 185,871. Each basic command unit is coterminous with the district councils and community safety partnerships (CSPs): Western division with Anglesey and Gwynedd district councils, Central division with Conwy and Denbighshire district councils, and Eastern Division with Flintshire and Wrexham district councils.

The chief officer team is based at headquarters and comprises the Chief Constable (Richard Brunstrom), Deputy Chief Constable (Clive Wolfendale), Assistant Chief Constable (Ian Shannon) and Director of Finance and Resources (Thomas O'Donnell). The Chief Constable has been in post since January 2001 and the team has broadly been together since April of that year (with the exception of the assistant chief constable who joined North Wales Police in January 2005).

Professional Standards

The ACC is the ACPO lead for Professional Standards (PS). The head of the Professional Standards Department (PSD) is a superintendent and he is supported by a chief inspector who has line management responsibility for the complaints and misconduct investigators, the integrity unit, the vetting unit, information standards and compliance unit and administration function.

Within the complaints and misconduct unit there are three inspectors and one police staff investigator. These are assisted by two police staff evidence gatherers. The integrity unit consists of an inspector, a sergeant, a police staff analyst and a police staff administration assistant. The vetting unit consists of an inspector and a police staff vetting officer.

The information standards and compliance unit is managed by a police staff head of department and she has responsibility for the data protection assistant, information security officer, two information security auditors, subject access officer and two support officers – all police staff members.

An office manager and three administration assistants provide administrative support.

GRADING : GOOD

Findings

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

Strengths

- The National Intelligence Model (NIM) is used within the PSD to identify priorities and direct resources. A departmental 'Strategic Assessment' and 'Control Strategy' have been completed and monthly tasking meetings are held to ensure that the department is focused on priorities. There are examples of where problem profiles have been completed to address a particular issue, e.g. the level of complaints in Central Division.
- Directed surveillance authorities in accordance with the Regulation of Investigatory Powers Act are the responsibility of the director of intelligence. There are no separate arrangements for professional standards operations which ensure ethical firewalls between PSD investigations and the authorising of directed surveillance.
- When intelligence is received by the integrity unit, the DI assesses the information, completes a pro-forma and directs it to the most appropriate place for investigation. This ensures that the unit deals with only clear integrity issues. The next development is to look to introducing a 'weighting' based on aggravating circumstances e.g. diversity, equality of treatment etc – and use this to prioritise investigations.
- The proactive investigators gather intelligence using the 5x5x5 system and all intelligence is risk assessed for action. Any matters arising are brought to the attention of the deputy head of department and subsequently will be included in the departmental tasking and co-ordinating meeting.
- PSD staff are aware of the IPCC guidance for investigating racially discriminatory behaviour and the guidelines are applied to all investigations. All PSD staff have also attended the force diversity training.
- The Force has conducted a risk assessment of the vulnerability to corruption which has been forwarded to NCIS. In support of this, a 'service confidence' process has been developed to deal proactively with officers considered to be a risk.

Areas For Improvement

- NIM principles are applied effectively to the proactive side of PSD work but are less effective in misconduct investigations, direction and control complaints and civil actions.

Recommendation 1

Although there is evidence that some analysis is done to inform the management response to misconduct and complaint issues, Her Majesty's Inspector of Constabulary recommends that the Force identifies other opportunities to apply NIM principles to identify trends and prevention activity e.g. for direction and control complaints and civil actions.

- The PSD has a dedicated analyst post, but there have been a number of different analysts in recent months due to temporary absences of the full time employee. This has resulted in varying standards of data being produced. It is also unclear whether the analyst is there to support the NIM process or to prepare performance data on behalf of the department. At the time of the inspection, both tasks were being done by the analyst, which was impacting on the ability to produce problem and target profiles in a timely manner.
- Proactive investigators attend the PSD tasking and co-ordinating meeting and there is concern that on occasions, sensitive data is discussed at this meeting that not all staff present need to be aware of.

Recommendation 2

Her Majesty's Inspector of Constabulary recommends that the format of the PSD tasking meeting is reviewed to ensure confidentiality of information is maintained and there is no risk of compromising proactive operations.

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

Strengths

- The ACC is the ACPO lead for PSD and has an active role in the management of complaints. He chairs the quarterly force PSD committee meeting, which is attended by the Superintendents Association, Police Federation and UNISON. The purpose of this meeting is to look at policy development/amendment and any emerging issues relevant to complaint management.
- The ACC is responsible for both policy and decision making in more serious cases and there are examples of the ACC directing enquiries where senior officers were the subject of investigations. There is an annual business plan and a formal Professional Standards Department Strategy and the head of PSD works closely with the ACC to ensure the strategic direction of PSD is focused on the identified priorities.
- Force values are cascaded throughout the organisation by chief officers and there is a culture which demands the highest levels of integrity and professional

standards. There is a clear message from chief officers that everyone will be treated with dignity and respect.

- The force integrity unit manages a Confidential Reporting Line for staff to report allegations of unethical or dishonest behaviour. Eight calls have been received in the previous twelve months, which have led to two members of staff appearing before a disciplinary hearing. The force Confidential Reporting policy outlines the processes involved. The Force is in the process of introducing an independent confidential and anonymous reporting facility – ‘Safe Call’. This will allow employees to report incidents of misconduct and/or corruption.
- The force has policies and procedures in place to ensure that matters are dealt with in accordance with diversity and human rights. The number of complaints made against officers from a BME (black and ethnic minority) background is negligible, as are complaints made by such individuals. There are issues around Welsh/English incidents in the western part of the Force, but not sufficient to cause concern that complaints are not treated with equity. Civil claims data is analysed for ethnicity issues, but the current levels do not reflect any issues or trends.
- Diversity groups have been established on every division and the chief inspector (PSD) attends the meetings to give presentations on making the complaints system more accessible to diverse groups.
- The head of information standards & compliance (IS&C) has responsibility for information security, data protection and freedom of information and reports directly to the head of PSD. There is a force information security policy, which complies with the ACPO/S Community Security Policy. The policy identifies responsibilities for physical, personnel, technical & procedural and IT asset control. The security incident procedure (for all four areas) and email monitoring is co-ordinated and managed by IS&C and this links into the PSD tasking and co-ordinating process. A recent Wales Audit Commission report has highlighted this area as ‘setting a standard for the North Wales public sector’.

Areas for Improvement

- Developments in technology have produced significant benefits for the Force but there is limited capability to audit systems. This should be resolved with the introduction of ‘CEBRASOFT’ - an application to audit IT systems - which is due to be introduced as a pilot to assess its effectiveness.
- During their probationary period, officers receive input from PSD staff on complaint procedures, integrity etc and what it means. There is no mechanism in place, however, to inform mid-service officers or police staff of complaint issues and changes in legislation/procedures.

Recommendation 3

Her Majesty's Inspector of Constabulary recommends that the Force explores ways in which it can target longer serving operational officers to make them aware of complaint issues, the role and work of the integrity unit and what constitutes corrupt practice.

- There are examples of where the Force has circulated lessons learnt from complaint cases in a bulletin but there needs to be a more structured and robust process for ensuring front line staff are aware of issues revealed in complaint cases and evidence that learning is taking place.

Recommendation 4

Her Majesty's Inspector of Constabulary recommends that the Force considers how it could effectively use lessons learnt from complaint cases, complaint trends and changes in legislation/procedures and ensure that information reaches officers and police staff on the front line.

- There is limited use of the Unsatisfactory Performance Procedures (UPP) and there have been examples of where issues have been referred to the PSD as conduct issues when they should have been dealt with as performance issues.

Recommendation 5

Her Majesty's Inspector of Constabulary recommends that the Force introduces a corporate programme for police officer and police staff supervisors/managers to improve their knowledge of and confidence in the use of the unsatisfactory performance procedures.

- The Force has introduced a vetting policy in accordance with the ACPO National Vetting Guidance but there is limited vetting taking place. Vetting arrangements for temporary staff, casual staff and contractors is described as inconsistent and needs to be reviewed and consolidated. The Force does not yet undertake management vetting.

Recommendation 6

Her Majesty's Inspector of Constabulary recommends that the Force reviews its vetting arrangements to ensure consistent standards across the Force. It is also recommended that management vetting is introduced for the positions identified as most at risk.

Enforcement - *its effectiveness in dealing with emerging problems*

Strengths

- The Force and the Police Authority have an excellent relationship with the Independent Police Complaints Commission (IPCC). The head of PSD meets at least bi-monthly with the IPCC commissioner and the relationship between the staff associations and the PSD is described as being the best it has ever been with regular meetings, discussions and exchange of relevant information.
- On occasions when misconduct cases are in the public domain, the chief officer team actively engages with communities and individuals to reassure them that matters are being investigated thoroughly. A recent example is where the ACC visited a woman to explain the alleged improper disclosure of details of a sensitive case to the media.
- When a complaint is received by the PSD, the details are reviewed by the chief inspector who will make a decision as to whether it will be investigated by them or referred to division for investigation (local resolution). Consideration will be given to the nature of the complaint, the complexity and the proportionality of the response.
- Proportionality of the response to a complaint is assessed by the chief inspector PSD, who makes decisions based on the nature of the complaint and the likely outcome. The 'Lancet' principles are applied to all investigations and investigative plans and decisions about proportionality are recorded in progress notes attached to the files. In addition, the Police Authority has an 'inspection' process that scrutinises files and takes account of whether the PSD response is proportionate.
- The ACC chairs a bi-monthly meeting with managers of the PSD to review officers who are suspended from duty, or are on restricted duties, as a result of complaint investigations.
- The Force has arrangements in place to provide support to vulnerable informants and staff who are subject of complaints. Where appropriate, referrals are made to the occupational health and welfare units.
- There is a monitoring process in place to ensure that complaints are completed within the 120-day target. Email reminders are sent to investigating officers at 60 days and 90 days and meetings are held with the chief inspector to review

progress and assess whether the complaint will be finalised within the 120-day target.

- The Police Authority has an effective and robust process for dip sampling complaint files. Closed case files are randomly selected and then allocated for inspection by the police authority dip sampling team (which includes a member of the Police Federation). Issues identified from files are then fed back to the force in a report endorsed by the Police Authority PSD committee. The Force is asked to respond to the issues and this is discussed by the Authority in meetings with the head of PSD or the ACC. This process is regarded as good practice.
- There is a process in place for investigators to keep complainants and officers/staff subject of investigation up to date with the progress of investigations. Investigators retain ownership of each complaint and a link is maintained with staff associations as well as to the complainant. The Force has a policy of automatic referral to the Police Federation (if permission is given) of all misconduct matters to ensure that officers are fully aware of the matter being alleged and offered support at an early stage.

Areas for Improvement

- The Force has a good relationship with the Crown Prosecution Service (CPS) but there are examples of excessive and unreasonable delay in making decisions on the disposal of complaints, particularly those referred to the Special Casework Directorate. While there have been formal representations made at chief officer level, a formal agreement on the timeliness of decisions would help to reduce the stress on individuals and improve the credibility of the process.

Recommendation 7

Her Majesty's Inspector of Constabulary recommends that the Force pursues a formal arrangement with the CPS to agree timescales for making decisions relating to complaint cases.

- With the recent changes in the staffing levels, the PSD now has the resources to meet the reactive demand. There is, however, an opportunity to develop the proactive side of the business but this would require a further investment in resources. While there are some experienced investigators within the PSD, they are not all SIO trained, accredited investigators or have advanced interview training.
- The procedures for the investigation of complaints against police staff are now the same as those for police officers. There is a feeling amongst some police staff managers that because PSD investigating officers are all police officers or ex-police officers, police staff being investigated feel intimidated by the approach. It is also the view of UNISON that the investigators do not have enough knowledge of employment law to deal with police staff effectively.

Recommendation 8

When the policy for the investigation of complaints against police staff has been finalised, as part of its implementation, Her Majesty's Inspector of Constabulary recommends that the Force develops an effective marketing campaign to ensure that police staff are aware of and understand the procedures to be followed when complaints are made about them.

Good practice has been identified in Gwent Police where there is a qualified (CIPD) police staff investigator within PSD, who has responsibility for investigating complaints made against police 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 head of PSD and the detective inspector (integrity unit) are fully trained as SIOs. Other investigators have specialist training in areas such as fraud, hi tech crime and financial investigation. Staff in the integrity unit have training in the auditing of IT systems. Data protection, information security and freedom of information staff all receive training and development in their specialist areas both internally and externally.
- When a complaint is received by the PSD, an acknowledgement letter is sent to the complainant explaining how it will be dealt with and who the investigating officer will be. At six-weekly intervals, a computer-generated reminder prompts the investigating officer to write to both the complainant and the staff member complained about to inform them of progress of the investigation.
- Staff for the roles within the integrity unit (proactive investigators) were recruited as a result of the posts being advertised and successful applicants being identified following assessment and interview. Due to changes within the PSD and specific, identified needs, staff have been recruited to ensure that the right balance of skills is reflected within the department.

Areas for Improvement

- The proactive capability of the integrity unit has been adversely affected by difficulties experienced in filling posts. Anti-corruption is the responsibility of the integrity unit, but it only has the capacity to be reactive. As a consequence, there is little proactive anti-corruption work being done.

Recommendation 9

There is limited anti-corruption work being done due to the level of resources available to do it and the nature of the investigations being conducted. The level of resources in this area of the business is lower than that seen in other similar forces and Her Majesty's Inspector of Constabulary recommends that consideration be given to providing additional support.

- The Force vetting officer also has responsibility for back record conversion in response to the Bichard report. This may provide data for follow up action in respect of vetting processes. But, as the Force has only recently introduced a vetting process, there is concern this dual responsibility may impact on the Force by elongating both processes causing unreasonable delays.
- The investigators within Professional Standards Department have a variety of skills. One is a former head of the department and one a current serving officer with detective experience. It is unclear what development opportunities are provided to give investigators the skills needed to perform their role, and there is a reliance on skills already held. There is no specific training programme for Professional Standards Department staff, although general training needs are identified using the online PDR system. No investigating officer has undertaken an SIO course recently, although there are experienced detectives within the department that can conduct the more complex investigations.

Recommendation 10

Her Majesty's Inspector of Constabulary recommends that an audit of PSD staff is undertaken to identify any skills gaps and a training/development plan be put in place to ensure the breadth and levels of skills are present within the department. The Force should consider introducing a structured programme of training for PSD investigating officers to promote professionalism and credibility, and to ensure that investigators are trained to the same standard.

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.

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

IS&C	Information Standards & Compliance
LR	local resolution
MMR	monthly management review
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
SGC	specific grading criteria
SLA	service level agreement
TCG	tasking and co-ordination group
UPP	unsatisfactory performance procedure