

Her Majesty's Inspectorate of Constabulary



Inspection of Sussex 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

1. Force Overview and Context

Sussex Police is responsible for policing the two counties of East Sussex and West Sussex, which are divided into twelve districts and the unitary authority of Brighton and Hove. This equates to an area of 4,779 square kilometres with a resident population (based on the 2001 census) of approximately 1.5 million, which is significantly supplemented by the seasonal influx of visitors to the south coast holiday resorts, particularly Brighton and Eastbourne. In addition, there are seaports at Littlehampton, Newhaven and Shoreham, and more than 30 million passengers pass through Gatwick Airport each year. The counties are demographically diverse, covering both conurbations and sparsely populated rural communities. In terms of resources, Sussex Police's net revenue budget for 2004/05 was £221.6 million. It employs 3,140.71 police officers and 2,271.58 police staff of whom 228.01 were police community support officers (PCSOs) (full-time equivalent as at 31 March 2005) supported by 199 special constables.

The headquarters (HQ) is in the town of Lewes. The chief officer team is based at HQ and comprises the Chief Constable, Deputy Chief Constable (DCC), Assistant Chief Constable (ACC) (specialist operations), ACC (territorial policing East), ACC (territorial policing West), and the Director of Resources.

Sussex Police has recently restructured itself and reduced the number of basic command units (BCUs) (known locally as divisions) from six to five. Each BCU is led by a chief superintendent, with a command team including a superintendent (operations), a detective chief inspector (crime manager), a finance and administration manager and a human resources manager. Each BCU is divided into districts, led by a chief inspector.

The following forces have been identified as being most similar to Sussex Police in terms of demography, policing environment and other socio-economic factors: Avon and Somerset; Devon and Cornwall; Dorset; Essex; and Gloucestershire. When making comparisons in this report the average performance in this group, known as the most similar force (MSF) group, will be used.

Professional Standards

The DCC holds portfolio responsibility for Professional Standards (PS). The Professional Standards Department (PSD) is led by a chief superintendent as head of department, with a detective superintendent deputy who also leads on complaints and misconduct, (known locally as investigations). A detective chief inspector heads the anti-corruption and intelligence arm of the PSD (known locally as operations). The department consists of 38 staff members split 34% complaints 34% anti corruption and 32% in administration and civil claims. The investigations team consists of experienced officers six of whom are investigating officers (IOs) who each work with one police staff case worker. The operations team consists of two detective sergeants and four detective constables with good pro-active and covert criminal investigative skills. Experienced staff work within the analytical element and intelligence cell. Force vetting and civil claims sit within PSD. Legal services is co-located but not an integral part of PSD. Data protection is part of corporate development department and information security sits within information technology department but there are strong operation links between the two departments.

GRADING : GOOD

2. Findings

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

Strengths

- The PSD demonstrates excellent use of the national intelligence model (NIM) process that is integrated throughout the operations arm of the department. The process is compliant with NIM guidelines and has produced some significant results examples of which were shared with the inspection team.
- The Force has conducted a risk assessment of integrity and vulnerability to corruption. This risk assessment was compiled in 2004 and is reviewed every six months. In line with the national threat assessment priorities, the assessment includes, information leakage, drug and alcohol abuse and the risk of infiltration of the organisation by criminal elements. The threat assessment has been forwarded to the National Criminal Intelligence Service (NCIS). The inspection team was impressed with the quality of this assessment and views it as potential good practice.
- The threat assessment is a living document that informs operational and intelligence tasking. The control strategy drives NIM tasking effectively and examples were shown to the inspection team where this had taken place.
- Staff within the operations unit of the PSD are highly skilled, credible and experienced. They are well led by an experienced senior investigating officer who has worked within the National Crime Squad (NCS). The intelligence cell is staffed by experienced, skilled and credible police officers and police staff with significant detective and analytical expertise.
- There is good evidence of integrated use of information technology. Outputs from the Centurion database and the analytical tool base have been used effectively to produce intelligence products. The finance and administration officer, who is on the national Centurion working party, has been able to exploit the system to good effect and works closely with the analyst to enable excellent analytical information to be drawn from it. This should be seen as potential good practice.
- There is clear evidence of multiple gateways being used to raise concerns about integrity, honesty and misconduct issues. The intelligence cell receives information from the Chief Constable's confidential hotline, e-mail, dead letter drop, direct contact and by actively seeking intelligence from sources. The credibility of this cell adds to its ability to receive quality and timely information.
- There is a close working relationship between employee relations and the PSD where information and intelligence is exchanged. Several examples were shared with the inspection team, including misconduct matters surfaced during the grievance procedure and during the lead up to an employment tribunal. In both cases the issues were dealt with effectively.

AFIs

- No significant areas for improvement.

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

Strengths

- The Deputy Chief Constable is an active lead for human resource, PSD and race and diversity matters. He chairs the 'learning the lessons forum' (LTLF) which examines individual incidents and trends in complaints and misconduct, employment tribunals, grievances, civil claims and police vehicle road collisions. This forum includes senior representatives from human resources, the PSD, BCUs, staff associations, Sussex Police Authority and the Independent Advisory Group (IAG) but would benefit from representation from minority staff associations. Examples were shown to the inspection team of how the LTLF has helped organisational learning and made changes to policy and procedure.
- There are strong links and early communication between those involved in the handling of civil claims, complaints and misconduct, grievances and employment tribunals. The co-location of the PSD, civil claims, and legal services ensures a co-ordinated approach and civil claims are recorded on the Centurion database. Employee relations are considering the feasibility of recording employment tribunal cases and grievances on the same system.
- The Sussex Police Authority and its complaints sub-committee is fully engaged examining cases and trends. A good relationship exists between the Authority, the DCC and the PSD as well as with the IPCC and the CPS.
- There is an open and accessible system for making a complaint by letter, telephone, e-mail, or by third party reporting. The Force and the Authority have made significant investment in police station opening and accessibility and some 33 police stations are open to the public where a complaint can be made in person. Comment was made in the previous section about the multiple gateways for police officers and police staff to report wrongdoing (See also areas for improvement).
- During this inspection team members made contact with the Force to test how receptive it was to complaints from the public. Staff at main police stations were well versed in taking details of a complaint against a member of the Force and showed understanding of the various methods of reporting and treated 'the complainant' in a professional and courteous manner (See also areas for improvement, point 2, below).
- There is a sound security strategy with clear lines of accountability and responsibility for IT, data protection and vetting & security. Whilst the information security officer (ISO) and data protection function sits outside the PSD there are strong operational links.
- The Force is 95% compliant with the ACPO security and vetting policy. A detailed matrix of 14 separate sources exists for the identification of vulnerable

staff. A good and timely system of monitoring and aftercare arrangements is in place for staff identified as being vulnerable. This system of identification and monitoring should be seen as an area of potential good practice.

- The PSD has a very high profile in prevention. Senior members of the department have for a number of years, undertaken presentations and talks to new joiners, promotion, training and development courses. The department also undertakes 'cold calling' to staff over the misuse of the Internet and e-mail.
- The PSD Intranet pages are accessible and informative with detailed 'frequently asked question pages' and electronic forms and advice and guidance on their completion.

AFIs

- There is no evidence of the unsatisfactory performance procedure being used within Sussex Police. Reliance is made on the performance and development review (PDR) system and the replacement e-PDR system to tackle underperformance.
- Staff at more rural police stations, whilst courteous, appeared to lack a comprehensive understanding of the complaints procedure, in particular third party reporting, and Force policy about when, where and by whom a complaint can be made. This is evidently a training matter and is being actioned following the inspection.
- The Sussex Police Internet site enables members of the public to e-mail the Force, but there is no detail about the complaints procedure, how to make a complaint and the roles of the Force, the Police Authority and the IPCC. Information should also be available in languages other than English. Since the Inspection, some action has been taken to improve the Internet site.

Recommendation 1

Her Majesty's Inspector recommends that the Force should enhance its Internet site to include details about the complaint procedure, how to make a complaint and the roles of the Force, the Police Authority and the IPCC.

Enforcement - *its effectiveness in dealing with emerging problems*

Strengths

- There is ample evidence of 'active' leadership by the Chief Constable and his command team, demonstrating their own values and challenging unacceptable standards and behaviour. This has clearly established a powerful performance culture. The COG is well established in terms of the direction given to the force and personal leadership. There is a considerable breadth of experience within the COG.

- The Chief Constable's leadership charter and statement of values are the vehicles used to promote effective communication of values, standards and expectations. All leaders, of whatever rank or grade, receive a personally signed copy of the charter and a letter from the Chief Constable on their appointment. This is reinforced at every promotion, with a fresh copy given during the promotion interview. Copies of the leadership charter are available for all to examine on the force Intranet.
- There is clear evidence of sound strategic, tactical and operational leadership through the examination of public complaints, misconduct cases, direction and control complaints and civil claims. The Force has exploited Centurion and analytical tools to good effect to not only record but also to provide sound analytical assessment. The LTLF provides the strategic forum to ensure organisational learning and continuous improvement in professional standards.
- The force performance meeting (FPM) examines public complaints on two districts every two weeks and the monthly strategic performance information booklet also provides good strategic overview.
- The investigative arm of the PSD is well managed and adequately resourced. Comprehensive restructuring of this part of the department will be completed by April 2006, the aim being to increase cost effectiveness, resilience and flexibility. The PSD is able to resource all reactive and most pro-active work in house and can often provide resources to others through collaborative arrangements.
- There is a sound process of early assessment of complaints and the application of a proportionate response through an agreed investigation plan that is recorded in the policy log for each case. There is also clear evidence of the 'lancet' principles being applied to investigations.
- There is a clear and transparent process for the suspension of staff or the placing of restricted duties upon them which is also recorded in a policy book.
- Training is given to members of misconduct tribunals with refresher training being organised.
- There are sound working relationships with the CPS, IPCC and the Police Authority. There is also a low level of appeals to the PCC and few have been upheld.

AFIs

- There is a need for clarity about the application of sanctions at misconduct hearings and the formulation of an agreed set of sanctions recorded would assist both panel members and those representing staff at such hearings.
- Consideration should be given to measuring satisfaction amongst complainants. This function could be undertaken by either the Authority or the Force and would provide a further dimension to organisational learning and improvement of service.

Recommendation 2

Her Majesty's Inspector recommends that the Force should explore ways of measuring complainant satisfaction and collating their views on how the process can be improved.

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

- Sussex is a medium sized police force that has invested in adequately resourcing its PSD. The head of the department has been in post for eight years and her replacement for succession planning purposes has already been identified. She has been a member of the IPCC workability group that led to the production of the IPCC statutory guidance. This together with other national work means the Force is well placed to respond to recommendations made in the CRE, Morris and Taylor reports. The department deputy is an experienced SIO. The head of operations is an experienced detective chief inspector who has spent time seconded to the NCS and has previously worked in PSD. The head of finance and administration is a member of the national Centurion users group and has used her knowledge of the system to exploit it to good effect. The department has invested in training of its staff and this is evident by the quality of its strategic assessment and analytical products.
- The department places great focus on organisational learning and continuous improvement. It is currently restructuring the investigative arm into two mixed teams of detectives and police staff caseworkers each led by a detective inspector. This should provide greater resilience, flexibility and capability whilst releasing potential efficiency gains of £40,000.
- The operations unit is able to draw upon both the technical and human resources of the major crime branch (MCB). This provides flexibility and resilience for both teams as PSD staff are able to work on Force level operations to maintain their skills and enable easier reintegration once their posting to the department concludes. Further the Force is often able to provide skilled resources to other PSDs in the region.
- The PSD maintains a robust performance management regime where caseloads and the timeliness of investigations are managed on a daily and weekly basis. During the period under scrutiny, 01.04.04 to 31.07.05, some 97.6% (168) cases were completed within 120 days. Twenty-eight day reviews have been introduced and it is evident that every member of staff, within PSD is focussed on ensuring an effective and timely conclusion to the investigation of each and every case. During 2004/05 some 43% of complaints were locally resolved.

AFIs

- Notwithstanding the positive comments made elsewhere in this report it is evident that investigative officers (IOs) lack any formal training before taking up their role within the PSD and were reliant on learning on the job from colleagues. This is also a national problem in that no central course exists for the training of IOs.
- It is also evident from reality check visits to police stations that some sergeants' lack understanding of the new procedures brought in on 1 April 2004. In addition, with the large number of police stations open to the public, front counter staff should have a basic understanding of who can make a complaint and when, where and by whom it should be recorded.

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
BAWP	British Association of Women Police
BCU	basic command unit
BME	black and minority ethnic
BPA	Black Police Association
CHIS	covert human intelligence source
CID	criminal investigation department
COG	chief officer group
CPS	Crown Prosecution Service
CRE	Commission for Racial Equality
DCC	deputy chief constable
DCI	detective chief inspector
DSU	dedicated source unit
e-PDR	electronic performance development review
ESU	ethical standards unit
FTE	full-time equivalent
FPM	force performance meeting
GPA	Gay Police Association
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
IO	investigating officer
IPCC	Independent Police Complaints Commission
IR	informal resolution
ISO	information security officer
IT	information technology
LR	local resolution
LTLF	learning the lessons forum
MCB	major crime branch
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
NCS	National Crime Squad

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
SIO	senior investigating officer
SLA	service level agreement
SPI(s)	statutory performance indicators (SPIs) are used to monitor key aspects of police performance and form a critical component of performance assessments. SPIs are set each year following consultation with partners in line with powers under the Local Government Act 1999. SPIs are also known as 'best value performance indicators'
SPOC	single point of contact
TCG	tasking and co-ordination group
UPP	unsatisfactory performance procedure