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Promoting improvements  
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# PEEL: Police legitimacy 2016

A national overview

December 2016

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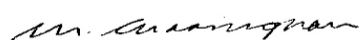
## Foreword

Police officers and police staff depend on public co-operation and support to keep people safe and reduce crime. They will only receive this if the public has confidence that people will be treated with fairness and respect by the police. Police actions that are perceived to be unfair, disrespectful or corrupt are extremely damaging to public confidence, so it is essential for police forces to stop this poor practice. Where misconduct does occur, forces must act quickly to investigate and deal with it appropriately, and must be seen to do so. That is why HMIC undertakes this annual inspection of the legitimacy with which police forces operate.

While our inspection questions change from year to year, our overall focus remains the same: we continue to assess the extent to which forces treat people with fairness and respect, the extent to which they ensure their workforces act ethically and lawfully, and the extent to which those workforces themselves feel they have been treated with fairness and respect by the forces.

Also, this year, we assessed the progress forces had made in tackling problems highlighted during our 2014 police integrity and corruption inspection. As part of this assessment, we asked specific questions about how well forces are dealing with incidents in which police officers or staff abused their positions of authority for sexual gain. This is a serious form of corruption that betrays the trust of the public – particularly of some of the most vulnerable people in society, such as victims of domestic abuse.

The results of this inspection were largely positive, though there were some significant areas where forces can improve. Making improvements to the legitimacy with which forces operate requires significant time, effort and continuing commitment. It is vital that forces continue to focus on this as a crucial aspect of effective policing, including learning from those forces that we have identified as performing well.



Michael Cunningham QPM

HM Inspector of Constabulary

## Summary and main findings

### Introduction

HMIC assesses the legitimacy of police forces across England and Wales as part of its annual PEEL inspections. HMIC defines a legitimate force as one in which those working in it are seen by the public consistently to behave fairly, ethically and within the law.

This is our second national report into police legitimacy. The findings are based on inspections carried out between March and July 2016. This report is published at the same time as individual reports on legitimacy for each police force in England and Wales. The main question that our inspection considers is:

- How legitimate are the police at keeping people safe and reducing crime?

After consultation with the public, police forces, government, the voluntary sector and other interested parties, the 2016 PEEL legitimacy inspection has assessed forces' legitimacy against three main questions:

- To what extent does the force treat all of the people it serves with fairness and respect?
- How well does the force ensure that its workforce behaves ethically and lawfully?
- To what extent does the force treat its workforce with fairness and respect?

We have graded every police force on each of these three questions, and on its overall legitimacy. For each question, we have made one of four judgments: outstanding, good, requires improvement or inadequate. Individual force reports and grades for all police forces are available on the HMIC website.<sup>1</sup>

In coming to these judgments, HMIC considered a range of data and documents submitted by the 43 Home Office-funded forces in England and Wales, and carried out fieldwork in each force. More information about how we inspect can be found on the HMIC website ([www.justiceinspectorates.gov.uk/hmic/peel-assessments/how-we-inspect/](http://www.justiceinspectorates.gov.uk/hmic/peel-assessments/how-we-inspect/)), and details of the data used in this report can be found in Annex A.

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<sup>1</sup> Reports on our efficiency and leadership inspections are also available on the HMIC website at: [www.justiceinspectorates.gov.uk/hmic/peel-assessments/peel-2016/](http://www.justiceinspectorates.gov.uk/hmic/peel-assessments/peel-2016/). Our reports on police effectiveness will be published in March 2017.

## **Main findings**

Overall, HMIC's assessment of how legitimate forces in England and Wales are at keeping people safe and reducing crime was positive. We graded 2 forces as outstanding, 36 as good and 5 as requires improvement. None was graded as inadequate. This is largely consistent with 2015's overall legitimacy judgments, which graded 1 force as outstanding, 37 as good, 5 as requires improvement and none as inadequate.

Victims' satisfaction with their treatment by the police remains high. Forces use a range of ways to seek feedback from the public; many forces could do more to seek feedback and challenge from those people who are less likely to complain or who have less trust and confidence in the police. Forces cannot rely on established channels of communication. They must find different ways to seek challenge from those people who are less likely to want to talk to them and should identify potential concerns by analysing their own information. Also, forces must demonstrate to these groups that they have taken action in response to their feedback.

We were pleased to find that forces continue to clarify standards of professional behaviour for their workforces and to reinforce high standards. However, we were concerned to find that some forces are not complying with every aspect of national vetting policy, and that many are only responding to reports of corruption rather than actively seeking out and preventing it. These limitations have direct implications for forces' ability to tackle the problem of officers and staff abusing their authority for sexual gain.

We were pleased to find that forces continue to seek the views of their workforces; increasingly, they can demonstrate that they understand the critical importance of workforce wellbeing to a force's legitimacy, and are taking steps to improve it. However, the level of wellbeing support varies considerably, as does the capability of supervisors to identify and support individual wellbeing needs. Forces have more to do to establish fair approaches to individual performance management. As well as contributing to perceptions of unfairness among the workforce, this situation is likely to have a negative effect on the efficiency, effectiveness, integrity and leadership of forces.

### **To what extent do forces treat all the people they serve with fairness and respect?**

Overall, the police forces of England and Wales are good at treating all the people they serve with fairness and respect. HMIC assessed 2 forces as outstanding, 38 as good and 3 as requiring improvement for this inspection question. None was graded as inadequate. HMIC's 2015 legitimacy inspection assessed different aspects of police legitimacy, so we cannot provide a direct comparison with last year's grades for this question. Where it is possible to indicate trends in findings between years, we do so in this report.

Officers and staff in forces across England and Wales have a good understanding of the importance of treating people with fairness and respect. Forces have made progress in improving officer and staff understanding of the Code of Ethics for policing.<sup>2</sup>

Forces are using a range of methods to seek feedback and challenge from the public on issues that affect their perceptions of fair and respectful treatment. Some forces rely too heavily on public complaints and existing channels such as community meetings and social media. Forces that rely on these established channels risk failing to get feedback from those people who have less trust in the police.

Most forces do undertake some analysis of public surveys, complaints and their use of 'stop and search' powers to identify and to understand the issues that affect public perceptions of fair and respectful treatment. However, many forces need to improve the systematic collection and analysis of feedback, wider management information and learning, to identify trends and prioritise areas for improvement.

Similarly, while many forces were able to provide examples of how they had made improvements to their services in response to feedback from individuals, they sometimes struggled to show clear and consistent links between identifying the problem, making effective improvements, and then demonstrating to the public that they had done so. If individual responses are uncoordinated, short term or solely reactive, forces miss out on opportunities to tackle more systemic problems to improve trust and confidence in the police.

### **How well do forces ensure their workforces act ethically and lawfully?**

Overall, the police forces of England and Wales are good at ensuring their workforces act ethically and lawfully; however, improvement is still required in more than a third of forces. One force was graded as outstanding, 26 forces as good and 16 forces as requiring improvement. None was graded as inadequate. HMIC's 2015 legitimacy inspection assessed different aspects of police legitimacy so we cannot provide a direct comparison with last year's grades for this question. Where it is possible to indicate trends in findings between years, we do so in this report.

HMIC was concerned to find that a significant number of forces are failing to comply with all aspects of national vetting policy, in particular with the requirements to re-vet individuals after ten years of service and to undertake vetting reviews before promotion or posting to high-risk units. This makes these forces vulnerable to corruption among their officers and staff.

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<sup>2</sup> *Code of Ethics: A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales*, College of Policing, July 2014. Available at: [www.college.police.uk/What-we-do/Ethics/Documents/Code\\_of\\_Ethics.pdf](http://www.college.police.uk/What-we-do/Ethics/Documents/Code_of_Ethics.pdf)

Forces are generally good at assessing and developing intelligence once they receive it, and monitoring how their workforces adhere to policies that are related to integrity. However, many need to improve their ability to seek out intelligence, rather than waiting for it to be reported, so they can intervene early to reduce risks to integrity. This limitation is particularly serious with regard to forces' ability to tackle the problem of abuse of authority for sexual gain.

While forces acknowledge the seriousness of the problem of abuse of authority for sexual gain, some are still failing to recognise it as a form of serious corruption and so cases are not always being referred to the Independent Police Complaints Commission (IPCC). Forces also need to do more to improve their workforces' recognition and understanding of the problem. This problem has been highlighted before, particularly in the 2012 IPCC/Association of Chief Police Officers (ACPO) report,<sup>3</sup> and by high-profile misconduct and criminal cases. The fact that these areas still require improvement suggests that the problem requires a coherent, comprehensive national policing response, including clear messages about the seriousness of this form of corruption and an emphasis on prevention.

More positively, nearly all forces now communicate the outcomes of gross misconduct and corruption cases to the public and to the workforce. Some forces should do more than just fulfil basic requirements of openness, so that people are clear about the consequences of misconduct and corruption.

### **To what extent do forces treat their workforces with fairness and respect?**

Overall, the police forces of England and Wales are good at treating their workforces with fairness and respect. However, improvement is still required in nearly a third of forces. 3 forces were graded as outstanding, 28 as good and 12 as requiring improvement; none was graded as inadequate. HMIC's 2015 legitimacy inspection assessed different aspects of police legitimacy, so we cannot provide a direct comparison with last year's grades for this question. Where it is possible to indicate trends in findings between years, we do so in this report.

We were pleased to find that most forces use a range of communication channels for seeking feedback from their workforces and can provide evidence of taking action where it is needed. However, many forces could improve the extent to which they demonstrate to their workforces that they have made effective improvements, and could involve the workforces in their implementation.

We found that most forces recognise the importance of workforce wellbeing, including psychological wellbeing and mental health, and take steps to improve it.

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<sup>3</sup> *The abuse of police powers to perpetrate sexual violence*, jointly published by IPCC and ACPO (now the National Police Chiefs' Council), September 2012. Available at: [www.ipcc.gov.uk/sites/default/files/Documents/research\\_stats/abuse\\_of\\_police\\_powers\\_to\\_perpetrate\\_sexual\\_violence.PDF](http://www.ipcc.gov.uk/sites/default/files/Documents/research_stats/abuse_of_police_powers_to_perpetrate_sexual_violence.PDF)

However, as occupational health provision continues to shrink, there is an increasing dependence on supervisors to identify and support the wellbeing needs of individuals. We remain concerned that supervisors do not always have the knowledge and confidence to recognise and respond to these.

We were disappointed to find that most forces do not have fair and effective processes for managing the individual performance of officers and staff. In many cases, reliance on the diligence of individual supervisors has resulted in processes – or lack of processes – that may be unfair and ineffective. This is an area that needs to improve significantly, particularly given that it has wider implications for the integrity, efficiency and leadership capability within policing.



## Legitimacy in numbers



### Ethnic diversity

Percentage of BAME in England and Wales 31 March 2016

overall workforce

**6%**

officers

**6%**

staff

**7%**

PCSOs

**9%**

Percentage of BAME in England and Wales, 2011 Census

**14%**



### Public complaints

Number of public complaints per 1,000 workforce 12 months to 31 March 2016

Officers

**268**

Staff (including PCSOs)

**61**



### Grievances

Number of grievances per 1,000 workforce raised and finalised 12 months to 31 March 2016

Officers

**4.8**

Staff (including PCSOs)

**6.8**



### Victim satisfaction

Victim satisfaction with their overall treatment by the police 12 months to 31 March 2016

England and Wales force average

**93.4%**

For further information about the data in this graphic please see annex A

## About police legitimacy

Police legitimacy – a concept that is well established in the UK as ‘policing by consent’ – is crucial in a democratic society. The police have powers to act in ways that would be illegal if undertaken by a member of the public (for example, searching someone). Therefore, it is vital that, in the course of their duties, they use these powers fairly and treat people with due respect.

Police legitimacy is required for the police to be effective and efficient, and it motivates the public to co-operate with the police and respect the law. The more the public supports the police by providing information or becoming involved in policing activities (such as Neighbourhood Watch or other voluntary activity), the greater the scope for police forces to prevent or resolve crime and other incidents.

For forces to achieve this support or consent, the public needs to believe that the police will treat people with respect and make fair decisions, as well as be friendly and approachable.<sup>4</sup> In academia, and increasingly throughout policing, this is often described as ‘procedural justice’. Conversely, actions taken by the police that are perceived to be unfair or disrespectful can damage its legitimacy in the eyes of the public.

Research suggests that police officers and staff are more likely to treat the public with fairness and respect if they feel they are also being treated that way, particularly by their own force. Therefore, it is important that the decisions forces make about the things that affect their workforces are perceived to be fair.<sup>5</sup> This principle is described as ‘organisational justice’, and HMIC considers that, alongside the principle of procedural justice, it is an important aspect of maintaining police legitimacy.

An area in which both internally-facing organisational justice and externally-facing procedural justice play an important role is forces’ handling of misconduct and corruption. Both the police workforce and the general public need to be confident that forces are tackling these problems fairly and firmly.

These areas of procedural justice, organisational justice and dealing effectively with misconduct and corruption form the basis for the three main questions of the 2016 legitimacy inspection.

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<sup>4</sup> *It's a fair cop? Police legitimacy, public cooperation, and crime reduction*, National Policing Improvement Agency, September 2011. Available at:  
[http://whatworks.college.police.uk/Research/Documents/Fair\\_cop\\_Full\\_Report.pdf](http://whatworks.college.police.uk/Research/Documents/Fair_cop_Full_Report.pdf)

<sup>5</sup> *Fair cop 2: Organisational justice, behaviour and ethical policing*, College of Policing, 2015. Available at:  
[http://whatworks.college.police.uk/Research/Documents/150317\\_Fair\\_cop%202\\_FINAL\\_REPORT.pdf](http://whatworks.college.police.uk/Research/Documents/150317_Fair_cop%202_FINAL_REPORT.pdf)

## To what extent do forces treat all the people they serve with fairness and respect?

HMIC's 2015 legitimacy inspection led to a positive assessment of how well forces understand, engage with and treat fairly the people they serve. However, the results of a 2015 Ipsos MORI survey commissioned by HMIC indicated that forces still had more to do to gain a reputation for treating all the people they serve fairly and with respect.<sup>6</sup> This finding is reflected in a 2016 survey which found that only 56 percent of respondents agreed that the police in their local area treated people fairly and with respect (compared with 54 percent in 2015).<sup>7</sup>

Our 2016 inspection questions and graded assessments therefore focused on this aspect of police engagement.<sup>8</sup> Specifically:

- To what extent does the force understand the importance of treating the people it serves with fairness and respect?
- How well does the force seek feedback and identify those issues that have the greatest impact on people's perceptions of fair and respectful treatment?
- How well does the force act on feedback and learning to improve the way it treats all the people it serves, and demonstrates that it is doing so?

## Understanding the importance of fair and respectful treatment

Public perceptions of whether police officers and staff make fair decisions and treat people with respect affect police legitimacy in the eyes of the public, over and above police effectiveness at preventing and detecting crime.<sup>9</sup> We assessed how far the

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<sup>6</sup> Before our 2015 inspection, HMIC commissioned Ipsos MORI to survey members of the public throughout England and Wales to seek their views on policing. A total of 26,057 adults were surveyed. The results of the survey are available at:

[www.justiceinspectors.gov.uk/hmic/publications/public-views-policing-england/](http://www.justiceinspectors.gov.uk/hmic/publications/public-views-policing-england/)

<sup>7</sup> See Annex A for more information about the recent survey.

<sup>8</sup> HMIC's 2016 Effectiveness inspection will explore another aspect of engagement: the extent to which forces understand and respond to community concerns about crime and anti-social behaviour.

<sup>9</sup> *It's a fair cop? Police legitimacy, public cooperation, and crime reduction*. Andy Myhill and Paul Quinton, National Policing Improvement Agency, September 2011. Available at:

[http://whatworks.college.police.uk/Research/Documents/Fair\\_Cop\\_Briefing\\_Note.pdf](http://whatworks.college.police.uk/Research/Documents/Fair_Cop_Briefing_Note.pdf)

vision and values of a force reflected the principles of fair and respectful treatment, how well the force communicated these – and the Code of Ethics for policing<sup>10</sup> – to the workforce, and how well the workforce understood them.

We were pleased to find that, while the disparities between force values and the Code of Ethics that we identified last year remain in some forces, most have taken effective action to improve workforce understanding of the Code of Ethics, including the importance of treating people with fairness and respect.

Positive examples include Greater Manchester Police, which undertook a nine-week education programme focusing on one principle of the Code each week. Also, it is introducing a mandatory two-day customer service training course for all officers and staff who come into contact with the public. Humberside Police continues to train new officers, staff and volunteers in its values and the Code of Ethics and how they link to customer service principles. It reinforces these messages at professional development events.

## **Seeking feedback and challenge**

HMIC's 2015 legitimacy inspection found a positive picture of how well forces engage and work closely with communities. This year, we focused specifically on forces' understanding of people's perceptions of fair and respectful treatment. One of the most important ways forces can do this is by seeking feedback and challenge from the people they serve, including from those groups with the least trust and confidence in the police. Forces use a range of methods to do this.

### **Public surveys**

All forces are required to conduct victim satisfaction surveys and provide data to the Home Office on a quarterly basis. The surveys take account of victims' experiences of the service they received and are intended to inform improvements to services.

While the perspective of the victim is an extremely important one, it should not be the only one that forces consider. The results of the Ipsos Mori survey we commissioned to seek views on policing from members of the public across England and Wales illustrate the importance of seeking a broad range of views on perceptions of police treatment. For example, only 56 percent of respondents said that the police in their local areas treated people fairly and with respect; 7 percent of respondents said that the police in their local areas did not treat people fairly and with respect, and this negative assessment increased to 38 percent among those who believed that police behaviour had got worse in the previous 12 months.

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<sup>10</sup> *Code of Ethics: A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales*, College of Policing, July 2014. Available at: [www.college.police.uk/What-we-do/Ethics/Documents/Code\\_of\\_Ethics.pdf](http://www.college.police.uk/What-we-do/Ethics/Documents/Code_of_Ethics.pdf)

We found that better-performing forces try to develop an even broader understanding of public perceptions by commissioning public perception surveys which aim to understand how the public had been (or perceived they would be) treated by the police.

### **Independent advisory groups**

Nearly all forces use independent advisory groups (IAGs) to gain insight into local perceptions of the service the force offers. IAGs also provide advice in advance of, or after, high-profile incidents or operations, and scrutinise data, body-worn video camera evidence, complaints and calls for service. If they are used effectively, and if their membership is regularly reviewed and refreshed using open selection processes, IAGs are one way that forces can improve their ability to identify and understand the views of the people they serve.

However, in forces where IAGs are relied on to fulfil this function, there is a risk that too great a responsibility is being placed on a small group of individuals who put themselves forward to represent their community. We know that people with less trust and confidence in the police are less likely to complain or take part in formal communication methods, so forces must continue to look for wider opportunities to seek feedback on such people's perceptions and experiences of police treatment.<sup>11</sup>

A good example of a force with active IAGs is West Yorkshire Police, which has them at both force and district levels, some with an independent chair. The force consults its IAGs on a range of issues, such as developing operational guidance for officers on how to engage with the lesbian, gay, bisexual and transgender communities, and seeking advice on communicating with people with hearing or sight impairment and people for whom English is not their first language. Bedfordshire Police involves young people in its stop and search scrutiny panel as reviewers of body-worn video camera footage of use of stop and search powers.

### **Day-to-day interactions**

Beyond formal surveys and IAGs, forces should take the opportunity to seek feedback and challenge on issues of treatment during or following their day-to-day interactions with the public. We were pleased to find that nearly all forces have a page on their website where people can submit feedback, or find more information about how to make a complaint.

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<sup>11</sup> The IPCC's most recent survey on public confidence in the complaints system found that minority ethnic respondents, and those respondents under 25 years old, were not only less likely to be happy with the way the police treated them during contact, but were also significantly less likely to complain about the police if they were unhappy with that contact. Available from: [www.ipcc.gov.uk/sites/default/files/Documents/guidelines\\_reports/IPCC\\_Public\\_confidence\\_survey\\_2014.pdf](http://www.ipcc.gov.uk/sites/default/files/Documents/guidelines_reports/IPCC_Public_confidence_survey_2014.pdf)

Many forces also referred to more general communication methods – such as community meetings, social media channels and Neighbourhood Watch schemes – as their main methods for seeking feedback and challenge about people's perceptions and concerns about police treatment.

While these communication channels certainly offer the public an opportunity to talk to the police about their local crime and anti-social behaviour concerns, we found few examples of forces using them explicitly to seek challenges on issues of treatment. Therefore, we would be concerned if forces are relying on these existing channels as the only means for seeking feedback and challenge, because people with less trust and confidence in the police may not use them.

Better performing forces use every contact with the public as an opportunity to seek feedback and challenge, and target tailored communication methods to those groups with less trust and confidence in the police. For example, Derbyshire Constabulary and the Metropolitan Police Service give cards to victims that encourage them to provide feedback on the service they received from the police; West Midlands Police and Leicestershire Police encourage members of the public to rate their experiences, provide feedback and view others' feedback through dedicated websites. Derbyshire Constabulary writes separately to all black, Asian and minority ethnic victims, who may have lower levels of confidence in the police,<sup>12</sup> to encourage them to provide feedback. Kent Police issues a card to people who have been stopped and searched that directs them to a page setting out the law on stop and search and advice on how to make a complaint.

## **Other sources of information**

Policing processes and systems produce a range of information relating to police interactions with the public that forces can use to identify and to understand the extent to which the force is (or is perceived to be) treating people with fairness and respect.

### **Lessons from inspections, investigations and reviews**

The ability of forces to learn from their own and others' mistakes and experiences is an extremely important aspect of how they continue to improve the way the police treats the public.

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<sup>12</sup> *Crime statistics, focus on public perceptions of crime and the police, and the personal well-being of victims*, Office of National Statistics, March 2015, Available at: [www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/compendium/crimestatisticsfocusonpublicperceptionsofcrimeandthepoliceandthepersonalwellbeingofvictims/2015-03-26/chapter1perceptionsofthepolice#overall-confidence-in-the-local-police-by-background-characteristics](http://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/compendium/crimestatisticsfocusonpublicperceptionsofcrimeandthepoliceandthepersonalwellbeingofvictims/2015-03-26/chapter1perceptionsofthepolice#overall-confidence-in-the-local-police-by-background-characteristics)

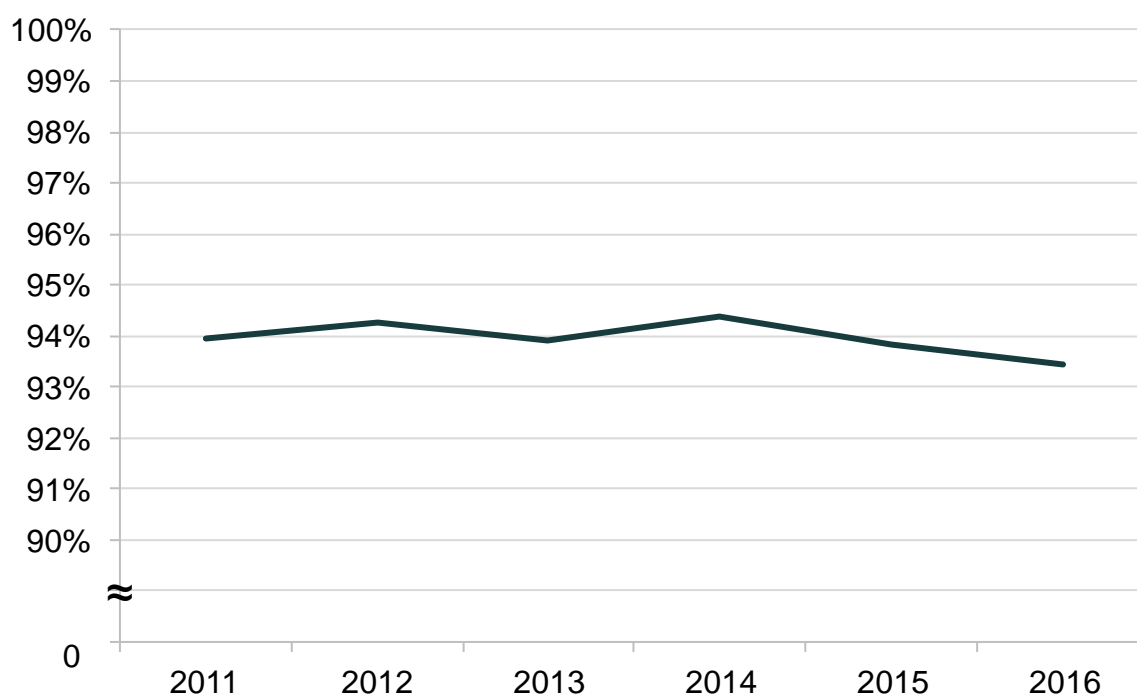
We were pleased to find that most forces have well-established governance structures for marshalling, understanding and learning from issues and recommendations identified through or made as a result of HMIC inspections, IPCC investigations and serious case reviews.

In most cases, emerging lessons and actions are collated and disseminated through written briefings or oral presentations, often produced by force professional standards departments. Wiltshire Police's organisational review board revised policies and training after an IPCC investigation into the force's approach to a high-profile crime.

### **Victim satisfaction data**

Victim satisfaction data provide forces with information on how victims feel they have been treated by the police. Figure 1 below provides a picture of sustained high levels of victim satisfaction over the last five years.

**Figure 1: Percentage of victims who were satisfied with overall treatment in England and Wales, from the 12 months to 31 March 2011 to the 12 months to 31 March 2016**

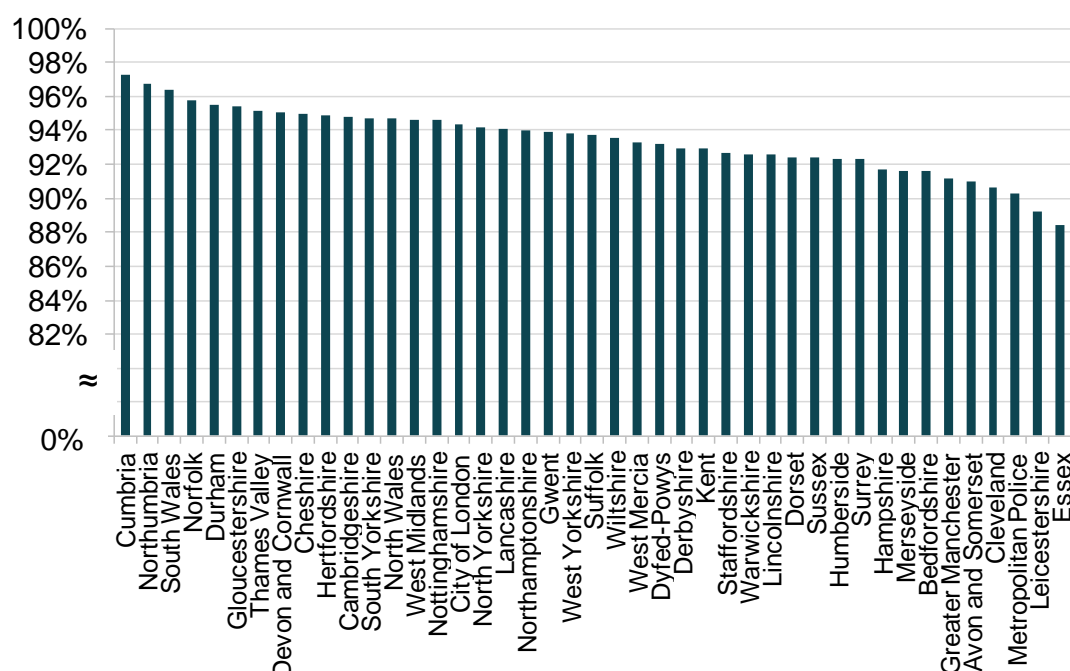


**Source: Home Office Annual Data Requirement**

Figure 1 shows that, in the 12 months ending 31 March 2016, the percentage of victims in England and Wales who were satisfied with overall treatment was 93.4 percent. There has been little change since the 12 months ending 31 March 2011, when 93.9 percent of victims were satisfied.



**Figure 2: Percentage of victims satisfied with overall treatment in the 12 months to 31 March 2016, by police force**



**Source: Home Office Annual Data Requirement**

Figure 2 shows that, by police force, in the 12 months to 31 March 2016 the percentage of victims satisfied with overall treatment ranged from 88 percent to 97 percent.

We were pleased to find that nearly all forces have a way of analysing their victim satisfaction surveys to identify potential problems. For example, West Midlands Police routinely analyses its victim satisfaction surveys to understand changes in public perception of the service. The force overlays its survey results onto other data which enables it to track variations in different demographic groups and identify areas where levels of confidence in the police are low.

While the overall levels of victim satisfaction remain high across the country, forces should not use their victim satisfaction survey results as their only way of understanding perceptions of treatment and identifying potential concerns, as discussed above.

### **Independent custody visitor schemes**

Every police and crime commissioner in England and Wales supports an independent custody visitor (ICV) scheme. Individuals from outside policing conduct unannounced visits to police custody suites and provide feedback to forces about what they find, including any issues relating to fair and respectful treatment of detainees. As part of our 2016 inspection, we reviewed annual ICV reports for each police force (if available) and in many cases our inspectors spoke with the ICV scheme manager for that force. ICV scheme managers are based in the office of the police and crime commissioner for each force.



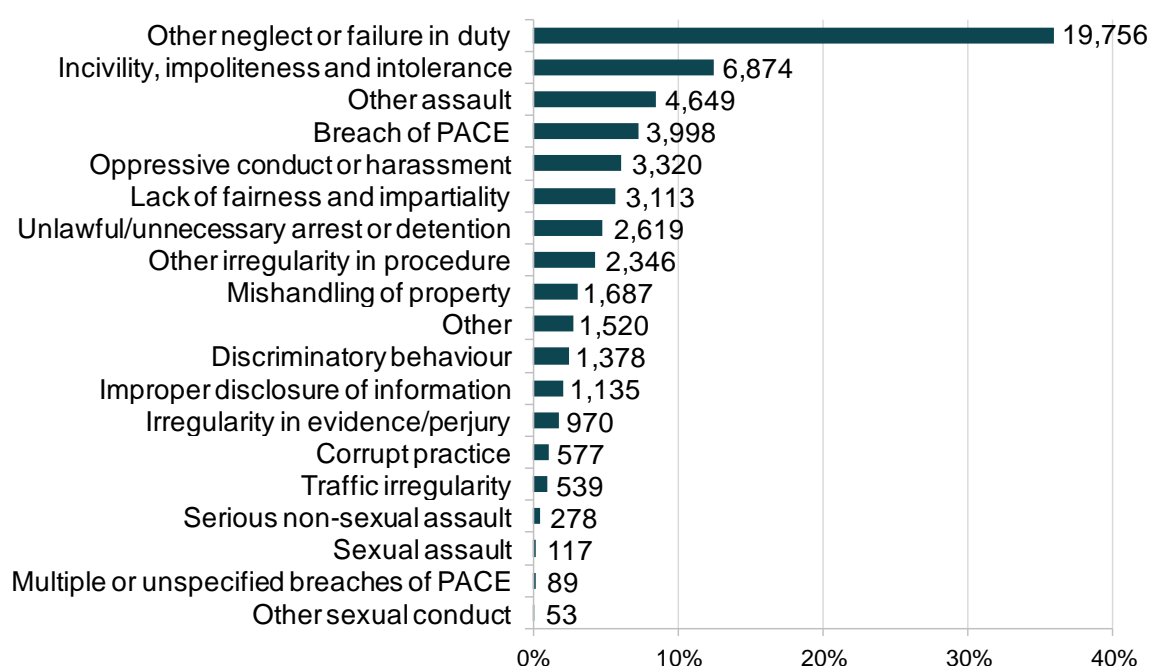
We were pleased to find that, in nearly all cases, we read or heard positive feedback about how forces responded to issues raised as a result of ICV visits. Most forces have formal structures for discussing and resolving any issues raised by ICVs.

### **Public complaints data**

All forces in England and Wales are required to record the nature of complaint cases and allegations against police officers and staff. Forces should be analysing this data to explore the reasons behind the dissatisfaction of members of the public with the way they have been treated by the police to establish areas of concern.

We asked forces to provide us with the volume and percentage of public complaint allegations recorded against police officers in England and Wales by allegation type, in the 12 months to 31 March 2016.<sup>13</sup> Figure 3 shows the types of complaint allegations that are most frequently recorded against police officers.

**Figure 3: Volume and percentage of public complaint allegations recorded against police officers in England and Wales by allegation type, in the 12 months to 31 March 2016**



**Source: HMIC Legitimacy data collection**

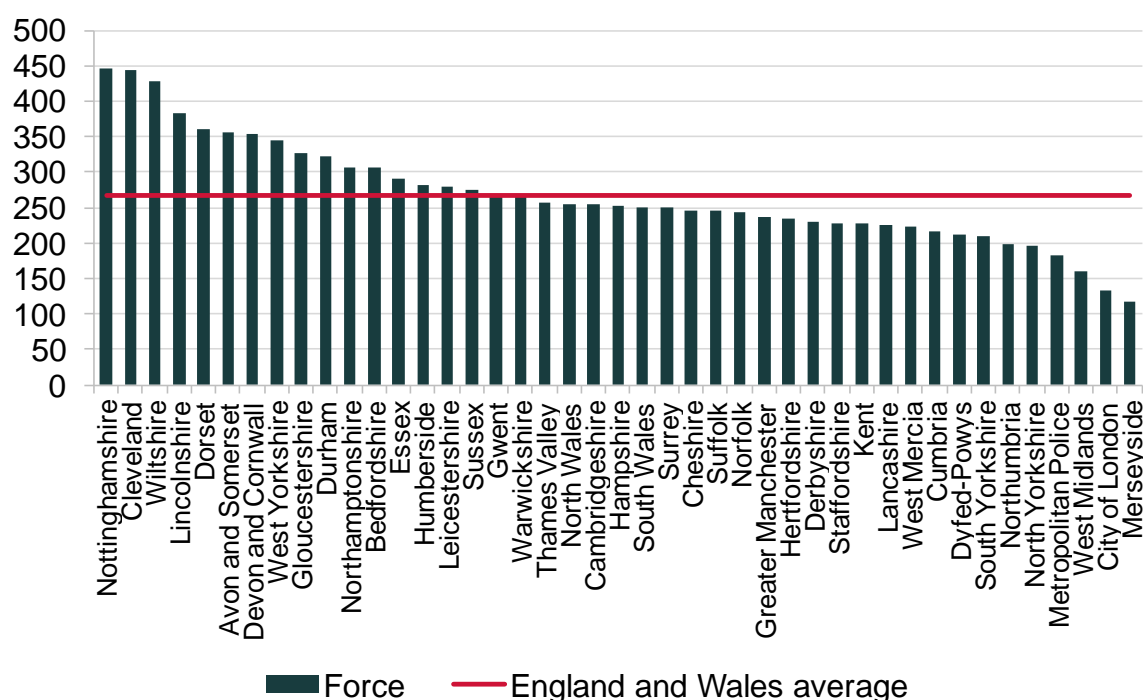
**Note: PACE is the Police and Criminal Evidence Act 1984**

In the 12 months to 31 March 2016, there was a total of 55,018 public complaint allegations recorded against police officers in England and Wales.

By police force, the number of public complaint cases against officers (per 1,000 officers) varied considerably, ranging from 118 to 447, with an England and Wales average of 268 complaints per 1,000 officers, as shown in figure 4.

<sup>13</sup> We also asked for the same data for police staff, including police community support officers. We have included the police officer data for illustrative purposes.

**Figure 4: Number of public complaints against police officers (per 1,000 officers) in the 12 months to 31 March 2016, by police force**



**Source: HMIC Legitimacy data collection**

During our 2016 inspection, we were pleased to find that almost all forces do some analysis of their recorded complaints data to identify local trends and provide this data to local command teams. We would like to see forces using this data to understand the reasons why they have higher or lower rates than other police forces, and looking at the types of cases in the ‘other neglect or failure in duty’ category, that has by far the highest number of complaints within it.

## Service recovery

Some of the variation in complaint numbers described above is to be expected because of different demands on policing in different areas, but the scale of this variation also suggests there are different recording practices across forces. For example, many forces have what is known as a ‘service recovery’ process for handling and resolving less serious matters, many of which may be about perceptions of treatment. This approach entails the force dealing with public dissatisfaction without recording it as a formal complaint.

We continue to be concerned that the service recovery process may mask the true extent of dissatisfaction within a force, which limits its ability to learn and improve. Forces using these procedures should make sure they have sufficient details about causes of dissatisfaction and how the cases were resolved, so they can use this information to establish and understand what the cases are telling them about the reasons for public dissatisfaction.

## **Use of stop and search**

Data on use of stop and search are another valuable source of information for forces in relation to the extent to which people are being treated with fairness and respect.

We were pleased to find positive examples of forces using IAGs and other independent groups to scrutinise stop and search data for disproportionality and to dip-sample stop and search forms and review evidence from body-worn video cameras. These methods provide insight into the quality and fairness of interactions and enable forces to identify and deal with concerns.

In September 2016, we published the findings of our revisit of the 13 forces that were not complying with 3 or more features of the Best Use of Stop and Search (BUSS) scheme in 2015.<sup>14</sup> We will return to look more widely at use of stop and search powers in our 2017 PEEL legitimacy inspection.

## **Use of force**

Other potential sources of information are data on the use of physical force by the police (e.g. physical restraint, use of batons, incapacitant sprays, Tasers and firearms and restraint equipment including handcuffs). While preventing crime and keeping people safe are essential parts of police officer and staff duties, it is vital for police legitimacy that they deploy force fairly and with good reasons. HMIC has commented on the importance of monitoring police use of force before<sup>15</sup>, and a more recent IPCC study also found a lack of consistent national data on the extent and type of force used by the police.<sup>16</sup>

During our inspection, we were disappointed to find, again, that few forces routinely record and monitor data (or review body-worn video camera evidence) on use of force. The National Police Chiefs' Council recognises that this is an area in which most forces need to improve and it has designed a national recording form to improve the consistency with which data are recorded and monitored. We intend to assess use of force in more detail during one of our future inspections, as the results of failing to improve in this area have significant implications for police legitimacy in the eyes of the public.

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<sup>14</sup> *Best Use of Stop and Search revisits*, HMIC, September 2016. Available at: [www.justiceinspectorates.gov.uk/hmic/publications/best-use-of-stop-and-search-revisits/](http://www.justiceinspectorates.gov.uk/hmic/publications/best-use-of-stop-and-search-revisits/)

<sup>15</sup> *The welfare of vulnerable people in police custody*, HMIC, March 2015. Available at: [www.justiceinspectorates.gov.uk/hmic/publications/the-welfare-of-vulnerable-people-in-police-custody/](http://www.justiceinspectorates.gov.uk/hmic/publications/the-welfare-of-vulnerable-people-in-police-custody/) and *The rules of engagement: a review of the August 2011 disorders*, HMIC 2011. Available at: [www.justiceinspectorates.gov.uk/hmic/publications/rules-engagement-review-august/](http://www.justiceinspectorates.gov.uk/hmic/publications/rules-engagement-review-august/)

<sup>16</sup> *Use of force: evidence from complaints, investigation and public perception*, IPCC, March 2016. Available at: [www.ipcc.gov.uk/page/use-of-force](http://www.ipcc.gov.uk/page/use-of-force)

## **Understanding the whole picture**

Considering the wide range of data and information sources the police collect and produce, it is important that forces have well-established methods for bringing these together to establish patterns and make links, as a means of identifying and understanding potential concerns about police treatment.

We were pleased to find that most forces have one or more senior level meetings that consider some of these concerns, from ethics and public confidence boards to internal and external scrutiny panels looking at stop and search and Taser use. However, we found few examples of forces bringing together and examining disparate information sources side-by-side to build a clear picture of the issues that have the greatest effect on public perceptions of fair and respectful treatment.

This finding was particularly surprising in some of those forces that could demonstrate effective ways of seeking feedback and challenge; we found minimal evidence that they were reviewing these valuable insights in any systematic way. This lack of co-ordination limits forces' ability to take effective action to improve the extent to which they treat all of the people they serve with fairness and respect.

## **Making improvements**

Forces should be able to demonstrate that they have taken effective action in response to identified concerns about how the public have been treated, if they are to maintain and improve public trust and confidence.

We were pleased to find that many forces have processes in place to respond to concerns, from complaint resolution and identification to communication throughout the workforce of lessons learned. Also, we found good examples of forces responding to both feedback and national findings by changing or introducing training and development activities. For example, Thames Valley Police was concerned about the number of incivility complaints it was receiving, so it incorporated guidance on this in its annual refresher training on the use of force.

However, we were disappointed to find that, in some cases, improvements appeared to be 'one-off' rather than part of a continuous improvement process, and few forces could provide evidence that the wider workforce had acted on lessons learned or evaluated the effect of improvement activity. Further, we found minimal evidence of targeted communication to the public about improvements being made in response to concerns about police treatment, over and above the existence of general communication channels. As such, we believe that forces are missing out on opportunities to improve public trust and confidence in the police.

## How well do forces ensure that their workforces behave ethically and lawfully?

Research shows that the best way to ensure that police workforces behave ethically and lawfully is by promoting ethical behaviour to officers and staff and by taking a preventative approach to misconduct and corruption, rather than focusing solely on apprehending and disciplining those responsible.<sup>17</sup>

This year's inspection followed up some of the findings from our 2014 police integrity and corruption (PIC) inspection and assessed in particular efforts to tackle the problem of police officers and staff abusing their positions of authority with victims of crime for their own sexual gain. Specifically, the inspection asked:

- How well does the force develop and maintain an ethical culture?
- How well does the force identify, understand and manage risks to the integrity of the organisation?
- How well does the force engage with the public and its workforce about the outcomes of misconduct and corruption cases?

## Developing and maintaining an ethical culture

The starting point for developing an ethical culture is to use effective vetting procedures to recruit applicants likely to have a high standard of ethical behaviour, and to reject those who may have demonstrated questionable standards of behaviour in the past, or who may be at risk of developing them.

One of the best ways to prevent corruption is by establishing and maintaining an ethical working environment or culture. To achieve this, forces must clarify, and continue to reinforce and exemplify, acceptable standards of behaviour, equip officers and staff to make difficult ethical decisions and encourage them to challenge unacceptable behaviour when they find it.<sup>18</sup>

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<sup>17</sup> *Promoting ethical behaviour and preventing wrongdoing in organisations*, College of Policing, 2015. Available at:

[http://whatworks.college.police.uk/Research/Documents/150317\\_Integrity\\_REA\\_FINAL\\_REPORT.pdf](http://whatworks.college.police.uk/Research/Documents/150317_Integrity_REA_FINAL_REPORT.pdf)

<sup>18</sup> *Promoting ethical behaviour and preventing wrongdoing in organisations*, College of Policing, 2015. Available at:

[http://whatworks.college.police.uk/Research/Documents/150317\\_Integrity\\_REA\\_FINAL\\_REPORT.pdf](http://whatworks.college.police.uk/Research/Documents/150317_Integrity_REA_FINAL_REPORT.pdf)

*The role of leadership in promoting ethical police behaviour*, College of Policing, 2015. Available at: [http://whatworks.college.police.uk/Research/Documents/150317\\_Ethical\\_leadership\\_FINAL\\_REPORT.pdf](http://whatworks.college.police.uk/Research/Documents/150317_Ethical_leadership_FINAL_REPORT.pdf); and *Literature review – Police integrity and corruption*, HMIC, January 2015. Available at: [www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/](http://www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/)

## **Vetting**

The current national vetting policy (published in 2012) sets out minimum standards for vetting applicants and existing officers and staff, to ensure a consistent national and force-level approach. These standards include the vetting levels required for specific roles and set out when and under what circumstances vetting should be reviewed or renewed.

Our 2014 PIC inspection found that not all forces were complying with all elements of the existing policy; we recommended they should all do so by 31 August 2015. A new vetting code of practice is due to replace all previous vetting policies and guidance. As this code was not yet published by the time of our inspection we assessed progress in line with the existing policy.

We were pleased to find that all forces vetted new applicants for police officer, staff, volunteer and contractor roles. However, we were concerned to find that almost half of forces had yet to complete retrospective vetting for officers and staff who joined prior to the adoption of the national vetting policy in 2006.<sup>19</sup> Further, in too many cases individuals have not been re-vetted after ten years' service to take into account any changes in their personal circumstances since their initial vetting.

The vetting backlogs created as a result of this situation also mean that many forces are failing to conduct regular vetting checks on individuals after changes in their personal circumstances, or when individuals move from one post to another, including when posted to high-risk roles and on promotion. This has worrying implications for forces' ability to monitor potential or emerging risks to the integrity of their organisations.

We found that some forces have comprehensive and achievable plans for reaching full compliance with the current national policy, while others either have no plan or have one that we assessed as being unachievable within the force's proposed timeframes or resourcing levels. This situation represents a significant risk to the integrity of these forces, as they are employing individuals who have not undergone even basic vetting checks.

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<sup>19</sup> National vetting policy was first introduced in 2004, although many forces were not vetting new recruits in line with this policy until 2006.

### **Cause of concern**

HMIC is concerned that some forces are failing to comply with current national vetting policy. This means that these forces are employing individuals who have not undergone even basic vetting checks, which represents a significant risk to the integrity of the organisation.

### **Recommendation**

To address this cause of concern, HMIC recommends that:

- Within six months, all forces not already complying with current national vetting policy should have started to implement a sufficient plan to do so.
- Within two years, all members of the police workforce should have received at least the lowest level of vetting clearance for their roles.

Our 2015 report commented on the need for forces to do more to ensure that those working in policing reflect the communities they serve. Therefore, we used our inspection of vetting processes as an opportunity to assess how far forces are considering the potential effect of vetting on their ability to recruit a diverse workforce, in particular people from black, Asian and minority ethnic groups and non-UK nationals whose communities may have low levels of confidence in the police. For example, non-UK nationals who have been in the country for less than two years may be rejected immediately, and cultural factors, such as the closer family ties in some black, Asian and minority ethnic groups, may prove a barrier to successful vetting.

Unfortunately, most forces could not demonstrate an understanding of how vetting decisions may be affecting recruitment. One reason for this appears to be a lack of communication between the vetting teams – who rightly vet without information on protected characteristics – and the human resources teams who hold this information. Forces should find ways to overcome this problem to improve their understanding of the extent to which vetting may present barriers to recruiting a more diverse workforce.

We found that a few forces were doing good work in initial vetting. Bedfordshire Police, for example, had reviewed the vetting decisions for those applicants from under-represented groups who had been rejected on the basis of their vetting status, to assess whether the risk associated with the rejection could have been reduced or removed. Other forces provided examples where vetting decisions had been reviewed on a case-by-case basis. For example, in West Yorkshire Police, a potential new recruit's application was rejected on the basis that his brother was due



to be released from prison shortly and would be living in the family home. The vetting manager assessed the risk and agreed that the application could proceed if the new officer moved to the other end of the force area.

### **Clarifying and reinforcing standards of behaviour**

An ethical culture can only be developed and maintained if expected standards of behaviour are clarified from the outset, and continue to be reinforced. This year, we assessed forces on how well the police Code of Ethics and what are often referred to as 'corruption prevention policies' were understood by the workforce. These include the requirement for officers and staff to declare any business interests, gifts and hospitality and notifiable associations.<sup>20</sup> These areas were highlighted for improvement in our 2015 legitimacy inspection and our 2014 integrity and corruption inspection.<sup>21</sup>

HMIC found that police workforces have a good understanding of the Code of Ethics, an improvement since our last assessment of legitimacy. All forces have policies on declaration of business interests, gifts and hospitality and notifiable associations. However, some forces still need to communicate these better to their workforces, particularly the policies on notifiable associations.

We were pleased to find that forces clarify and reinforce expected standards of behaviour in a number of ways. In many forces, chief officer teams and senior officers from professional standards departments give presentations as parts of training days, leadership courses, supervisor meetings and induction sessions for new recruits. These often include identifying lessons learned from misconduct investigations and consideration of ethical dilemmas. Devon and Cornwall Police has produced a number of videos exploring different ethical dilemmas that have stimulated discussions throughout the force. The videos have since been used by other forces.

The workforce appeared particularly receptive to standards and processes being reinforced when senior leaders were involved directly in providing strong, personal and consistent messages. Senior officers leading by example also reinforces an ethical culture. Nearly all chief officers now publish details of their pay and conditions

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<sup>20</sup> Notifiable associations are relationships that, under the ACPO Vetting Policy 2012, must be notified to forces by officers and staff if they regularly associate with a suspected or known criminal, or associate with a group or engage in an activity which would have the potential to compromise the individual officer or staff member, operations, activity or reputation of the force.

<sup>21</sup> *PEEL Legitimacy 2015*, HMIC, February 2016. Available at: [www.justiceinspectorates.gov.uk/hmic/publications/police-legitimacy-2015](http://www.justiceinspectorates.gov.uk/hmic/publications/police-legitimacy-2015) and *Integrity Matters*, HMIC, January 2015. Available at: [www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/](http://www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/)



and details of any gifts or hospitality they have received or been offered. Their business interests are also made public; these details can be found on force websites or the College of Policing website.<sup>22</sup>

We were pleased to find that many forces now have established ethics committees that advise them on how to clarify and reinforce standards of behaviour. A few forces have gone further and established external committees, to provide independent oversight of integrity issues.<sup>23</sup> For example, Durham Constabulary and Cleveland Police have introduced a joint external panel composed of, among others, academics, health practitioners, a solicitor, a faith representative and local public service leaders. HMIC would like to see more forces adopting this approach, because it increases the likelihood that forces remain outward-looking in their handling of integrity issues and continue to link them to the importance of treating people fairly and with respect.

## **Identifying, understanding and managing risks to integrity**

HMIC's 2014 PIC inspection emphasised the need for forces continually to oversee the extent of ethical behaviours through active monitoring of force systems and processes (including – but not limited to – records of business interests, gifts and hospitality) and of public complaints, to spot risks to their integrity.<sup>24</sup>

These findings reflect research commissioned by the College of Policing that highlights the importance of applying a problem-solving approach to preventing wrongdoing by analysing police data to identify particular officers or hotspots requiring prevention work.

This year, HMIC returned to assess progress on how well forces identify individual and organisational vulnerabilities or risks (i.e. those individuals, groups or locations that may be susceptible to corruption) and intervene early to reduce them. We also assessed how well forces obtain and assess intelligence on potential corruption.

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<sup>22</sup> Integrity in policing, College of Policing, available at: [www.college.police.uk/What-we-do/Ethics/integrity-in-policing/Pages/Integrity-in-policing.aspx](http://www.college.police.uk/What-we-do/Ethics/integrity-in-policing/Pages/Integrity-in-policing.aspx)

<sup>23</sup> A 2013 review of police integrity programmes recommended that forces should introduce independent oversight of their programmes, to check that they are operating effectively. Available at: [www.transparency.org.uk/publications/benchmarking-police-integrity-programmes/](http://www.transparency.org.uk/publications/benchmarking-police-integrity-programmes/)

<sup>24</sup> *Integrity matters*, HMIC, January 2015. Available at: [www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/](http://www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/)

### **Local counter-corruption strategic assessments and control strategies**

The National Crime Agency (NCA) produces a tri-annual threat assessment for law enforcement agencies across the UK. The NCA analyses corruption intelligence from all forces to identify national trends. Forces are expected to use this information alongside their own intelligence to inform their own annual counter-corruption strategic threat assessments, which set out and prioritise each force's greatest threats and vulnerabilities. This assessment is then used to produce an annual control strategy, or action plan, to direct intelligence-gathering, investigations and preventative work in response to identified priorities.

We were concerned to find that approximately a third of police forces did not follow this process and did not have an up-to-date counter-corruption threat assessment. Without this assessment, forces are limited in how far they can identify opportunities to prevent corruption, as opposed to just reacting to incidents once they have been reported.

### **Monitoring and reviewing adherence to corruption prevention policies**

Monitoring and assessing adherence to policies to prevent corruption is an important way to identify potential threats to force integrity. Police officers and staff wanting to take on secondary employment or other types of business interest (e.g. buy-to-let properties) must have this approved by the force in advance. The force must be satisfied that the interest will not threaten the integrity of either the individual or the force.

HMIC was pleased to find that most forces regularly monitor and review approved business interests, gifts and hospitality, and notifiable associations, to find out if there have been changes to individual business interests or personal circumstances. This is an improvement on our inspection findings in PIC 2014.

However, we were disappointed to find that the effectiveness and consistency of these processes varied considerably between forces. In some cases, forces failed entirely to conduct these checks, while in others the extent to which they were completed was inconsistent. For example, a number of forces used their annual appraisal processes to review business interests and notifiable associations. We are concerned that reviews are not taking place in forces that do not conduct regular appraisals. Some forces were inconsistent in how rigorously they ensured that individuals whose business interest applications had been rejected complied with the decision.

We were also disappointed to find a few forces that did not require all of their police staff to obtain approval for a secondary business interest; this represents a threat to force integrity.

During this year's inspection, we found that forces continue to make progress in the extent to which they cross-check registers that include business interests and

notifiable associations and other information to identify patterns or weaknesses that may not be apparent from a single source. Most forces now do some checks, including reviewing the use of force credit cards and mobile phones.

HMIC was pleased to see that many forces cross-reference force registers of business interests, gifts and hospitality, and notifiable associations against procurement registers, to confirm that there is no impropriety in the purchasing of supplies or the awarding of contracts. This enables them to intervene early if they spot a potential problem. Some forces also monitor social media use where they have identified a potential integrity issue, but unfortunately this is not standard practice across all forces.

### **Monitoring public complaints and other data to identify risks to integrity**

Complaints against the police and internal misconduct allegations provide a rich source of information for identifying areas or individuals of potential concern. Identifying patterns and trends of police misconduct provides insight to support implementation of preventative activity at individual and organisational levels to stop corruption before it starts.

We were reassured to find that almost all forces conduct some form of analysis of complaints and misconduct data to identify local trends that may represent individual or organisational risks. All forces have a way of identifying individuals who have received more than a certain number of complaints within a given time, so that their supervisors can provide appropriate advice or take management action. However, there was less evidence of forces responding to the identification of organisational risks, beyond disseminating information about them to local teams.

We found examples of forces undertaking effective monitoring and cross-referencing management information against a range of other indicators, over and above the integrity registers, to identify individuals at risk of becoming involved in corrupt activity. The better-performing forces use this information to take early action to support vulnerable officers and staff and to mitigate identified risks.

Better-performing forces have governance structures in place to carry out this work in a systematic and intelligence-led way. Cleveland Police's 'people intelligence board', for example, includes representatives from human resources, professional standards and counter-corruption units, and force legal and performance units, who make links between a number of data sources (including complaints and discipline, performance, grievances, sickness, intelligence) and concerns identified through monitoring business interests and other registers. The force develops profiles of the individuals identified and uses a scoring matrix to identify the level of risk and determine the type of intervention required. Where a risk is identified, board attendees consider how they can support individuals to resolve personal or employment-related problems, or investigate further where the risk is higher.

By taking an evidence-based and systematic approach to identifying potential risks, police forces will be in a much better position to intervene early to prevent corruption.

### **Identifying and understanding lessons**

Another principal aspect of a preventative approach to tackling misconduct and corruption is the ability to learn from past experience, to reduce the likelihood of forces and individuals repeating the mistakes of others. Forces should apply this principle following their own investigations, and take into account examples from other forces and IPCC investigations to enhance their own organisational learning. We found that nearly all forces have processes in place to allow for this, but the extent to which these lessons are accepted and acted upon by their workforces varies.

### **Monitoring computer systems**

The ability of a force to prevent and detect misuse of the information held on its computer systems is an important means of preventing corruption. Protecting this information is vital to integrity and operational effectiveness. Forces must therefore be able to monitor and audit all of their information technology (IT) systems to identify individuals who misuse them for corrupt activity. For example, this could include inappropriate access to personal information, passing on information to organised crime gangs or using systems to identify vulnerable victims for sexual abuse.

We were disappointed to find that almost half of forces do not have either the capability or the capacity to monitor and audit IT systems. Of those who do have the software required, many do not have the resources in their units to use it proactively. These forces tended to use the software reactively, once intelligence had been received.

One example of a force investing in this approach is Merseyside Police. The force's dedicated audit team can audit and live-monitor IT use by any individual anywhere in the force. The team's work has contributed to corrupt officers and staff being identified, prosecuted and sent to prison for serious criminal offences.

### **Reporting corruption intelligence**

As well as assessing the measures forces take to prevent corruption, we assessed the effectiveness of the systems in place for reporting potential corruption. Corruption intelligence can be reported through a variety of routes, and gained from reviews of incidents (both on-and off-duty), public complaints and a range of specialist police investigation units. Individual officers or staff who report on the behaviour of their colleagues are among the most important sources of such intelligence.

We were pleased to find that all forces have confidential reporting systems for the workforce to use if they suspect misconduct or corrupt behaviour. Avon and Somerset Police and Lancashire Constabulary both have anonymous reporting systems that allow their counter-corruption units to send messages to the anonymous informant without identifying them. It is up to informants whether they reveal their identities, and these forces have good policies in place to support internal informants who decide to do so. Some forces also offer independent anonymous reporting systems so that individuals do not have to report their concerns directly to counter-corruption units.

We were pleased to find that, in almost all forces, the officers and staff we spoke to expressed a willingness to use confidential systems and were confident that the report would be dealt with appropriately. Officers and staff also told us that they would be confident in reporting through their own line managers, or directly to counter-corruption units. However, we were concerned to find that, in a small number of forces, some of the officers and staff we spoke to expressed concerns about the confidentiality of the systems, despite the assurances of the force.

In better-performing forces, counter-corruption units also undertook active intelligence-gathering, rather than waiting for information to be reported to them. For example, Merseyside Police used its systems monitoring software to identify anyone who was looking at information about local organised crime groups – work which led to two police officers receiving prison sentences for drug dealing.

This level of intelligence-gathering is still not routine, which means forces are limited in their ability to prevent corruption. This problem is especially relevant to tackling abuse of authority for sexual gain, which is discussed in more detail later in this report.

### **Assessing and developing intelligence**

Effective management of intelligence is critical for combating police corruption. As soon as it is received, intelligence should be assessed and graded so that the force can decide whether further investigation is needed. This might involve asking sources for more information, auditing force IT systems or using covert methods for verifying the information. This work can be resource-intensive, and forces without the capability or capacity to audit and monitor all of their IT systems will find it difficult to do this work effectively.

Our 2014 PIC inspection<sup>25</sup> identified this as a weakness for some forces, so this year we returned to assess progress in this area. Our inspection found that approximately a fifth of forces were still failing to develop corruption-related intelligence sufficiently. In almost a third of forces, our inspectors raised concerns about counter-corruption

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<sup>25</sup> *Integrity matters*, HMIC, January 2015. Available at: [www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/](http://www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/)

units not having enough resources to deal appropriately with the level of intelligence being received, let alone to do more active intelligence-gathering. Forces need to ensure that their counter-corruption units are properly resourced and have staff with the necessary skills to develop and to investigate corruption intelligence thoroughly; not doing so poses an unacceptable risk to forces.

## **Communicating the outcomes of misconduct and corruption**

High-profile incidents of police misconduct and corruption undermine public trust and confidence in the police, which can adversely affect the willingness of the public to report incidents to the police. Being open about the outcomes of misconduct and corruption cases, and reassuring affected individuals and communities, show the public that certain types of behaviour are unacceptable, that forces are taking the problem seriously, and that they are finding and punishing wrongdoing.<sup>26</sup> This information can also form the basis for deterring misconduct and enhancing integrity within forces, by enabling individuals and forces to learn from the mistakes of others.

### **Communicating with the public**

Since our 2014 inspection, changes to the police regulations have obliged forces to improve their openness in dealing with serious misconduct. Since May 2015, forces have been required to hold misconduct hearings (in cases of gross misconduct) in public<sup>27</sup>, and to publish the outcomes of these cases on their websites for no less than 28 days. In the light of these changes, this inspection assessed how well forces are communicating with the public about the outcomes of misconduct and corruption cases.

We were pleased to find that all forces have advertised scheduled public misconduct hearings on their websites (some forces had not yet had a public hearing at the time of our inspection). We asked forces to give us details of the number of misconduct hearings they had held between 1 May 2015 (when the new regulations came into force) and the end of March 2016: in total there were 315 hearings held by police forces across England and Wales (excluding British Transport Police). Sixty percent (190) of the hearings reported to HMIC were held in public.<sup>28</sup> Many forces told us that public attendance had so far been very low.

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<sup>26</sup> *Literature review – Police integrity and corruption*, HMIC, January 2015. Available at: [www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/](http://www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/)

<sup>27</sup> Available at: [www.gov.uk/government/news/police-disciplinary-hearings-to-be-held-in-public](http://www.gov.uk/government/news/police-disciplinary-hearings-to-be-held-in-public)

<sup>28</sup> Forces gave a range of reasons for why certain misconduct hearings were not held in public. These included cases referred to misconduct proceedings before 1 May, cases in which victims' identities needed to be shielded, and cases in which associated criminal proceedings had not concluded at the time of the hearing.



We were pleased to find that that nearly all forces are complying with the requirement to publish the outcomes of misconduct cases on their websites – an improvement since our 2014 PIC inspection. Better-performing forces choose to publicise outcomes for longer than the 28-day requirement and to include the outcomes of all misconduct cases, not just gross misconduct. This greater level of openness should help to reassure the public that forces will not tolerate such behaviour.

However, we found that very few forces publish the outcomes of misconduct cases involving police staff. The actions of police staff can also have a damaging effect on public confidence, so we were disappointed to find that forces were not taking the opportunity to tell the public how they have dealt with such cases. A number of forces told us that their decision not to publish these outcomes arose from data protection concerns. We are satisfied that, as long as individuals are not named and cannot be identified by the amount of detail provided, these concerns are unfounded.

We were pleased to find that most forces have well-established procedures for dealing with incidents, investigations or outcomes that have the potential to harm the trust and confidence of the public. Meetings at a senior level are established to consider the effect of a case on the community and to develop a plan for explaining to local people how the force is responding. In most cases, this plan includes agreeing a press release and media interviews, and in better-performing forces it involves wider work to communicate directly and work closely with affected communities.

### **Communicating with the workforce**

Communicating effectively with officers and staff about the outcomes of misconduct and corruption cases provides a valuable opportunity for forces to learn from past mistakes, to clarify standards of professional behaviour and to set out consequences of not adhering to them. To be effective, these messages must be clear, accessible and detailed enough for officers and staff to learn lessons.

While nearly all forces publish the outcomes of misconduct and corruption cases on their internal websites, we found wide variations in workforce awareness of them and the depth of information for officers and staff to learn from. Most forces could do more to reassure themselves that their workforces receive and understand communications about the outcomes of police misconduct and corruption cases.

### **Tackling the problem of abuse of authority for sexual gain**

The police are in a privileged position because of the powers they have to affect people's lives. Often they come into people's lives at times when they are especially vulnerable, which can provide opportunities for unethical officers to take advantage of those who have a right to expect the highest standards of professional behaviour.

A 2012 IPCC/ACPO report described the practice of abusing authority to legitimise unnecessary contact with victims of crime for sexual gain as a form of serious corruption that “fundamentally betrays the trust that communities and individuals place in the police”.<sup>29</sup> The report included a checklist of questions for forces to consider to satisfy themselves that they have sufficient policies, procedures, and safeguards in place for the prevention, prediction, and investigation of this kind of case. Our 2015 report, *Integrity Matters*, identified this problem as being of great concern to the public – one that has the potential to undermine significantly public trust and confidence in the police.<sup>30</sup> As such, we returned to assess progress during our inspection this year.

We were concerned to find that, despite publication of the reports identified above and the fact that national counter-corruption assessments continue to highlight the problem as a major threat to law enforcement, most forces still need to improve the way they recognise and prevent this form of serious corruption.

### **Understanding the scale of the problem**

Our 2016 PEEL legitimacy inspection fieldwork involved talking to heads of professional standards and counter-corruption departments, and spending time in their units to find out more about the extent to which they recognise the seriousness of the issue and about how they deal with it once a conduct matter has been identified.<sup>31</sup>

Following a commission from the Home Secretary, we undertook our own review of the data that forces hold on identified cases of abuse of authority for sexual gain, including those involving a victim of domestic abuse, in an attempt to assess the extent of this type of corruption.<sup>32</sup>

Unfortunately, reporting of the data was inconsistent across forces, so our findings provide an approximation of the volume of allegations over the period rather than a definitive picture of the scale of the problem.

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<sup>29</sup> *The abuse of police powers to perpetrate sexual violence* IPCC/ACPO, September 2012. Available at: [www.ipcc.gov.uk/sites/default/files/Documents/research\\_stats/abuse\\_of\\_police\\_powers\\_to\\_perpetrate\\_sexual\\_violence.PDF](http://www.ipcc.gov.uk/sites/default/files/Documents/research_stats/abuse_of_police_powers_to_perpetrate_sexual_violence.PDF)

<sup>30</sup> *Integrity Matters*, HMIC, January 2015. Available at: [www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/](http://www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/)

<sup>31</sup> Our 2016 PEEL Effectiveness inspection will look at the problem from the perspective of how well forces safeguard and support vulnerable victims. These findings will be published separately in March 2017.

<sup>32</sup> In May 2016, the Home Secretary commissioned HMIC to inspect forces’ responses to the issue of officers and staff developing inappropriate relationships with victims of domestic abuse, who constitute a particularly vulnerable group.



Our data collection identified 436 reported allegations of abuse of authority for sexual gain received, or received and finalised, by police forces in England and Wales during the 24 months to 31 March 2016.<sup>33</sup> This number includes instances of multiple allegations against a single member of police personnel, and of multiple police personnel with single allegations against them. During this same period, 334 police personnel had allegations of abuse of authority for sexual gain made against them.

All but one force had at least one case during this period, and our data collection found that over a third (39 percent) of the allegations of abuse of authority for sexual gain involved victims of domestic abuse.<sup>34</sup> Only ten forces had not had any cases that did not involve victims of domestic abuse.

We were not able to draw any conclusions from analysis of our data collections about whether the number of cases had been growing over this time. However, even an increasing number of cases would not necessarily mean that the problem is getting worse; it could equally be a positive finding, reflecting the fact that the problem is more likely to be identified and reported.

Overall, the numbers illustrate that the problem of abuse of authority for sexual gain is one that nearly all forces are dealing with, or have dealt with recently. The reasons for the difficulties we faced in obtaining more reliable data on the scale of the problem reflect those identified during our 2014 PIC inspection and included:

- the absence of a universally applied definition of corruption (and, in this case, of the form of corruption we have referred to as ‘abuse of authority for sexual gain’);
- different force processes for recording public complaints, internal misconduct and corruption intelligence;
- forces not being required currently to record whether allegations potentially involve corrupt behaviour; and
- inconsistency in recording outcomes of corruption-related investigations, so it is hard to put a precise figure on the levels of proven corruption within the police.

This inconsistency and lack of clarity in the way incidents are reported, recorded and counted limit our understanding of the extent of this form of corruption, and of how effectively forces are dealing with it.

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<sup>33</sup> Excluding British Transport Police.

<sup>34</sup> Incidents involving victims of domestic abuse do not mean allegations that resulted from domestic abuse incidents, but that one or more of those involved other than the perpetrator was a victim of domestic abuse.

We undertook an online survey of domestic abuse practitioners between July and August 2016 to gauge their views on progress since our last inspection on the police response to domestic abuse.<sup>35</sup> The survey included questions about the extent to which incidents of potential abuse of authority for sexual gain had been disclosed to practitioners by victims. More information about the survey can be found in Annex A.

Sixty-eight practitioners (16 percent) of the 414 (of 416) who answered questions about abuse of authority stated that, within the last two years, a victim of domestic abuse had disclosed to them that an officer or member of police staff had abused their authority to exploit them or develop an inappropriate relationship with them.

Forty (59 percent) of these 68 practitioners stated that disclosures of abuse of authority were made to them rarely (approximately once a year), with a further 22 (32 percent) stating that disclosures occurred occasionally. Four practitioners (6 percent) stated that disclosures of abuse of authority occurred often (approximately once a month).

We were concerned to find that 24 respondents (35 percent) who stated that abuse of authority had been disclosed to them also said that none of the victims known to them reported it to the police.<sup>36</sup> While we cannot be sure of the reasons why these cases were not reported to the police, potential reasons could include a lack of confidence that the matter would be investigated, or a perception on the part of the victim that they were in a consensual relationship that did not amount to abuse of authority for sexual gain.

We were also concerned to find that 10 (25 percent) of the 40 practitioners who stated that abuse of authority was reported said that a police investigation was not undertaken in any of the cases.<sup>37</sup> We do not know the details of these individual cases, so we cannot confirm whether or not any investigation was undertaken, but the fact that practitioners were unaware of any follow-up suggests that police forces could be doing more to reassure them, and victims, that they are taking their concerns seriously.

The disapproved register held by the College of Policing gives us some insight into the outcomes of cases of this nature.<sup>38</sup> Since December 2013, police forces have

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<sup>35</sup> *Increasingly everyone's business: A progress report on the police response to domestic abuse* HMIC, December 2015. Available at: [www.justiceinspectorates.gov.uk/hmic/publications/increasingly-everyones-business-a-progress-report-on-the-police-response-to-domestic-abuse/](http://www.justiceinspectorates.gov.uk/hmic/publications/increasingly-everyones-business-a-progress-report-on-the-police-response-to-domestic-abuse/)

<sup>36</sup> Forty-four percent (n = 30) stated that some victims reported the abuse of authority to the police and 15 percent (n = 10) stated that it was reported in all cases.

<sup>37</sup> A further 10 (25 percent) stated that all cases were investigated and 13 (33 percent) stated that some were investigated. The remaining seven respondents stated that they did not know whether investigations were undertaken.

<sup>38</sup> Details about the College of Policing's Disapproved Register are available at: [www.college.police.uk/News/College-news/Pages/Disapproved-Register-.aspx](http://www.college.police.uk/News/College-news/Pages/Disapproved-Register-.aspx) The register currently

been providing the college with details of officers who have been dismissed from the service, or who resigned or retired while subject to a gross misconduct investigation in which it had already been determined that there was a case to answer.

Misconduct figures from the register relating to leavers between 1 December 2013 and 30 November 2014 were published in March 2016.<sup>39</sup> Sixty-seven (8 percent) of the 833 cases on the register during this time were recorded as relating to police officers leaving the service after having had a relationship with a vulnerable person. Thirty-three of these 67 leavers were dismissed, 30 resigned and 4 retired. What the register cannot tell us is how many of these leavers went on to be prosecuted for a criminal offence.

### **Recognising abuse of authority for sexual gain as serious corruption**

Abuse of authority is a form of serious corruption, so complaints or conduct matters of this nature must always be referred to the IPCC, so it can decide how they should be investigated.

We were concerned to find that, despite many forces including the problem in their local counter-corruption control strategy and evidence of having successfully investigated and prosecuted people for it, only 48 percent of the 436 reported allegations of abuse of authority for sexual gain that we identified through our data collection were referred to the IPCC. This may reflect the problem of definition set out above, and also a lack of understanding of the IPCC mandatory referral criteria, as suggested in the IPCC's 2016 report of their review of referrals.<sup>40</sup>

A higher proportion of the allegations involving a victim of domestic abuse were referred to the IPCC (59 percent), suggesting that forces recognise the inherent vulnerability of these victims, but all abuse of authority allegations should have been referred to the IPCC at the first opportunity.

Considering that this issue was highlighted in the 2012 IPCC/ACPO report, and again in the IPCC's more recent report on referrals, we are disappointed that many forces are still failing to refer these cases appropriately. Forces must begin

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holds details of cases relating to all Home Office forces in England and Wales, British Transport Police, Ministry of Defence Police, Civil Nuclear Constabulary and States of Jersey Police.

<sup>39</sup> *Integrity programme transparency project – Misconduct figures report*, College of Policing, March 2016. Available at: [www.college.police.uk/News/College-news/Documents/Disapproved\\_Register\\_1\\_Dec\\_2013\\_-\\_30\\_Nov\\_2015.pdf](http://www.college.police.uk/News/College-news/Documents/Disapproved_Register_1_Dec_2013_-_30_Nov_2015.pdf)

<sup>40</sup> The IPCC's 2015 review of cases that were likely to have met its mandatory referral criteria but had not been referred to them found evidence that they did not always receive cases of abuse of authority for sexual gain from forces. See *Referring complaints, conduct matters and death or serious injury matters to the IPCC – a review of current police force practice*, IPCC, 2016. Available at: [www.ipcc.gov.uk/sites/default/files/Documents/research\\_stats/IPCC\\_referrals\\_review.pdf](http://www.ipcc.gov.uk/sites/default/files/Documents/research_stats/IPCC_referrals_review.pdf)

immediately to refer all allegations of abuse of authority to the IPCC, in line with the IPCC's mandatory referral criteria.

### **Cause of concern**

HMIC is concerned that forces do not always recognise the problem of abuse of authority for sexual gain as a form of serious corruption. This means that this understanding is not always being reflected in the force's IPCC referral decisions, and there is no clear picture of the scale of the problem throughout police forces.

### **Recommendation**

To address this cause of concern, HMIC recommends that:

- Within three months, all forces should complete a retrospective review of allegations and consider referrals to the IPCC.
- Within three months, forces should establish effective procedures to identify all future allegations of abuse of authority for sexual gain as serious corruption matters and make appropriate referrals to the IPCC.

### **Gathering intelligence**

Forces must look for and receive information and intelligence if they are to find out whether their officers or staff are abusing or attempting to abuse their positions for sexual gain.

As the responses from our domestic abuse practitioner survey suggest, victims of domestic abuse do report abuse of authority to practitioners. As such, it is important that forces' professional standards departments and counter-corruption units develop trusting relationships with these groups so they can identify potential abuse of authority, and ensure that practitioners are confident that, if they or victims report the matter, it will be taken seriously.

Therefore, we were concerned to find that only a small number of forces could provide us with evidence that they had made significant efforts to build links with the staff in agencies that support the individuals and groups that are particularly vulnerable to this type of abuse. Derbyshire Constabulary is one example where this kind of work has taken place. Derbyshire's professional standards department has forged links with women's refuges, domestic abuse practitioners, sexual violence case workers and sex industry workers' groups. They have built trusting relationships, and their contacts in these organisations have the knowledge and confidence to identify and report any suspicious behaviour on the part of police officers or staff. Similarly, Merseyside Police continued to work with the local health authority's sex worker liaison officer after an abuse of authority investigation, and this

resulted in further information being passed to counter-corruption officers and the subsequent prosecution of a police officer for a similar offence.

We were also concerned to find that almost half of the forces we inspected were unable to audit or monitor use of all of the forces' IT systems. This limits the amount of information-gathering a force can do to spot officers or staff who may be accessing force systems to identify vulnerable victims. This lack of monitoring limits forces' abilities to intervene early to safeguard victims and tackle unacceptable and potentially corrupt behaviour. Better-performing forces undertake 'live' monitoring of use of their systems or of phone calls to check for unusual patterns. For example, South Yorkshire Police scanned phone numbers dialled from force mobiles and landlines to see whether multiple contacts had been made with known vulnerable victims. This approach enabled the force to identify a number of officers whose behaviour gave cause for concern, and subsequent enquiries led to some of them being dismissed from the force.

In some forces, this lack of more active intelligence-gathering results from insufficient capacity and capability within counter-corruption units. Forces must address this situation urgently, so they can tackle this type of corruption early and in doing so prevent vulnerable people from being abused.

### **Cause of concern**

HMIC is concerned that some police counter-corruption units do not have the capability or capacity to seek intelligence on potential abuse of authority for sexual gain. This means that forces are not able to intervene early to safeguard potential victims and tackle unacceptable and potentially corrupt behaviour.

### **Recommendation**

To address this cause of concern, HMIC recommends that:

- Within six months, all forces should have started to implement a plan to achieve the capability and capacity required to seek intelligence on potential abuse of authority for sexual gain. These plans should include consideration of the technology and resources required to monitor IT systems actively and to build relationships with the individuals and organisations that support vulnerable people.

### **Reassuring the public**

Forces need to take active steps to reassure the public (particularly the most vulnerable people and the organisations that support them) that they will not tolerate abuse of authority and that they will deal with it firmly wherever they find it. If people

do not have confidence that this will happen, they will be less likely to report these types of incidents to the police and work with them in the future.

As discussed in the previous section, most forces publish the outcomes of these kinds of cases and have well-established structures in place for dealing with critical incidents that have the potential to harm public trust and confidence in the police. Forces recognise that cases of abuse of authority for sexual gain fall into this category and treat them as such, although a few forces need to improve the way they build trust after incidents in which officers or staff have abused their position.

Better-performing forces provided evidence that they had undertaken wider work – over and above media publicity – to talk directly with vulnerable groups and the organisations that support them. For example, Derbyshire Constabulary undertook outreach work with sex worker support groups and victims of domestic abuse following the sentencing of an officer who had sexually abused vulnerable women. Hampshire Constabulary established a ‘gold group’, including community representatives, following an allegation of abuse of authority that had implications for the wider community. The group drew up a community impact assessment to target communications to reassure the community. These communications included holding a community meeting and visiting local schools.

## **Prevention**

While it is vital that forces deal effectively with the problem of abuse of authority once they find it, the best way for forces to tackle it is to prevent it happening in the first place. With this approach, vulnerable people are protected from repeat victimisation, and forces do not have to undertake lengthy and costly investigations.

Prevention relies on how well forces clarify and reinforce the standards of behaviour they expect from their workforces. It is important for forces to signal clearly the consequences for officers or staff who fall short of these standards.<sup>41</sup>

While we found positive examples of chief officers or professional standards departments providing presentations to the workforce on the topic, we were disappointed to find that, in many forces, officers and staff did not have a sufficiently clear understanding of the boundaries regarding establishing or pursuing relationships with vulnerable people.

Officers and staff frequently told us that their understanding of expected behaviours and boundaries was based on ‘common sense’. When asked for more detail they

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<sup>41</sup> The Code of Ethics states clearly that police officers and staff must ‘not establish or pursue an improper sexual or emotional relationship with a person with whom [they] come into contact in the course of [their] work who may be vulnerable to an abuse of trust or power’. *Code of Ethics – A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales*, College of Policing, London, July 2014. Available at: [www.college.police.uk/What-we-do/Ethics/Documents/Code\\_of\\_Ethics.pdf](http://www.college.police.uk/What-we-do/Ethics/Documents/Code_of_Ethics.pdf)

were unable to provide a more sophisticated understanding of the complex ethical situations and 'grey areas' associated with these types of cases, or to point to clear and consistent guidance about the problem. This reliance on 'common sense' suggests to us that forces have more to do to ensure that their workforces have a good understanding of the problem, and complete clarity about the standards expected of them.

Better-performing forces had produced and disseminated clear guidance on expected standards of behaviour, including examples of the sorts of behaviour that would be considered to be abuse of authority, and examples of learning from previous investigations. We were particularly impressed by those forces that had encouraged officers and staff to consider how they would respond in a variety of difficult ethical situations, including during contact with vulnerable victims. Nottinghamshire Police produced a compelling video on the issue for internal use, which has since been used by other forces. Surrey Police produced a comprehensive package of e-training modules, providing clear guidance on acceptable and unacceptable behaviour, including ethical decision-making and the problem of sexual misconduct.

HMIC takes the issue of the abuse of authority for sexual gain extremely seriously, not only for the devastating effect it has on those who are victims of it but also the deeply corrosive effect that each case has on the trust that the public have in the police. It is of vital importance that forces agree and adopt a clear and coherent strategy to tackle the problem quickly, to make sure that the small proportion of the total police workforce who undertake or seek to undertake this type of corruption can be identified early and prevented from doing so.



## To what extent do forces treat their workforces with fairness and respect?

The extent to which forces treat their workforces with fairness and respect forms an important part of HMIC's assessment of police legitimacy. The reason for this is that a police workforce that feels it is treated fairly and with respect by its employers is more likely to behave ethically and treat the public in a fair and respectful way.<sup>42</sup> Conversely, unfairness within police organisations can have a detrimental effect on officer and staff attitudes and behaviour, and may discourage people from joining the police.

Our 2016 inspection questions and graded assessments return to assess progress in some of those areas we examined in 2015, and also to inspect fairness in the context of individual performance management. Specifically:

- How well do forces identify and act to improve workforce perceptions of fair and respectful treatment?
- How well do forces support the wellbeing of their workforces?
- How fairly and effectively do forces manage the individual performances of their officers and staff?

### Identifying and improving perceptions in the workforce

Research suggests that forces that involve officers and staff in decision-making, listen to their concerns, act on them and are open about how and why they reached certain decisions can improve workforce perceptions of fair and respectful treatment.<sup>43</sup>

HMIC therefore assessed how well forces identify and understand the concerns that have the greatest impact on perceptions of fair and respectful treatment within their workforces, how well they act on these concerns and how well they demonstrate that they have done so.

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<sup>42</sup> *Fair cop 2: Organisational justice, behaviour and ethical policing*, College of Policing, 2015.

Available at:

[http://whatworks.college.police.uk/Research/Documents/150317\\_Fair\\_cop%202\\_FINAL\\_REPORT.pdf](http://whatworks.college.police.uk/Research/Documents/150317_Fair_cop%202_FINAL_REPORT.pdf); *Organisational justice: Implications for police and emergency service leadership*, Herrington C and Roberts K, AIPM Research Focus, Issue 2, 2013. Available at: [www.aipm.gov.au/wp-content/uploads/2013/08/Org-Justice-Final.pdf](http://www.aipm.gov.au/wp-content/uploads/2013/08/Org-Justice-Final.pdf)

<sup>43</sup> *Fair cop 2: Organisational justice, behaviour and ethical policing*, College of Policing, 2015, page 11. Available at:

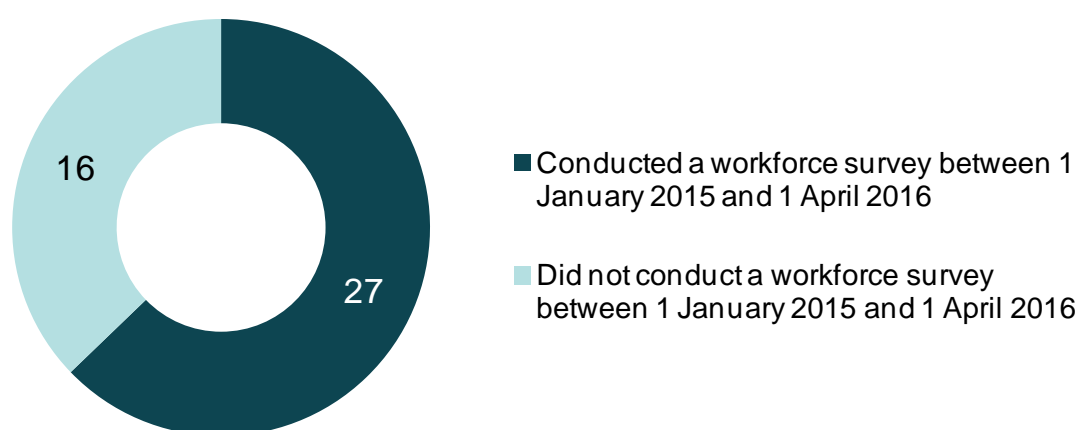
[http://whatworks.college.police.uk/Research/Documents/150317\\_Fair\\_cop%202\\_FINAL\\_REPORT.pdf](http://whatworks.college.police.uk/Research/Documents/150317_Fair_cop%202_FINAL_REPORT.pdf)



## **Identifying and understanding the issues**

All forces work closely with their workforces in a variety of ways to identify the concerns that affect their perceptions of fair and respectful treatment. We were pleased to find that many forces had conducted a staff survey in the last year (see Figure 5 below), and many of the others told us that they were planning to undertake one soon. This represents progress since last year, when we found that some forces remained resistant to surveying their workforces.

**Figure 5: Proportion of police forces in England and Wales that conducted a staff survey between 1 January 2015 and 1 April 2016**



**Source: HMIC Legitimacy data collection**

In the 27 forces that had completed a workforce survey between 1 January 2015 and 1 April 2016, the percentage of the workforce that completed the survey ranged from 16 to 59 percent. While we have not made a judgment on what a 'good' response rate is, we would expect those forces with a particularly low rate to consider the reasons why so many officers and staff did not complete the survey. Similarly, we did not use the findings of individual surveys as part of our assessment, because survey results are not comparable at a national level.

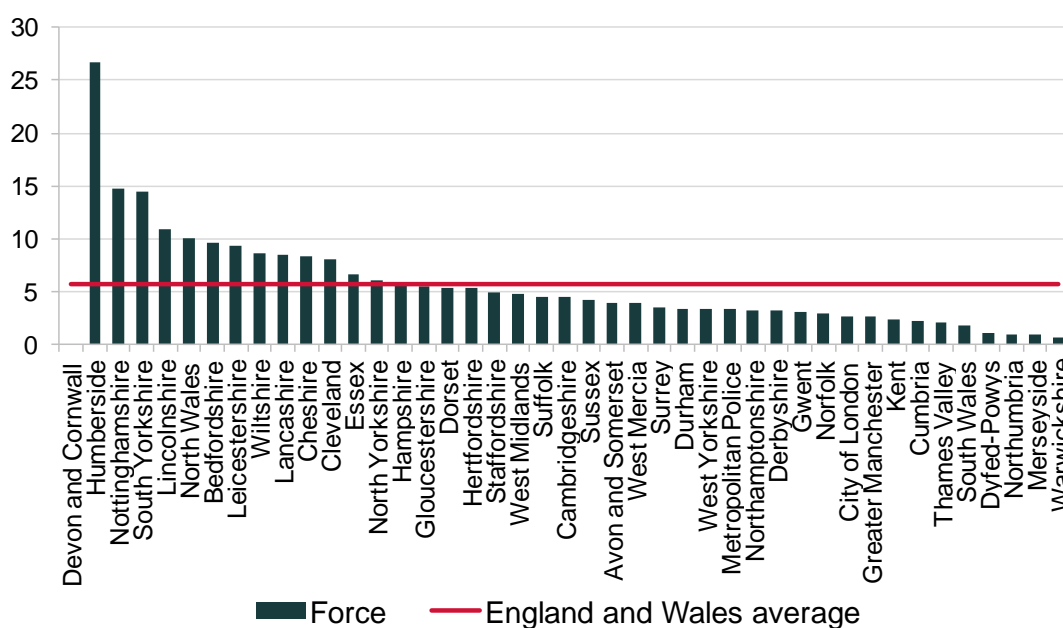
We were pleased to find use of targeted surveys in some forces, seeking views about particular issues outside the formal staff survey. For example, the Metropolitan Police Service carries out 'pulse surveys' to check on perceptions in those areas flagged as concerns in the annual survey.

Surveys are only one way for forces to identify the views of their workforces: feedback and challenges can be encouraged in a range of settings. Many forces conduct exit interviews with officers and staff (when they leave a post and/or the force), and in some cases the results are considered alongside wider staff feedback, although this is not yet standard practice for all forces.

Forces continue to use chief constable and senior officer 'roadshows', online blogs and discussion forums, and most forces hold regular meetings with staff associations and unions to address concerns about unfair treatment. Forces are less consistent in recording and analysing the concerns identified through these wider channels to prioritise areas for action. They tend to deal with issues on an individual basis, without considering the wider organisational implications. It is particularly important for those forces that do not undertake a regular staff survey to find other ways of identifying workforce concerns.

This also applies to problems identified through force grievance procedures. Grievances are concerns, problems or complaints that a member of staff raises formally with an employer, so data on numbers and types of grievances can provide forces with useful information about matters of concern to workforces. All forces have grievance procedures, but the number of grievances in each force differs widely across England and Wales (see Figure 6 below).

**Figure 6: Number of grievances finalised per 1,000 workforce in police forces compared with the average for England and Wales, in the 12 months to 31 March 2016**



**Note: Devon and Cornwall Police could not provide data for the number of grievances raised by officers or staff (including PCSOs) for the 12 months to 31 March 2016**

**Source: HMIC Legitimacy data collection**

The number of grievances finalised in the 12 months to 31 March 2016 ranged from 0.7 to 26.7 grievances per 1,000 workforce, with an England and Wales average of 5.7 grievances per 1,000 staff.

We recognise that there are a number of reasons for this variation in the numbers of grievances finalised. For example, Humberside Police suggested that the reason its figure is so much higher than other forces' is because it records all contacts relating to a grievance, regardless of whether it is progressed. Another reason may relate to

workforce perceptions of the effectiveness of the process, and the extent to which individuals feel they would be supported by the force if they submitted a grievance. For example, we were concerned to find that, in a number of forces, officers and staff told us they were not confident that they would be supported if they did so.

Grievances are an important way for individuals to raise concerns (often about fair and respectful treatment) in the expectation of having them resolved. Some forces need to do more to reassure their workforces that any grievances will be taken seriously and dealt with effectively. This should include reassurance that those raising grievances will be supported throughout the process.

The better-performing forces have effective forums for drawing together workforce feedback and wider management information, such as on workforce diversity across different ranks, or referrals to professional standards,<sup>44</sup> to identify organisational as well as individual issues. We found that, in forces where such issues fell outside a formal survey or change programme, they tended to be dealt with in isolation, without reference to wider organisational implications.

### **Making improvements**

Forces need to demonstrate to their workforces that they have taken effective action to address identified concerns and evaluated the effect of this action. We were pleased to find that most forces were able to provide positive individual examples of improvements made in response to concerns raised. When we asked forces for examples of policies or practices that had changed as a result of workforce feedback or learning, the most frequent examples cited were changes to selection processes for temporary and substantive promotion. For example, Suffolk Constabulary changed its selection and promotion process as a result of survey responses and feedback received from its workforce.

Better-performing forces have sought innovative ways of communicating messages about what action they have taken in response to workforce concerns, and why. For example, Greater Manchester Police created and circulated a DVD called 'Did you know?' after a series of online web-chats and visits around the force. The DVD looked at concerns raised by the workforce, and chief officers' responses to them, in a 'You said, we did' format, and received positive feedback from the workforce. Improvements appeared to be particularly well received by the workforce when officers and staff had been directly involved in designing and implementing them.

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<sup>44</sup> Under the Equality Act 2010, it is against the law to discriminate against anyone because of: age; being or becoming a transsexual person; being married or in a civil partnership; being pregnant or having a child; disability; race including colour, nationality, ethnic or national origin; religion, belief or lack of religion/belief; sex; or sexual orientation. These are called 'protected characteristics'. During our 2015 legitimacy inspection, we found a perception that a disproportionate number of those with protected characteristics were being referred to professional standards departments for formal misconduct investigation.

However, we were disappointed to find that some forces are still struggling to convince officers and staff that they have taken effective action in response to their concerns. Many of the officers and staff we spoke to were not aware of them or were cynical about whether they had resulted in real improvement. This may be because the methods that forces are using to improve workforce engagement are relatively new, and cultural change of this nature will take time and require a consistent and clear approach from forces to be effective.

It is important that seeking feedback and challenge from workforces, and listening to and acting on the issues raised, are integral aspects of the culture of police forces. If police workforces are to feel they are being treated fairly, they need to believe their voices have been heard. If subsequent decisions or actions do not reflect their feedback, they need to know why. In the better-performing forces, officers and staff told us they valued the open culture of their force, and they could see how they had influenced change and improvement.

## **Valuing and improving workforce wellbeing**

The extent to which forces value and support the wellbeing of their workforces reflects the extent to which they are treating their workforces with fairness and respect. A happy and healthy workforce is likely to be a more productive one, with people taking fewer sick days and being more committed to what they do. Improving workforce wellbeing also improves police effectiveness and efficiency, as well as police legitimacy. This year, we assessed the progress forces had made on improving workforce wellbeing, with a particular focus on taking early action to improve workforce wellbeing, rather than dealing with problems reactively.

### **Valuing workforce wellbeing**

HMIC was pleased to find that the vast majority of forces understand and value the benefits of workforce wellbeing, including mental health. Most forces have a wellbeing board or a similar body that meets to consider and respond to the wellbeing needs of their workforces. These meetings are usually chaired by a member of the chief officer team, which demonstrates the importance the force attaches to the issue.

We were pleased to find that most forces have developed a specific wellbeing strategy that informs human resources policies and processes. Several forces have also been accredited, or are working towards accreditation, through the Workplace Wellbeing Charter.<sup>45</sup> The charter provides forces with, among other things, the ability to audit or benchmark themselves against a set of established and independent standards.

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<sup>45</sup> More information about the Workplace Wellbeing Charter is available at: [www.wellbeingcharter.org.uk/index.php](http://www.wellbeingcharter.org.uk/index.php)

We were also pleased to find that many forces have signed the Blue Light ‘time to change’ pledge, established by the mental health charity Mind, which demonstrates their support for tackling mental health stigma and discrimination within the workplace.<sup>46</sup>

Both of these schemes provide a strong and positive signal to workforces that senior teams value the benefits of workforce wellbeing and are taking steps to support it. Officers and staff from most forces recognised that their forces were taking some action to improve workforce wellbeing, although the effect of this activity was not always being felt.

### **Identifying and understanding workforce wellbeing needs**

We were pleased to find that many of the forces that conduct staff surveys incorporate wellbeing questions, and some forces have commissioned specific wellbeing surveys to identify and understand the wellbeing needs of their workforces. For example, Dyfed-Powys Police sends an annual health questionnaire to all officers and staff and Cleveland Police and North Wales Police have commissioned wellbeing surveys in addition to their staff surveys.

We found that many forces were increasingly relying on supervisors to identify wellbeing needs, often as a result of reduced human resources units and occupational health provision. The effectiveness of this approach depends on supervisors understanding their wellbeing responsibilities, and having the knowledge and confidence they need to provide staff with, or direct them to, timely and appropriate support. The workforce also needs to feel confident that the force will listen to and act on their concerns.

We were disappointed to find that the supervisors we spoke to were not always clear about their responsibility for wellbeing, and/or did not feel equipped to spot warning signs and intervene early to tackle potential wellbeing problems. There were, however, some positive examples of where this issue was being addressed. In Essex Police, supervisors had received training to recognise the warning signs of mental ill-health and intervene early to prevent escalation, and those we spoke to were able to give examples of the positive results of their early interventions.

Another important way of identifying wellbeing needs is for forces to analyse and cross-reference management information ranging from attendance, overtime, sickness and occupational health data to survey findings and accident/assault data. While one factor alone may not raise concerns, making links between these types of data can provide forces with a valuable picture of the overall health of their

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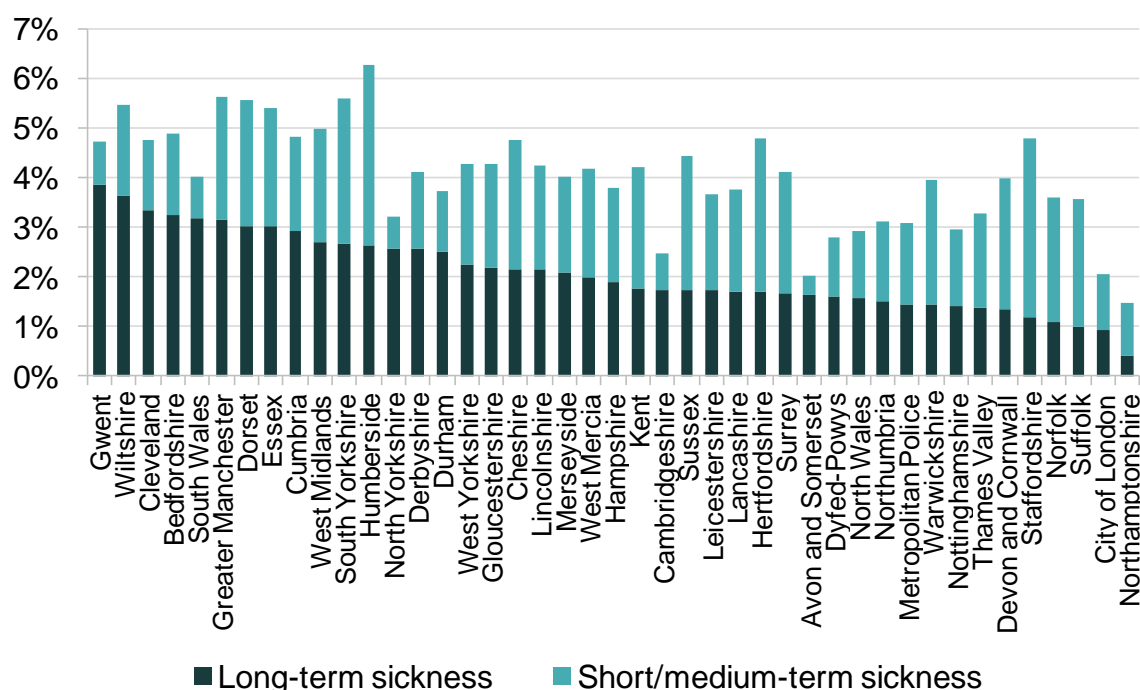
<sup>46</sup> The Blue Light ‘time to change’ pledge was developed by Mind to help fight any stigma around mental health and to support organisations to make positive changes to improve mental health in the workplace. The pledge guide is available at: [www.mind.org.uk/media/4612493/blp-ttc-associations-pledge-guide-2016.pdf](http://www.mind.org.uk/media/4612493/blp-ttc-associations-pledge-guide-2016.pdf)

organisations and identify areas requiring local or force-wide responses. We were pleased to find that many forces undertake some level of analysis to inform wider wellbeing plans, although most could do more.

We asked forces to provide us with details of the percentage of police officers, police community support officers and police staff on long-term and short/medium-term sickness absence. Analysis of sickness data can provide a useful point of comparison for assessing the wellbeing of police workforces. It can help forces to identify and understand the nature and causes of sickness at team and force-wide levels, and inform targeted activity to prevent and manage sickness.

Figure 7 provides the results of our data collection for police officers.<sup>47</sup> It shows that, at 31 March 2016, the total percentage of officers on long-term and short/medium-term sickness absence combined ranged from 6.3 percent for Humberside Police to 1.5 percent for Northamptonshire Police. We have not made any assumptions about what the cause of this variation is, but forces should be exploring the reasons behind this variation themselves.

**Figure 7: Percentage of officers on long-term and short/medium-term sickness absence in police forces as at 31 March 2016**



Source: Home Office Annual Data Requirement

Note: Long-term sickness is defined as an absence due to sickness that has lasted for more than 28 days at 31 March 2016.

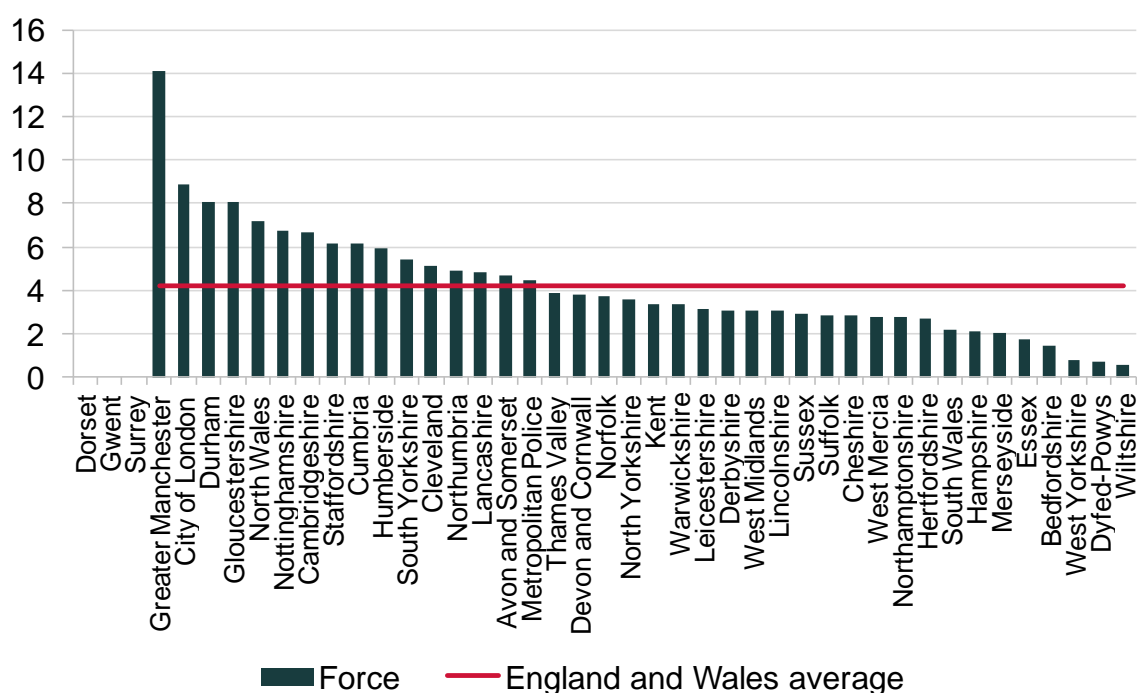
<sup>47</sup> Eight forces were not able to provide complete sickness data for police community support officers, and two were not able to provide it for police staff so we have not included these data.



Long working hours can have a detrimental impact on the health and wellbeing of the workforce. Data on the number of outstanding rest days in lieu (RDIL) serve as useful points of comparison for assessing the extent to which the force is managing the wellbeing of its workforce. RDIL are leave days owed to officers or police community support officers when they have been required to work on their scheduled rest day for operational reasons.

We asked forces to provide us with details of the number of outstanding RDIL for officers, police community support officers and police staff. The number of RDIL accrued, but not yet taken, is one of a number of indicators that can help forces to identify and understand potential wellbeing concerns for individuals and teams. We have provided the data for police officers in Figure 8 below to illustrate the differences between forces.

**Figure 8: Number of outstanding rest days in lieu per officer for police forces compared with the England and Wales average, as at 31 March 2016**



**Source:** HMIC Legitimacy data collection

**Note:** Dorset Police, Gwent Police and Surrey Police could not provide data on RDIL for police officers.

Based on figures from the 40 forces that were able to provide data on outstanding RDIL for police officers, on average there were 4.2 outstanding RDIL per police officer in England and Wales as at 31 March 2016. Greater Manchester Police had the highest outstanding RDIL per police officer at 14.1 and Wiltshire Police had the lowest at 0.6.

We did not assess forces on the reasons for the variation in sickness absence and RDIL numbers. However, we would expect forces to seek to understand these reasons, and their potential consequences, at force-wide and local levels, and take



action in response to problems identified as a result. We did not find evidence that this is happening consistently across forces.

Better-performing forces have the capability, capacity and governance structures to review and cross-reference these kinds of data to identify problems, and the authority to take action to address them at an individual and organisational level. For example, Essex Police's absence scrutiny board, chaired by the deputy chief constable, oversees the force-wide response to managing absence, including providing early support to those who may need it.

### **Taking early action to improve workforce wellbeing**

We were pleased to find that the majority of forces are making concerted efforts to support workforce wellbeing by taking a preventative approach that aims to tackle wellbeing problems early, before they escalate. Those forces that have signed Mind's Blue Light 'time to change' pledge, for example, were also able to provide evidence that they were taking action to tackle mental health stigma, including communicating anti-stigma messages and incorporating mental health and wellbeing messages into training. The consequences of signing up to and undertaking the actions proposed in the pledge appear to be positive. Those forces who have not yet done so should consider the benefits of signing the pledge.

Most forces also showed that they were taking a preventative approach to wellbeing by providing a mixture of continuing services and one-off initiatives to help officers and staff keep themselves fit and healthy. These initiatives range from those promoting physical health, such as discounts at gyms, routine blood pressure monitoring, health checks and advice on weight, to those promoting mental and financial health, such as debt management advice and stress management courses.

Humberside Police, for example, has funded staff to enter the 100-day Global Challenge, which sets and tracks progress against team wellbeing goals to increase the health and wellbeing of the workforce. Hampshire Constabulary responded to the problem of stress and anxiety among superintendents and senior leaders in a particularly innovative way. Their hair was tested for residues of stress hormones and then they received coaching for eight weeks and were tested again to assess progress. The force also has a seven-point action plan for improving investigations into assaults on officers that includes providing support to officers injured on duty.

We found huge variability in the way that forces are providing occupational health services. The range of services available and the extent to which they are accessible to the workforce varies hugely, and this has implications for how well forces can intervene early to prevent wellbeing problems from escalating.

We were pleased to find that, in many forces, officers and staff working in specialist units involving particularly traumatic work (e.g. child abuse) were often identified as needing extra monitoring and wellbeing support, including annual psychological

assessments. Better-performing forces have extended this provision to other parts of their organisations, for example to staff investigating internal corruption, and we would encourage other forces to consider this approach.

However, we were concerned to find that some forces had significant backlogs of occupational health referrals, so early access to some of these services, including counselling, was limited. We are particularly concerned about this issue in those forces that have not yet developed alternative routes for providing early help to improve wellbeing, or to address wellbeing concerns.

Some forces have responded to decreases in occupational health provision, or increases in referrals, by providing more wellbeing advice and signposting information through force intranet sites, and/or by providing supervisors with increased wellbeing awareness training. However, while many of the supervisors we spoke to had received some form of training to deal with wellbeing problems, they were still not confident that they were adequately prepared to deal with wellbeing concerns, particularly in relation to mental health. In these cases, we are particularly concerned that forces are not well placed to be able to tackle wellbeing concerns effectively.

## **Individual performance management**

College of Policing research suggests that force handling of lack of promotion opportunities and failure to deal with poor performance may adversely affect workforce perceptions of fairness, which in turn may lead to negative attitudes and behaviour in the workplace.<sup>48</sup> We looked at the fairness and effectiveness of forces' individual performance management processes as part of our assessment of the extent to which forces are treating their workforces with fairness and respect. We reviewed processes in line with College of Policing guidance, which sets out clear expectations for the way forces should be doing this.<sup>49</sup>

HMIC was very disappointed to find that over three-quarters of forces did not have fair and effective processes for managing individual performance capable of effectively tracking and supporting performance against objectives. While many forces have retained some sort of formal performance management system, we found that most are process led and often perfunctory.

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<sup>48</sup> *Fair cop 2: Organisational justice, behaviour and ethical policing*, College of Policing, 2015. Available at:

[http://whatworks.college.police.uk/Research/Documents/150317\\_Fair\\_cop%202\\_FINAL\\_REPORT.pdf](http://whatworks.college.police.uk/Research/Documents/150317_Fair_cop%202_FINAL_REPORT.pdf)

<sup>49</sup> College of Policing guidance on the police performance development review process is available at: [www.college.police.uk/What-we-do/Support/Reviewing-performance/Pages/PDR.aspx](http://www.college.police.uk/What-we-do/Support/Reviewing-performance/Pages/PDR.aspx)

We found minimal evidence of forces using them consistently and effectively to assess individual performance and progression, or to identify areas for continued professional development. Even in those forces where the process is mandatory, most forces fail to monitor whether appraisals or reviews are being carried out to a high standard, or carried out at all, so they could not evidence that they were happening.

In those forces where formal performance development review (PDR) processes had been scaled back as a means of reducing bureaucracy, we found that in many cases so had regular performance conversations between officers and staff and their managers.

Whether or not formal processes were still in place, officers and staff we spoke to – particularly officers – often told us that the quality, regularity and effectiveness of appraisals or reviews depended chiefly on the commitment of individual line managers. They often had little confidence in the fairness or effectiveness of the process, and a recurring view was that the process was only of value to an individual going for promotion.

Many forces are in the early stages of planning or putting new processes in place to address some of these limitations, in line with College of Policing guidance, and we did find a few examples where performance management is working well. For example, all of the officers and staff we spoke to in Kent Police were supportive of what they saw as a meaningful and effective performance management process in use across the force. They told us they had regular one-to-one meetings with their supervisors to discuss their performance and identify development opportunities, supported by a 360 feedback process. The force also has a development programme for all officers and staff up to the rank of chief inspector or equivalent. Supervisors understand how to make fair assessments of performance, and there is a clear process for challenging assessments that are perceived to be unfair or discriminatory.

Effective management of poor performance can be particularly complicated and time-consuming, and, although many forces appeared to be slightly better at addressing poor performance than previously, many of the officers and staff we spoke to felt that it was not being dealt with swiftly and effectively. However, we found a few forces have established performance improvement units to guide managers wanting to improve the performance of their staff and to strengthen consistency in identifying and dealing with poor performance.

The failure of forces to establish fair and effective performance management processes has wider implications for the integrity, effectiveness, efficiency and leadership of the organisation. For example, many forces told us that the annual PDR process was the forum used to conduct ethical 'health checks' with officers and staff (for example, to review business interests). If forces are relying on performance

processes to monitor and safeguard the ethical health of their organisation, they must ensure that they establish an effective performance management regime immediately. Furthermore, our efficiency and leadership inspections found that this failure to manage individual performance effectively exacerbates forces' lack of understanding of the skills and leadership capability of their workforces.

## Next steps

HMIC assesses progress on causes of concern and areas for improvement identified within its reports in a number of ways. We receive updates on progress through our regular dealings with forces, re-assess progress as part of our annual PEEL programme and, in the most serious cases, revisit forces.

Findings and judgments from this and last year's PEEL legitimacy inspections will also be used to direct the design of the next cycle of PEEL legitimacy assessments. The specific areas for assessment are yet to be confirmed, based on further consultation, but we will continue to assess procedural and organisational justice aspects of police legitimacy to ensure that our findings are comparable year-on-year.

## Glossary

abuse of authority for sexual gain	a type of serious corruption, whereby police officers or police staff abuse their powers to sexually exploit or abuse people
Best Use of Stop and Search (BUSS)	voluntary scheme announced by the Home Secretary in 2014; the principal aims of which are to achieve greater openness and community involvement in, and to support a more intelligence-led approach to the use of, stop and search powers, leading to better outcomes
body-worn video camera	video-recording equipment worn on the headgear or upper body of an officer, to record visual and audio footage of an incident
capability	ability to carry out a particular function
capacity	resources available to carry out a particular function
chief officer	in police forces outside London: assistant chief constable, deputy chief constable and chief constable; in the Metropolitan Police Service: commander, deputy assistant commissioner, assistant commissioner, deputy commissioner and commissioner; in City of London Police: commander, assistant commissioner and commissioner; includes a member of staff who holds equivalent status to an officer of these ranks
Code of Ethics	list of policing principles and standards of professional behaviour that everyone in policing is expected to adopt; the code was laid before Parliament as a code of practice in July 2014
College of Policing	professional body for policing; established to set standards in professional development, including codes of practice and regulations, to ensure consistency across the 43 forces in England and Wales; also has a remit to set standards for the police service on training, development, skills and qualifications
community impact assessment	process by which a force identifies issues that may affect a community's confidence in the ability of the police to respond effectively to its needs, thereby enhancing the police response

continued professional development	acquiring or maintaining professional qualifications or knowledge through formal learning such as degree courses or informal settings such as conferences
(police) corruption	exercise of power or privilege of a police constable for the purposes of achieving a benefit for himself or herself, or a benefit or a detriment for another person, when a reasonable person would not expect the power or privilege to be exercised for the purpose of achieving that benefit or detriment; as defined in section 26 of the Criminal Justice and Courts Act 2015.
counter-corruption activity	how a force addresses the threat of corrupt activity by police officers, staff, partner agencies, volunteers and contractors to the security of information and operational activity within law enforcement agencies
counter-corruption control strategy	plan to mitigate corruption risks identified through a threat assessment
counter-corruption strategic threat assessment	review to identify principal corruption risks to the force, to allow it to plan how to reduce these risks
disapproved register	register containing details of those officers who have been dismissed from the service or who either resigned or retired while subject to a gross misconduct investigation where it had been determined there would have been a case to answer
diversity	political and social policy of promoting fair treatment of people of different backgrounds or personal characteristics; the Equality Act 2010 specifies nine protected characteristics in this regard: gender, age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, and sex and sexual orientation
domestic abuse practitioner	someone whose job it is to support victims of domestic abuse; includes independent domestic abuse advisors, domestic abuse prevention advocates and all other domestic abuse support workers
governance	in the context of programme and project implementation, the decision-making framework designed to ensure that programmes and projects are managed efficiently and effectively



gross misconduct	breach of the standards of professional behaviour sufficiently serious that dismissal from the police force would be justified, as set out in the Police (Conduct) Regulations 2012
human resources	department responsible for the people in an organisation; its principal functions include: recruitment and hiring of new workers, their training and continuous professional development, and their benefits and performance
incapacitant spray	restraint option available to police officers faced by someone who is violent or is threatening violence, to minimise this person's capacity for resistance; it is capable of temporarily incapacitating a person without wounding or killing them
independent advisory group	group of people or organisations brought together to provide senior police officers with the opportunity to discuss issues of concern about policing in local communities where trust in the police can be problematic; the need for such independent advice was identified in the Stephen Lawrence Inquiry Report published in 1999, <sup>50</sup> which concluded more should be done to engender trust and confidence in such communities
intelligence	information that is evaluated and risk-assessed to assist the police in their decision-making
Independent Police Complaints Commission	organisation established under the Police Reform Act 2002, responsible for overseeing the police complaints system in England and Wales, including monitoring the way complaints are handled by local police forces; investigates the most serious complaints, incidents and allegations of misconduct; can call in the most serious cases from forces; can manage or supervise a police investigation into a complaint; and can deal with appeals from people who are not satisfied with the way their complaint has been dealt with by the police
legitimacy	degree to which a force and its staff and officers are seen by the public consistently to behave fairly, ethically and within the law; these are important factors in building and maintaining the trust and co-operation of the public

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<sup>50</sup> *Report of the Stephen Lawrence inquiry*, Home Office, February 1999. Available at: [www.gov.uk/government/publications/the-stephen-lawrence-inquiry](http://www.gov.uk/government/publications/the-stephen-lawrence-inquiry)

lessons learned	knowledge or understanding gained by experience; in policing this process is often formalised through reviewing incidents or investigations
management action (discipline)	steps taken by an individual's line manager in response to the individual's behaviour falling short of the expectations set out in the standards of professional behaviour
mandatory referral	submission of a case by a police force to the IPCC in line with the IPCC's mandatory referral criteria
mandatory referral criteria	set of standards by which a case must be referred by a police force to the IPCC if certain thresholds are exceeded; set out in Regulations 4 and 7 of the Police (Complaints and Misconduct) Regulations 2012, and paragraphs 4, 13, and 14C of Schedule 3 to the Police Reform Act 2002
National Crime Agency	non-ministerial department established under the Crime and Courts Act 2013 as an operational crime-fighting agency to work at a national level to tackle organised crime, strengthen national borders, fight fraud and cyber crime, and protect children and young people from sexual abuse and exploitation; provides leadership in these areas through its organised crime, border policing, economic crime and Child Exploitation and Online Protection Centre commands, the National Cyber Crime Unit and specialist capability teams
National Police Chiefs' Council	organisation which brings together 43 operationally-independent and locally accountable chief constables and their chief officer teams to co-ordinate national operational policing; works closely with the College of Policing, which is responsible for developing professional standards, to develop national approaches on issues such as finance, technology and human resources; replaced the Association of Chief Police Officers on 1 April 2015
NCA	National Crime Agency
notifiable association	relationship that must be notified to forces by officers and staff; under the ACPO Vetting Policy 2012, officers and staff must notify forces if they regularly associate with a suspected or known criminal, or associate with a group or engage in an activity which would have the potential to compromise the individual officer or staff member, operations, activity or reputation of the force

occupational health services	services which forces provide to officers and staff to support and promote health, safety and wellbeing, and to minimise absence through injury or ill-health
PEEL	annual assessment of police forces in England and Wales, carried out by HMIC; forces are assessed on their effectiveness, efficiency and legitimacy; they are judged as outstanding, good, requires improvement or inadequate on these categories (or pillars) based on inspection findings, analysis and Her Majesty's Inspectors' professional judgment across the year
performance and development review	assessment of an individual's work performance by his line manager, usually an officer or police staff manager of the immediately senior rank or grade; in some forces, it is referred to as performance development review
PIC	police integrity and corruption
police integrity and corruption	HMIC inspection of police force's arrangements to ensure integrity and to provide the capability to tackle corruption in policing; the inspection was undertaken in 2014 and reported on in 2015
police officer	individual with warranted powers of arrest, search and detention who, under the direction of his or her chief constable, is deployed to uphold the law, protect life and property, maintain and restore the Queen's peace, and pursue and bring offenders to justice
police staff	persons employed by a police force who are not police officers; for example, a police community support officer, an analyst or an accountant
protected characteristics	characteristics of a person which, if established to be the basis of discrimination, will render that discrimination unlawful under the Equality Act 2010; the characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation
resourcing	arrangements to ensure the correct level of funding, officers and staff and any other requirements to provide a particular service

senior officer	a police officer holding a rank above that of chief superintendent
serious case review	process for identifying learning after a child dies or is seriously injured and abuse or neglect is thought to be involved, with the aim of preventing similar incidents from happening in the future; provided for in Regulation 5(1)(e) and (2) of the Local Safeguarding Children Boards Regulations 2006
stop and search powers	statutory powers that a police officer may use to stop and search someone to prevent and detect crime, and to avoid unnecessary arrest in circumstances where a quick search might confirm or eliminate an officer's suspicions; use of these powers is lawful if an officer has reasonable grounds for suspicion that a person is in possession of a stolen or prohibited item, or controlled drugs, or if a person is in an area where serious violence is anticipated; provided for in section 1, Police and Criminal Evidence Act 1984, section 23, Misuse of Drugs Act 1971, and section 60, Criminal Justice and Public Order Act 1994
vetting	process by which forces or other law enforcement agencies carry out security checks on those working for them; intended to provide assurance as to the integrity of individuals who have access to sensitive criminal intelligence, financial, or operational police assets or premises
workforce	body of people employed by an organisation; in the case of the police, it includes officers, even though they are holders of the office of constable and therefore not employees of their police forces; it also includes police community support officers and staff

## **Annex A – About the data**

The information presented in this report comes from a range of sources, including data published by the Home Office and Office for National Statistics, inspection fieldwork and data collected directly from all 43 geographic police forces in England and Wales.

The source of each piece of data used in this report is set out below each figure in the report. This annex contains more detail about these data sources, including those set out in the ‘Legitimacy in numbers’ page at the beginning of the report.

Where HMIC has collected data directly from police forces, we have taken reasonable steps to agree with forces the design of the data collection, and to verify the data during inspection fieldwork.

### **Forces in England and Wales**

References to totals or averages for England and Wales used in this report refer to the 43 geographic police forces and exclude British Transport Police, which was not inspected as part of PEEL legitimacy 2016. As such, some of HMIC data presented in the report will differ to that published by other agencies.

England and Wales values are a simple average of 43 force values.

### **‘Population’ data**

For all uses of population as a denominator, unless otherwise noted, we use the Office for National Statistics (ONS) mid-2015 population estimates. This was the most recent data available at the time of the inspection.

Mid-year population estimates apply growth rates to the population as a whole. Therefore, the proportion of black, Asian and minority ethnic groups in the population are taken from the 2011 Census.

### **Data used in ‘Legitimacy in numbers’ page**

The ‘Legitimacy in numbers’ page provides an overview of national policing data relevant to police legitimacy.

#### **Workforce data (based on full-time equivalents) for 2015/16 including figures for gender diversity and ethnic diversity**

These data were obtained from the Home Office annual data return 502 for workforce figures as at 31 March 2016. The data are available from the Home Office’s published Police Workforce England and Wales statistics (available from

[www.gov.uk/government/collections/police-workforce-england-and-wales](http://www.gov.uk/government/collections/police-workforce-england-and-wales)), or the Home Office police workforce open data tables (available from [www.gov.uk/government/statistics/police-workforce-open-data-tables](http://www.gov.uk/government/statistics/police-workforce-open-data-tables)). Figures may have been updated since their publication. Workforce includes section 38 designated officers (investigation, detention and escort), but does not include section 39 staff.

### **Public complaints data**

The Independent Police Complaints Commission (IPCC) defines a complaint for the purposes of recording as “an expression of dissatisfaction by a member of the public with the service they have received from a police force. It may be about the conduct of one or more persons serving with the police and/or about the direction and control of a police force”. A police complaint can be about more than one officer or member of staff and can refer to one or more allegations.<sup>51</sup>

Data used in ‘legitimacy in numbers’ are data extracted from the Centurion case recording and management system for Police Professional Standards data. We were able to collect the majority of this data through an automated database query, written for us by the creators of the software, Centurion (FIS Ltd). Forces ran this query on their systems and returned the outputs to us. The Centurion system is used in 41 of the 43 forces inspected. In order to collect the appropriate data from the two forces not using Centurion (Greater Manchester Police and Lancashire Constabulary), a bespoke data collection template designed to correspond to information extracted from the Centurion database was sent to them.

### **Formal grievances data**

The data refer to those grievances that were subject to a formal process (not including issues informally resolved with a line manager). Some of the grievances finalised in this period may have been raised in a previous year. Finalised refers to grievances where a resolution has been reached, after any appeals have been completed. Differences between forces in the number of finalised grievances may be due to different handling and recording policies. Data used in ‘legitimacy in numbers’ were provided to HMIC by individual forces via a bespoke data collection in April 2016m, prior to inspection.

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<sup>51</sup> *Guidance on the recording of complaints under the Police Reform Act 2002*, Independent Police Complaints Commission. Available at: [www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/guidance\\_on\\_recording\\_of\\_complaints\\_under\\_PRA\\_2002.pdf](http://www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/guidance_on_recording_of_complaints_under_PRA_2002.pdf)

## **Victim satisfaction data**

Forces are required by the Home Office to conduct satisfaction surveys with specific victim groups. Victim satisfaction surveys are structured around a number of questions exploring satisfaction with the various stages of the interaction: initial contact, actions, follow up, treatment and the whole experience. The data used in this report include the question on treatment, which specifically asks: "Are you satisfied, dissatisfied or neither with the way you were treated by the police officers and staff who dealt with you?"

## **Ipsos MORI public perception survey**

The national survey was conducted with a sample of over 17,266 people aged 16 plus across England and Wales, during summer 2016. The survey covered all geographic police force areas except for the City of London Police. All interviews were conducted online through Ipsos MORI's online panel. The Ipsos MORI online panel consists of a pre-recruited group of individuals or multiple individuals within households who have agreed to take part in online market and social research surveys. The panel is refreshed continually using a variety of sources and methods. Respondents to this survey were recruited using an email invitation including a link to the online questionnaire. The survey invitations were managed so as to achieve robust numbers of interviews in each force area, in order to provide indicative results at a force level. Results were weighted within each force area to the local age, gender and work status profile of the area, and an additional weight was applied to the overall total to reflect the population breakdown by force area.

## **Figures throughout the report**

**Figure 1: Percentage of victims who were satisfied with overall treatment in England and Wales, from the 12 months to 31 March 2011 to the 12 months to 31 March 2016**

**Figure 2: Percentage of victims satisfied with overall treatment in the 12 months to 31 March 2016, by police force**

The data used in Figure 1 and Figure 2 come from victim satisfaction surveys. Forces are required by the Home Office to conduct satisfaction surveys with specific victim groups and these are provided to the Home Office via its Annual Data Requirement. These figures use the results to the question on treatment, which asks "Are you satisfied, dissatisfied or neither with the way you were treated by the police officers and staff who dealt with you?"



**Figure 3: Volume and percentage of public complaint allegations recorded against police officers in England and Wales by allegation type, in the 12 months to 31 March 2016**

**Figure 4: Number of public complaints against police officers (per 1,000 officers) in the 12 months to 31 March 2016, by police force**

The IPCC defines a complaint for the purposes of recording as “an expression of dissatisfaction by a member of the public with the service they have received from a police force. It may be about the conduct of one or more persons serving with the police and/or about the direction and control of a police force”. A police complaint can be about more than one officer or member of staff and can refer to one or more allegations.<sup>52</sup>

Data used in Figure 3 and Figure 4 are extracted from the Centurion case recording and management system for Police Professional Standards data. We were able to collect the majority of this data through an automated database query, written for us by the creators of the software, Centurion (FIS Ltd). Forces ran this query on their systems and returned the outputs to us. The Centurion system is used in 41 of the 43 forces inspected. In order to collect the appropriate data from the two forces not using Centurion (Greater Manchester Police and Lancashire Constabulary), a bespoke data collection template designed to correspond to information extracted from the Centurion database was sent to them.

The IPCC is responsible for gathering and publishing national statistics on public complaints and associated allegations. The IPCC data for the 12 months to 31 March 2016 was published on 15 November 2016.<sup>53</sup> The HMIC data will differ from the IPCC data for a variety of reasons.

Our request asked for slightly different data and we did not include data from British Transport Police. We did not count complaints that did not involve a specific officer or member of staff, otherwise known as ‘direction and control’ allegations, which are made against the force as an organisation. Therefore, the volumes of allegations and complaint cases published here and by the IPCC will be different, even if trends and proportions of allegations types are similar. For the most up-to-date volumes of allegations, please refer to the IPCC publication.

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<sup>52</sup> *Guidance on the recording of complaints under the Police Reform Act 2002*, Independent Police Complaints Commission. Available at: [www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/guidance\\_on\\_recording\\_of\\_complaints\\_under\\_PRA\\_2002.pdf](http://www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/guidance_on_recording_of_complaints_under_PRA_2002.pdf)

<sup>53</sup> Police complaints – Statistics for England and Wales 2015/16, IPCC, November 2016. Available at: [www.ipcc.gov.uk/sites/default/files/Documents/research\\_stats/complaints\\_statistics\\_2015\\_16.pdf](http://www.ipcc.gov.uk/sites/default/files/Documents/research_stats/complaints_statistics_2015_16.pdf)

## **HMIC data collection on allegations of abuse of authority for sexual gain**

To gather information on the scale of incidents of abuse of authority for sexual gain involving victims of domestic abuse, HMIC undertook a second data collection exercise. HMIC asked forces to provide information on the number of allegations about abuse of authority for sexual gain, including those involving victims of domestic abuse.<sup>54</sup> We asked for allegations that had been received from public complaints or identified through internal misconduct enquiries for the two years up to 31 March 2016. Some forces provided data on those allegations that were received and finalised, and some provided data on all allegations received, including live cases that had not yet been finalised. As a result, the data is inconsistent and does not provide a robust picture of all allegations.

HMIC used the definitions applied by IPCC/ACPO in their 2012 report to suggest which allegations should be counted.<sup>55</sup> We asked forces to use a broad definition when identifying cases. Therefore, allegations may refer to a wide range of behaviour, so they should not be compared directly with other published data that may have used wider or narrower definitions.

We also used the cross-government definition of domestic abuse when asking whether allegations involved this type of vulnerability. Domestic abuse is defined as any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members, regardless of gender or sexuality. The abuse can encompass, but is not limited to the following types of abuse:

- psychological
- physical
- sexual
- financial.

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<sup>54</sup> HMIC defined an allegation using the IPCC statutory guidance on recording of complaints under the Police Reform Act 2002. An allegation is made by someone defined as a complainant under the Police Reform Act 2002. An allegation may be made by one or more complainants about the conduct of one or more people serving with the police. Available from: [www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/guidance\\_on\\_recording\\_of\\_complaints\\_under\\_PRA\\_2002.pdf](http://www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/guidance_on_recording_of_complaints_under_PRA_2002.pdf)

<sup>55</sup> *Abuse of police powers to perpetuate sexual violence*, IPCC/ACPO, 2012. Available at: [www.ipcc.gov.uk/sites/default/files/Documents/research\\_stats/abuse\\_of\\_police\\_powers\\_to\\_perpetrate\\_sexual\\_violence.PDF](http://www.ipcc.gov.uk/sites/default/files/Documents/research_stats/abuse_of_police_powers_to_perpetrate_sexual_violence.PDF)

## **HMIC survey of domestic abuse practitioners**

For the 2016 PEEL effectiveness inspection, HMIC repeated a survey of practitioners from organisations that work with victims of domestic abuse which had informed the HMIC progress report, *Increasingly everyone's business: A progress report on the police response to domestic abuse in 2015*. The findings of this survey have been included in this national legitimacy report.

The survey was conducted online between 22 July and 26 August 2016 and surveyed 416 respondents from 42 police force areas. The respondents covered domestic abuse advocates/advisers, outreach workers, victim support coordinators, domestic abuse refuge workers and helpline workers as well as specialists working with children and young people. The questions asked what improvements or changes had been seen in investigation and support for victims of domestic abuse, and included questions about disclosures from victims about abuse of authority for sexual gain.

### **Figure 5: Proportion of police forces in England and Wales that conducted a staff survey between 1 January 2015 and 1 April 2016**

This data was collected via the HMIC data request to forces in April 2016, prior to inspection fieldwork.

### **Figure 6: Number of grievances finalised per 1,000 workforce in police forces compared with the average for England and Wales, in the 12 months to 31 March 2016**

The data refer to those grievances that were subject to a formal process (not including issues informally resolved with a line manager). Some of the grievances finalised in this period may have been raised in a previous year. 'Finalised' refers to grievances where a resolution has been reached, after any appeals have been completed. Differences between forces in the number of finalised grievances may be due to different handling and recording policies. This data was collected via the HMIC data request to forces in April 2016, prior to inspection fieldwork.

### **Figure 7: Percentage of officers on long-term and short/medium-term sickness in police forces, as at 31 March 2016**

Long-term sickness is defined as an absence due to sickness that has lasted for more than 28 days as at 31 March 2016. Data used in Figure 7 were obtained from Home Office annual data returns 501 and 551. Data on long-term absences can be found in the Home Office police workforce open data tables:

[www.gov.uk/government/statistics/police-workforce-open-data-tables](http://www.gov.uk/government/statistics/police-workforce-open-data-tables)

**Figure 8: Number of outstanding rest days in lieu per officer for police forces compared with the average for England and Wales, as at 31 March 2016**

Rest days in lieu are leave days owed to officers or police community support officers when, for operational reasons, they have been required to work on their scheduled rest day. This data was collected via the HMIC data request to forces in April 2016, prior to inspection fieldwork.