**REPORT TO TIE COMMITTEE**

**POLICE INTEGRITY/CORRUPTION**

**Clive Parsons**

**October 2016**

**Introduction**

The Trust, Integrity and Ethics Committee (TIE) has five lay members. We have taken the view that we cannot effectively carry out our role by simply attending 4 scheduled meetings a year. We have, therefore, decided that we will individually take key issues and scrutinise them in greater depth. This report relates to police integrity/corruption.

It is fundamental that Police Officers and Staff act professionally and behave in a manner which does not discredit the Police Service or undermine Public confidence – whether on or off duty.

The vast majority of the Alliance work force are dedicated, honest and hardworking, but in any population of over 6,000 employees, there will be a few who make mistakes or take wrong actions. It is hoped that this report can help to reassure the PCC’s and other members of TIE that all reasonable efforts are being taken to ensure that unprofessional conduct is minimal.

**Methodology**

Information for this report was gained by discussion with various Senior Officers, Members of the Professional Standards Department (PSD) and HR. Relevant Policy documents were scrutinised and some dip sampling undertaken of data used for recording and maintaining such policies. The writer was grateful for the full co-operation and transparency he received on what is a sensitive subject.

**Background**

In 2014 the College of Policing published a ‘Code of Ethics’. The nine policing principles and the ten standards of professional conduct outlined in the document underpin all the work carried out by the Alliance both in defining the desirable culture of the Force, and in the assessment of actions taken by employees in the course of their work.

Also in 2014 the HMIC published a report on ‘Police Integrity and Corruption’ in respect of both the Warwickshire and West Mercia forces. The reports had common recommendations and referred to the Forces having limited ‘capacity to proactively identify and deal with corruption’. Since then this resourcing issue has been righted and all the recommendations implemented, bar one relating to IT systems.

At the time of writing a further HMIC report on legitimacy issues is awaited.

**Culture Development**

Since 2014 the Chief Constables have clearly stated their shared vision of ‘Protecting people from harm’ coupled with an agreed set of values. Their recent document ‘Looking to 2020’, restates the vision and values. One of the values is ‘Take pride in our professionalism and standards of behaviour’.

In recent years induction Training for both Police Officers and Staff has emphasised thatthe Alliance sets high and consistent standards of Professional practice, and that the Code of Ethics is fundamental to this. The induction training of Police Officers is spread over 16 weeks, followed by a further 12 weeks of tutoring. Although the same standards of conductare expected of Staff, their initial induction training lasts a single day. Although this includes a presentation by the PSD it is hard to believe that a day is adequate.

The Alliance’s major exercise on embedding the desired culture has been the ‘Leading Change - living the values’ programme. The target audience was Sergeants, Inspectors, Chief Inspectors and Police Staff equivalent – who were then required to drill down the mission and values. This programme began in November 2014 and it is hoped to complete it during 2016.

It is intended that the 2016 Health and Welfare Employee Survey will contain questions that seek to measure the effectiveness of this culture programme.

**Issues Scrutinised**

**1. Complaints**

A complaint is an expression of dissatisfaction by a member of the public about the conduct of a person or persons serving within the Police. Complaints are recorded by PSD within a target of 10 days, but 80% are recorded within 3 days. They are acknowledged within 3-10 days. Some 800 complaints are received each year. Certain serious types of complaints have to be referred to the IPCC and others may be referred on a voluntary basis, e.g. where there are serious concerns, or circumstances, which may have a significant impact on public confidence.

Those dealing with complaints within PSD express a frustration that too high a proportion of time is spent on complaints which are repetitive or simply not valid. For example a specific complaint first made to the Warwickshire Police Authority in 2003 is regularly repeated today. Despite an emphatic response being given there is a statutory requirement to respond properly on each occasion a complaint is made. It is to be hoped that the current Police and Crime Bill will change this situation.

Since the formation of the TIE Committee, two of the lay members have undertaken dip sampling of recorded complaints. During this time a huge improvement has been made to the administration of complaints and response target times are met in the great majority of cases. Matters are properly researched and appropriate action is taken, where necessary, with the Officers or Staff involved.

**2. Misconduct and Unprofessional Behaviour**

The misconduct procedures aim to provide a fair, open and proportionate method of dealing with alleged misconduct. It is clear that the Senior Officers in the PSD have made considerable efforts to ensure that these aims are achieved in practice.

The procedures are intended to encourage a culture of learning and development for individuals. A number of complaints hence result in local line management taking ‘Management advice or action’ by encouraging individual Officers to learn from their experience.

More serious misconduct can result in final written warnings or even dismissal. In the latter case, gross misconduct hearings are before a tribunal, two of whom do not have a police background. Hence the allegations have to be meticulously supported by evidence which can stand the test of legal and public scrutiny. In the last 5 years, 41 Alliance personnel have been dismissed for gross misconduct.

These procedures are well communicated throughout the work force and the consequences of misconduct or unprofessional actions are made clear to all.

**3. Notifiable Associations**

This well publicised policy requires all Alliance employees to declare ‘whether they have, or suspect another employee, to have a notifiable association’. The procedure is necessary in order that the Force is notified of any personal association or relationship that ‘has the potential to damage the security and/or reputation of the Force and/or the individual’. There is no definitive list of notifiable associations, but the more obvious are those with criminal convictions and persons being charged or those being investigated.

The PSD keep an electronic register of associations notified to them.

**4. Management of Business Interests and Additional Occupations**

This policy requires employees ‘who have or are considering having a business interest’ to declare it and it will then be decided whether it is appropriate for that person to further the interest. Notification must also be made in respect of specified business interest of close relatives. The Policy seeks to avoid any conflict of interest between the business interest in question and the duty of a Police Officer or member of Police Staff. Each application for approval has to be reviewed every 2 years.

Surprisingly there have been some 800 applications over the last 3 years for approval of a business interest or secondary employment. The most common business interest is renting out a property.

Some detailed dip sampling of the electronic register confirmed that there were sound reasons for a) accepting an application, b) rejecting an application or c) accepting an application but with conditions e.g. using a letting agency for a change in tenancy of a property.

**5. Gifts and Hospitality**

The policy aims to ensure that actions of members of the Alliance ‘must not give rise to, or foster suspicion, that outside individuals or organisations have gained favour or advantage by the acceptance of gifts or hospitality’. ‘No member will accept any gift or hospitality which could cause their judgement or integrity to be compromised either in fact or by reasonable implication, and thereby damage the reputation of the Alliance. Any gift or hospitality, whether accepted or declined, will be recorded in a Register’.

Rough guidance is that a working lunch, without alcohol, or a promotional product up to a value of £20.00 is acceptable. Acceptance of a gift or hospitality must be approved by a Chief Inspector or above.

90% of gifts are of low value and a token gesture by a grateful member of the Public. Any gift of value, where refusal would be resented, will invariably be raffled for the benefit of Police Charities.

This whole area is kept under regular review and the policy is strictly enforced.

**6. Drugs and Alcohol Misuse**

This subject is an area of vulnerability for any employer in today’s society. The Alliance’s policy and practice would seem to be entirely appropriate. All Officers and Staff are made aware of their responsibilities from the moment of recruitment. Those who have a problem are encouraged to seek help and support at an early stage prior to testing. Those who volunteer a drug or alcohol misuse problem are dealt with sympathetically, fairly and consistently. There are effective processes in place to test for misuse and robust procedures are in place to deal with such matters.

Every 6-8 weeks, 8 employees, their name and location chosen at random, are tested by a contracted company. Any positive test is subjected to the disciplinary process and a refusal to co-operate with a random test is usually regarded as gross misconduct. No level of alcohol above 13 micrograms % in breath is acceptable on duty (compared with 36mg% in breath for driving).

**7. Professional Standards Reporting**

The purpose of this policy ‘is to outline the ways that an individual can report breaches of professional standards in a supportive and confidential environment’. ‘ It aims to create a climate in which all members of the Force feel a genuine obligation to report breaches of professional standards, motivated by a desire to maintain integrity in the Police service. The ethos underpinning the strategy is that when an individual reports misconduct and corruption, they will be valued and supported’.

The various ways that individuals can make a report include a) to their Line Manager, b) an anonymous call on a confidential telephone line, c) via the Police Federation and Staff Associations, d) by e-mail directly to the PSD or e) to the external bodies CCRC or IPCC.

The detailed procedure document sets out how the informer’s confidentiality is maintained and how their vulnerability is assessed.

Members of the Anti-Corruption Unit (ACU) believe their procedures are working.

**8. Reactive v Proactive**

By investigating complaints, by following defined procedures, by relying on Police Officers and Staff to register certain information, by regularly reviewing this information and recording it – PSD is in reactive mode. However, all the personnel working in these areas are expected to initiate proactive enquiries when they believe they are necessary.

Indeed proactive work is a critical function within the PSD and a section of the Department is dedicated to responding to intelligence – the ACU. They follow up information which may have been requested of them, or been reported to them from within the Force or from outside. In doing so they will use a variety of methods; sometimes covertly, or sometimes a method which has to be authorised at a higher level before proceeding.

The PSD and HR work closely with each other; a People Intelligence Board meets bi-monthly. They discuss those with whom issues have occurred or who might constitute a risk in the future. They may, for example, decide to move an individual from one area of work to another in order to avoid issues of security in the future.

Different means of communication are proactively used by PSD to keep professional conduct issues in front of Officers and Staff. The ‘Standard’ broadsheet is issued several times a year and can be used to pose ethical dilemmas which can confront members of the Force on a daily basis. Posters, screen savers, messages of the day etc. are all means of keeping conduct policies up front.

**Areas of Vulnerability**

Discussion with Senior Officers reveals a common view as to those areas which constitute an ongoing risk to the conduct of individual Officers and Staff and to the reputation of the Force itself.

1. The use of social media – Corporate Communications monitor these areas to some extent, but obviously not in any detail.
2. Use of IT systems – the ability of members of the Force to look at information which should remain secure.
3. Inappropriate associations.
4. Alcohol and drug misuse.
5. Debt – individuals with financial problems can be vulnerable to corruption.

**Recommendations**

1. The HMIC report in November 2014 on the subject of Police Integrity and Corruption made a recommendation that within six months, the Alliance ‘should ensure that it has the capability to view and record information accessed by Officers and Staff on the Force computer systems. The existence of this tactic should be communicated to all to assist in the prevention of abuse of systems’.

This recommendation has not yet been implemented on the understandable grounds that priority is being given to the Athena system being rolled out across the Alliance. However, a target should be set for the introduction of the necessary monitoring software.

1. PSD and HR should consider whether sufficient induction training is given to Police Staff on Integrity policies and procedures.
2. PSD should continue to try and persuade the IPCC and Politicians that time should not be wasted on some complainants who have repeated their complaint over a long period of time, and simply have not been prepared to accept ‘no’ for an answer. The forthcoming Police & Crime Act may help in this regard.
3. The employee disciplinary procedure would appear to commonly take too long which creates an unfairness to the Officer or Staff member involved. The Alliance loses control over timeliness when cases are referred to the IPCC, but those cases that remain within the organisation should have completion targets. It is recognised that efforts have been made to improve the speed of the process but further progress is necessary to avoid cynical attitudes towards the procedures.
4. Consideration should be given as to how members of the Force are reminded about the sensitivity of relationships with victims and witnesses of crime. However obvious it may be, there have been dismissals in recent years because Officers had relationships which went beyond the professional requirement.
5. The Culture training, embedding the Alliance’s vision and values, should be completed for the target audience. The annual employees survey should contain questions which measure the continued effectiveness of this training.
6. The Audit Committee should be asked to dip sample expense claims and purchasing procedures, both of which have the potential for integrity issues.

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