

**CUMBRIA POLICE AUTHORITY  
PROFESSIONAL STANDARDS COMMITTEE**

**01 November 2005**

**Agenda Item No.**

**FINAL REPORT ON CHIEF CONSTABLE'S ACTION PLAN**

**A Report by the Professional Standards Department**

This paper is submitted in response to item 43 of the minutes of the last Professional Standards Sub Committee meeting which requested a final report on the Chief Constable's Action Plan. Focus will not be on specific recommendations but more on outcomes, on what has changed and how things are done differently.

The two notable misconduct hearings occurred almost 3 years ago and change since then has been influenced by a number of other factors such as:

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- (i) A great deal of individual learning has already occurred
- (ii) Changes in senior management within PSD and the skills profile
- (iii) The Taylor Review of Police Disciplinary arrangements which promotes a change in culture separating misconduct from performance and capability
- (iv) Implementation of the IPCC. As guardians/overseers of the whole complaints and misconduct process, they are promoting a culture of focus on organisational learning

**Leadership**

The Chief Constable has formally delegated to the Deputy Chief Constable the role of Appropriate Authority. The DCC is regularly briefed by the Head of PSD on individual cases and holds quarterly meetings with her Director of Legal Services and Director of Personnel and Development. Potentially difficult or complex cases are discussed at this forum. If necessary, an emergency meeting will be called in response to a specific investigation (e.g. Operation Gulag – abuse of e-mail). In the future, this Gold group would manage an investigation on the scale of Operation Poole.

**Policy and Strategy**

Relevant policies have been reviewed and updated (some are still to be done but these are more around the public complaints system). The Head of PSD has completed a review against relevant recommendations within the Taylor, Morris and CRE Reports. The results were quite favourable; we had already learnt many of the lessons and made improvements.

## **People**

The skills profile within PSD has changed and senior investigators are more aware of the need to document policy decisions. A Training and Development Strategy has been developed for all roles within the department, which will link to an individual's PDR. A training event simulating a death in custody has been arranged for 12<sup>th</sup> October.

## **Processes**

Investigation processes have been reviewed and changes made. Staff are now more aware of the need to assess initial complaints, reports and allegations to determine the right and proportionate response. This is done at the time of recording. Previously a "one size fits all" approach was taken to any investigation resulting in unnecessary taking of statements and interviews. All files also followed the same DPP style format.

A two tier system ensures minor misconduct where the likely outcome is advice or a written warning, is dealt with promptly using an abbreviated file system. "Statements" are simply an account of what the person will say and do not have to be in criminal format, they can be in any form such as response by e-mail or letter. The report is also brief.

If it is serious or gross misconduct (defined as something which could result in a court appearance or misconduct hearing and where the officer's job is at risk), then a decision-making framework is applied in deciding what action and the basis for that action. This committee has seen examples of it.

Terms of reference, Investigation Plans and timescales are produced specific to that investigation which ensures serious cases are effectively managed. Again, the committee has seen examples.

## **Resources and Partnerships**

Relationships with the Police Authority continue to be developed with a review of the dip sampling procedures, a change in the format of the report to this committee and joint work on the complaints process.

The IPCC have been in existence now for 18 months. A professional relationship exist with them and we are quite clear on what their mandate is, what should be referred to them and that they will always support a) the complainant and b) public confidence. Allegations of corruption are a mandatory referral.

The Memorandum of Understanding with Legal Services has clarified the assistance available from them and at what point that assistance should be sought. There are examples of Legal Services providing advice on drafting of regulation 9 notices, on being consulted at the initial decision-making stages on what is to be investigated, criminal or misconduct, what offences etc. There are examples of them being consulted before proceeding to misconduct hearings on two occasions. (The outcome of these was that one Officer intimated a guilty plea beforehand and was consequently given a written warning by her Area Commander; in the other case the Officer pleaded guilty and received a reprimand).

Relationships with the Federation are good, we are able to have dialogue and remove any blockages in individual cases. Again, examples can be given of this dialogue avoiding lengthy investigations and potentially “messy” hearings.

A new Service Level Agreement exist between the Police and Crown Prosecution Service on handling of cases involving police officers. Turn round times so far have been good.

For the future, development of an Independent Advisory Group will create another opportunity to improve public confidence and accountability. The Gold Group would also, in appropriate cases be able to use the IAG to address any community reassurance and confidence issues.

## **Results**

The Department is more aware of the need to demonstrate and be accountable for its performance. Management information has been developed to assist this and we will be included in the Performance Development Conference on a thematic basis.

Within the department, performance review meetings are held monthly which includes case monitoring. A greater emphasis on customer focus exists. Complainants and Officers are updated monthly. In a current case the terms of reference and timescales have been shared with the Federation to reassure them that the particular investigation will be focused and not creep into areas covered by a previous grievance.

A survey of officers involved in the local resolution process has been designed and will be implemented shortly. PSD are now conducting more investigations timelier and which demonstrate decision-making individual and specific to that case rather than slavishly following the same process.

Over a 16-month period April 2004 to July 2005, we conducted 305 investigations of which 27 went over the 120-day target time. However, the table below indicates the average is steadily reducing.

Average no of investigation days for cases recorded

by quarter

Financial_Year	Quarter	No of Cases	Average
2004/2005	Apr/Jun	37	64.6
2004/2005	Jly/Sep	45	56.0
2004/2005	Oct/Dec	76	69.3
2004/2005	Jan/Mar	51	48.8
2005/2006	Apr/Jun	64	45.1
2005/2006	Jly	32	35.5

**Professional Standards Department**