

4 January 2018

**HMIC inspection reports into Police efficiency
and Police legitimacy**



Report of Police, Crime and Victims' Commissioner

Purpose of report

1. To brief the Police and Crime Panel on the findings of the recent assessment by HM Inspectorate of Constabulary into Police efficiency.

Summary

2. HMIC undertakes a programme of four inspections with each Force, each year, covering
 - Efficiency
 - Legitimacy
 - Leadership
 - Effectiveness
3. The results of inspections (except for Leadership) are categorised as follows:
 - Outstanding
 - Good
 - Requires Improvement
 - Inadequate
4. On 9 November, the results of the *efficiency* inspection were released, and Durham Constabulary was rated as 'outstanding'. On 12 December, the results of the *legitimacy* inspection were released and Durham Constabulary was rated as 'good'.

Findings of the Efficiency Inspection

5. The overall assessment for Durham in this inspection is 'Outstanding'. There are three components to the assessment:

How well does the Force understand demand? Outstanding

The assessment highlights:

6. Durham Constabulary is excellent at understanding the demand it faces and the problems the future may bring. Its demand profiles are comprehensive and its analysis of current and future demand is very impressive. The work it has conducted to identify hidden demand is equally impressive, supported as it is by bespoke profiles in major risk areas such as violence against the person and child sexual exploitation.

7. The constabulary has an outstanding structure in place to manage its change agenda, and within that structure there are excellent governance and evaluation arrangements. The level of independent evaluation is excellent, enabling the constabulary to benefit from outside feedback so it can ensure its change programmes are actually making a difference and adding value.
8. The constabulary has a culture of inclusivity and constantly looks to its workforce to generate new ideas. There were numerous examples (over 140 within the '100 little things' project alone) where the workforce have submitted ideas that have been acted on. HMICFRS found that the constabulary has an outstanding approach to seeking new ideas from its workforce, and the workforce informed us that they believed the organisation was committed to this.

How well does the force use its resources? Outstanding

The assessment highlights:

9. Durham Constabulary uses its resources effectively to meet its current challenges and plan how it will meet its future demands. The constabulary has a detailed understanding of the skills and capabilities of both the workforce as a whole and its leaders. This is facilitated by a recent review of all role profiles and an annual audit of skills and capabilities across the organisation. The constabulary has identified the skills required of its leaders and has mapped these across the College of Policing leadership qualities.
10. Durham Constabulary seeks to collaborate with other organisations wherever possible. The governance structures in place to monitor all collaboration activity and ensure that benefits are realised are very thorough and detailed, and as a result they and the evaluation processes are very effective. The financial plans supporting the governance structures are solid and have been subject to independent challenge to ensure they are realistic.
11. Durham Constabulary constantly looks to innovate and implement new ideas to improve its efficiency. We found the workforce felt empowered and confident to put ideas forward and any member of the workforce may attend any meeting or work for a day with a member of the chief officer team, which breaks down barriers and creates a culture of openness where ideas can be put forward. The '100 little things' initiative is testament to how comfortable the workforce feel about doing this.

How well is the force planning for the future? Outstanding

The assessment highlights:

12. Durham Constabulary has assessed its current demand profile in detail and has an excellent understanding of the issues affecting demand, what the component parts of its demand are, and what elements of that demand pose the greatest risk to the constabulary and the communities of Durham. It recognises the threats and opportunities posed by the changing technological landscape, and is investing

heavily in information technology improvements and improving the skills of its workforce to ensure they are all digitally aware and digitally competent.

13. Durham Constabulary has recently appointed a new permanent deputy chief constable, who has been recruited from outside. This, with the other external appointments being made to a wide variety of positions across the organisation, shows that the constabulary is looking to ensure that it constantly brings new perspectives, approaches and ideas into it to ensure that it remains relevant to current circumstances and up to date in its thinking and approaches. The constabulary invests a great deal in leadership development but it could improve how this is provided to and accessed by its workforce, as there is little structure or transparency in how postings to some important roles are made. The constabulary needs to improve the use of the personal development process because the completion rate is not high at the moment; it should be used as a structured process for offering development opportunities.
14. The constabulary's financial plans are based on sound planning assumptions that have undergone very detailed and extensive scenario planning to test their validity.

HMIC's overall assessment states:

15. Durham Constabulary has an up-to-date and comprehensive demand assessment which provides an exceptional level of understanding of demand in its widest context, including in respect of issues that go beyond purely police activity. It has outstanding governance and evaluation processes in place to manage its change and improvement agendas. Evaluation is often conducted with an independent focus and is very detailed, so that the constabulary can assess what actually works in policing and can make improvements to service delivery and ensure its change programmes add real value to what it does. The chief officer team is very accessible and its members regularly go on patrol with officers; this breaks down barriers of rank and provides an opportunity for open dialogue.
16. Opportunities to shadow the chief officer team for a day are often taken up by members of the workforce, and it is also possible for them to attend any meeting they want, regardless of its seniority; this, again, offers opportunity for members of the workforce at every level of the organisation to contribute to all areas of police work.
17. Durham Constabulary has carried out detailed skills analyses of its workforce and its leadership capability. This process is refreshed annually, and the strategic workforce plan links seamlessly with other strategic plans so that the organisation can plan for training and development requirements taking into account its changing demand profile and budget constraints. The constabulary could nonetheless look to improve its talent management arrangements, and how it makes postings, to ensure that members of the workforce have confidence in the fairness and legitimacy of these processes. The constabulary has extensive arrangements for collaborative working across many areas of policing, and constantly looks to work with partners (providing always that there are real benefits to the public).

18. The constabulary's financial plans are detailed, and it has extensive and creative plans for the future to meet a wide range of possible situations, depending on what demands the future brings. The plans have been tested extensively, and examined independently, to ensure that they are fit for purpose.

Comment on effectiveness inspection

19. Durham is one of only two forces to achieve 'outstanding' and the only one to be 'outstanding' in all three areas of the inspection. This is a very satisfying outcome, but there is no room for complacency and the PCVC will continue to hold the Constabulary to account, aiming for further 'outstanding' outcomes in the future.

Findings of the Legitimacy Inspection

20. The overall assessment for Durham in this inspection is 'Good'. There are three components to the assessment:

To what extent does the force treat all of the people it serves with fairness and respect?

21. Durham Constabulary is good at treating all the people it serves with fairness and respect. Fairness and respect are fundamental to the constabulary's values, which are well established within all its training and communications work. Senior leaders articulate the importance of procedural justice; officers and staff understand this, and are aware of their responsibilities. Unconscious bias training has been given to all frontline officers and staff, and members of the workforce with whom we spoke understand the concept and how to apply it when carrying out their duties. We found extremely positive evidence of training and understanding of effective communication skills across the workforce.
22. The constabulary has clear internal processes in place to monitor the legal and proportionate use of stop and search and use of force. However, the constabulary could monitor a more comprehensive set of data to ensure stop and search is being carried out fairly and effectively, particularly as our review of stop and search forms found that some officers and staff still do not understand what constitutes reasonable grounds for a stop and search.
23. The constabulary has a range of good arrangements for external scrutiny of its policing activities. However, there is still scope for improvement in its scrutiny of stop and search and use of force, particularly in terms of ensuring it is representative of local communities affected by the use of these powers – especially young people. Additionally, there is scope for improvement in the provision of training and guidance to ensure the external scrutiny group can provide effective challenge.

Areas for improvement

- The constabulary needs to improve its process for external scrutiny of the use of stop and search and the use of force to make it more representative of local communities and better able to provide effective challenge.

- The constabulary should ensure that it monitors a comprehensive set of data in respect of stop and search to enhance its understanding of fair and effective use of the power.
- The constabulary should ensure that relevant officers and supervisors understand what constitutes reasonable grounds for a stop and search and that such grounds are recorded accurately.

How well does the force ensure that its workforce behaves ethically and lawfully?

24. Durham Constabulary is good at ensuring its workforce behaves fairly and ethically. Leaders role model ethical behaviours and create an environment in which consideration of the ethical implications of decisions is encouraged. The constabulary has well-established ethics boards to promote and support ethical decision making in a non-punitive way. Overall, the workforce understands and values the constabulary's commitment to ethical leadership.
25. The constabulary makes it easy for most members of the public to make a complaint, although it could do more to raise awareness of, and accessibility to, the process for those who may have less trust and confidence in the police. The constabulary supports members of the public who require additional assistance with making a complaint, and consistently provides informative updates to complainants in line with IPCC guidance. Members of the workforce have an excellent understanding of discrimination, and there are good systems in place for them to report such incidents. Complaints and allegations of discriminatory behaviour are quickly identified, properly recorded and thoroughly investigated by well-trained investigative staff.

Area for improvement

- The constabulary should raise awareness of the complaints process and make it easier for communities with less confidence in the police to access, including those for whom English is not a first language.

To what extent does the force treat its workforce with fairness and respect?

26. Durham Constabulary is good at ensuring it treats its workforce with fairness and respect. The constabulary goes to great lengths to encourage challenge and feedback from its workforce through a range of methods. Officers and staff at all levels feel engaged with the chief officer team and comfortable about providing direct feedback and challenge. The constabulary is good at identifying and resolving workforce concerns, and is taking some action to improve the diversity of the workforce.
27. Workforce wellbeing is a clear priority for the constabulary; the services it provides to officers and staff are extensive and sometimes innovative, particularly regarding its provision for mental health. Officers and staff have effective training on how to identify wellbeing concerns in colleagues, as well as the skills to intervene at an early stage.

28. The constabulary's PDR process is not used consistently for managing and developing individual performance, although regular conversations do take place between officers and staff and their supervisors. The constabulary provides development opportunities for its workforce, but it needs to do more to improve the openness of processes for promotion and identifying and selecting talent, to ensure they are fair and perceived to be so.

Areas for improvement

- The constabulary needs to use the performance development review process more effectively for the development of individuals, including special constables, and to improve the management of unsatisfactory performance.
- The constabulary needs to ensure it has clear and fair processes for identifying, selecting and developing potential senior leaders.

HMIC's overall assessment states:

29. Durham Constabulary has been assessed as good in respect of the legitimacy with which it keeps people safe and reduces crime. The leadership has a strong culture of treating its people fairly and with respect. Officers and staff in Durham Constabulary have a clear understanding of how to treat people with fairness and respect, including acting without bias and communicating effectively, although some officers and supervisors still do not understand what constitutes reasonable grounds for a stop and search. The constabulary has good processes in place for monitoring and reviewing the legal and proportionate use of stop and search, although external scrutiny of stop and search could be improved to involve a broader range of the community, including young people. The constabulary has work in progress to address this.
30. Durham Constabulary's senior leaders act as ethical role models and promote a culture in which the ethical implications of policies and day-to-day decisions are considered in an open and non-punitive way. The constabulary has a clear and accessible complaints process that is easy for the public to use, although it needs to do more to raise awareness of the complaints process for those groups who have less trust and confidence in the police. Complainants receive a consistently good service; the constabulary identifies and responds to discrimination appropriately, and investigations into allegations of discrimination are carried out to a high standard.
31. Durham Constabulary is good at treating its workforce with fairness and respect. Senior leaders actively encourage feedback and challenge from the workforce, and take action to identify and respond to workforce members' concerns. The constabulary prioritises the wellbeing of its workforce and has excellent wellbeing provision that is valued by members of the workforce. Although supervisors have regular conversations with their officers and staff, individual performance is not always managed consistently across the organisation, and the constabulary needs to do more to ensure its processes for identifying and selecting talent are fair and are perceived to be fair.

Comment on legitimacy inspection

32. Only one force, Kent, was rated as ‘outstanding’ for legitimacy. 35 were rated ‘good’, including Durham. Looking at the individual categories, Durham has improved from ‘requires improvement’ to ‘good’ for ‘How well does the force ensure that its workforce behaves ethically and lawfully?’, but declined from ‘Outstanding’ to ‘good’ for ‘To what extent does the force treat its workforce with fairness and respect?’
33. Whilst ‘good’ is a respectable and satisfying outcome, there is a need for the force to address the areas for improvement identified by HMIC. The Constabulary is currently identifying how these can be tackled and I will be working with the Chief Constable to monitor progress.

Recommendation

34. That the Panel notes the content of the inspection report

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