



Cambridgeshire
Police & Crime
Commissioner

To: Business Coordination Board

From: Chief Executive

Date: 25 February 2016

INTEGRITY CONTROLS ASSURANCE

1. Purpose

1.1 The purpose of this paper is to provide the Business Coordination Board ("the Board") with a report on the non-financial integrity arrangements that the Police and Crime Commissioner (the "Commissioner") and Cambridgeshire Constabulary ("the Constabulary") have in place and their effectiveness. This is the second report and covers the period April 2014 to December 2015.

1.2 The report specifically provides a summary of:

- the controls process, how the various control processes have operated during the reporting period and evidence of their effectiveness; and
- complaints and any learning that should be applied.

1.3 The report can be found at Appendix A.

2. Recommendation

2.1 The Board is recommended to note the report.



OVERVIEW OF INTEGRITY CONTROLS ASSURANCE

This is the second Integrity Controls Assurance Framework Report on the non-financial integrity arrangements that the Cambridgeshire Police and Crime Commissioner (the “Commissioner”) and Cambridgeshire Constabulary (the “Constabulary”) have in place. This report covers the period from April 2014 to December 2015.

This Report provides assurance that both the Commissioner and the Constabulary fully recognise and support the principle that all those in policing should uphold and embed the highest standards of ethical behaviour, personal conduct, and at the same time be transparent and accountable for their actions.

Integrity – ‘doing the right thing in the right way’ - cuts across all areas of policing in respect of the decisions that are made and how people are treated. Both the Commissioner and the Constabulary are committed to the need for governance, oversight and the delivery of professional behaviour within the Constabulary and the Commissioner’s own office, the Office of the Police and Crime Commissioner. The Chief Constable has reiterated the Constabulary’s commitment to integrity as a core value of his vision for a safer Cambridgeshire.

The responsibility for integrity is both at an institutional level and a personal level to meet the expectations of the public. The public’s confidence in police integrity can be met, and equally undermined, in the light of their own experiences, those within their communities, and those relating to national issues whether current or historical. Therefore, we must have mechanisms to respond to, and rebuild confidence, which resonate with national requirements but recognise our local identity.

The College of Policing’s Code of Ethics is not just a piece of paper. Its principles are that integrity ‘is at the heart of every policy, procedure, decision and action in policing’ to ensure that there are the highest personal standards for everyone in policing. No one element or approach to driving integrity can stand-alone. Pro-activity around integrity such as the Code, behaviours, conduct, decision making, governance processes and controls assurances, are taken together to ensure the public can be assured that the Commissioner, his office, and the Constabulary, acting fairly, honestly, respectfully and ethically.

Future reforms in policing spearheaded by the Home Secretary, including legislative proposals on the way complaints are managed, will continue to drive up standards. There is no room for complacency. The Commissioner and the Chief Constable recognise the need to build upon and enhance integrity.

This Report specifically provides a summary of:

- the controls process, how the various control processes have operated during the reporting period and evidence of their effectiveness; and
- complaints and any learning that should be applied.

Dr Dorothy Gregson
Chief Executive, Office of Cambridgeshire Police and Crime Commissioner

1. Introduction

- 1.1 Integrity is about 'doing the right thing in the right way'. The Cambridgeshire Police and Crime Commissioner (the "Commissioner") and the Chief Constable are clear that integrity is the responsibility of all those in policing. The demonstration of integrity is not one that can easily be measured by statistics alone. Equally, integrity should not be driven by a target culture which can create perverse incentives and consequently drive down public confidence. Whilst outputs and statistics can be useful, for example in measuring compliance with statutory guidance for complaint handling timescales, outcomes are the key measure.
- 1.2 Outcomes can be realised in many ways across the integrity agenda and can be influenced by a number of factors. What is important is that there is a culture of integrity and that there are appropriate levels of scrutiny, challenge and support to ensure that policing principles and standards of professional behaviour are embedded in everyday policing; ones which the public can have confidence in.
- 1.3 Robust control processes have continued to be in place during the reporting period of April 2014 to December 2015 to ensure the non-financial integrity of policing in Cambridgeshire. These processes have pro-actively driven a culture of integrity through establishing standards, setting methods for measuring actual performance, comparing results, taking into account risks, issues and mitigation, reinforcing strengths and taking necessary corrective action.
- 1.4 These processes have taken place at a range of levels to provide appropriate control and assurance in terms of both hierarchy and independence. This means that some of these processes are the sole or joint responsibility of the Commissioner and/or the Chief Constable. Some relate to Cambridgeshire's oversight responsibility on behalf of Bedfordshire and Hertfordshire, as collaboration partners, for some business areas such as the Professional Standards Department (PSD).

2. Control processes

- 2.1 The three controls governance groupings to reflect the business or their autonomy are:
 - 'domestic' – those that deal with integrity within the Constabulary and on behalf of the Commissioner;
 - Collaborative – those where the Constabulary and the Commissioner are responsible for leading on behalf of the strategic collaborative alliance with Bedfordshire and Hertfordshire;
 - Independent – those that have independent members.
- 2.2 Each of these controls processes were described in the first Annual Integrity Controls Assurance Framework Report presented to the Joint Audit Committee in March 2015. For ease of reference these are given at Annex 1.
- 2.3 External control processes still remain important and bring additional objectivity and rigour to the integrity agenda. The role of bodies within the policing landscape, such as Her Majesty's Inspectorate of Constabulary (HMIC), the Independent Police

Complaints Commission (IPCC), and the College of Policing all play a role. The inspections they undertake and the standards they drive through, bring independence, encourage improvement and seek to champion the public interest. Internal governance mechanisms ensure any consequent actions are taken forward or processes put in place.

- 2.4 The Commissioner and the Chief Constable are fully cognisant of the need to be transparent and accountable, thus enabling scrutiny by the public. Legislative drivers, such as those that require information to be published, further facilitate transparency.

3. Evidence of the control processes being used and their effectiveness

Domestic – *those that deal with the integrity within the Constabulary and on behalf of the Commissioner*

- 3.1 The various control processes and the respective governance groups as given at Annex 1, continue to function in their respective roles, provide support, challenge and scrutiny in line with their purpose and met regularly.
- 3.2 During the reporting period the Commissioner's **Business Co-ordination Board** has met 19 times. The Board has pro-actively set the agenda by calling for reports to ensure the Constabulary are held to account regarding matters relating to integrity. These have included ensuring the robustness of Constabulary's response to HMIC recommendations, progress against any recommendations such as those on how the Constabulary are improving their response to domestic abuse.
- 3.3 The Board has also ensured the necessary checks, balances and transparency are in place in respect of the integrity of the Commissioner's key decisions, such as those in respect of collaboration with other police forces, financial spend, and estates disposal. During this reporting period the Commissioner has made over 60 key decisions.
- 3.4 In May 2015 the Commissioner set up the **Performance Working Group** as a new controls assurance group. This forum has met five times and has enabled the Commissioner to hold the Chief Constable to account for the Constabulary's performance. The Group has pro-actively identified matters of concerns at both local level generated through public interaction and correspondence, such as call handling, and those of national significance such as hate crime. The Group looks at various factors influencing performance, seeks answers to key performance questions and challenges, such as recorded crime levels and burglary attendance, and has gained an understanding of the Constabulary's response to issues being identified. It ensures a relentless spot light is shone on areas where additional action is required to improve performance. The minutes of the Group, along with quarterly performance indicators and narrative reports, are available on the Commissioner's website to aid transparency and inform reports which are taken to the Police and Crime Panel.
- 3.5 In June 2015, a new **Performance Framework** was introduced into the Commissioner's Police and Crime Plan. The new Framework is qualitative and embraces an assessment of vulnerability and impact on long term demand. The Commissioner is clear that performance is not about setting targets which could in themselves drive perverse incentives. Therefore, the Framework is predicated on a number of principles, the main one being of 'getting the job done' and making the county a safe place to live

- 3.6 The **Constabulary's new board and governance structures** are now embedded since their inception in March 2014. The driver for the new structure was to utilise HMIC's Police Effectiveness, Efficiency and Legitimacy Programme (PEEL) inspection methodology. The aim has ensured the Constabulary's work, and the key questions on which the Constabulary will be inspected, have clear business owners and governance structures. The PEEL methodology breaks down all relevant areas of a Force's work into meaningful blocks, which lend themselves to overview, scrutiny and inspection. The Commissioner has called for a report from the Constabulary on the effectiveness of their governance structures following the publication of the PEEL reports in February 2016.
- 3.7 The Constabulary has also formed two new controls assurance bodies to ensure greater public accountability and scrutiny around Stop Search. The **All Stops Steering and Scrutiny Group** and the **Stop Search Public Scrutiny Group** (details of the latter independent group are given at paragraph 3.12) meets at least four times a year and is responsible for scrutinising the Constabulary's use of Stop Search and any complaints resulting from it. The independent community member also inspects relevant training programmes and on occasions accompany officers on patrol, witnessing the use of Stop Search first hand. HMIC's inspection in 2015 made recommendations for greater scrutiny in relation to certain aspects of Stop Search, such as an expectation that the level of scrutiny that takes place should increase in line with the level of intrusion.
- 3.8 At the current time, the Constabulary's **Ethics, Equality and Inclusion** group (which includes lay members from the Cambridgeshire Independent Advisory Group, as well as staff associations) monitors and reviews such areas as custody data and embedding the Code of Ethics¹ within the Constabulary.

Collaborative – *those where the Constabulary and the Commissioner are responsible for leading on behalf of the strategic collaborative alliance with Bedfordshire and Hertfordshire*

- 3.9 The **PSD Governance Board and PSD Alliance Sub-Group** have met on a regular basis during the reporting period. Both forums have discussed, supported and challenged on such issues as low staffing levels in PSD and the pressures this places on complaint handling, the time taken to handle local resolutions, new legislative reforms, and the impact of the College of Policing's proposed Code of Vetting. In turn, these issues and risks are then flagged to the **Organisational Support Governance Board**, as part of the governance for the Strategic Alliance, ensuring transparency in terms of risks and allowing partners to hold the Commissioner to account with respect to his responsibility for PSD.

¹ The Code of Ethics has been produced by the College of Policing. It sets and defines the exemplary standards of behaviour for everyone who works in policing. <http://www.college.police.uk/What-we-do/Ethics/Pages/Code-of-Ethics.aspx>

Independent – those that have independent members

- 3.10 The **Police and Crime Panel** has met 10 times since the last report, with two of those meetings being Confirmation Hearings to review the Commissioner's proposed appointments of his Director of Finance and the Chief Constable. In addition to reports at each meeting on the Commissioner's key decisions for consideration and any complaints made against the Commissioner, a number of specific papers on the Commissioner's work and how he has held the Constabulary to account are presented, for example on call handling and crime recording.
- 3.11 The independent **Out of Court Disposals Scrutiny Panel** continues to meet three times a year and has considered a range of randomly selected cases that have been resolved by use of an out of court disposal. The Panel actively challenges the Constabulary to ensure the action taken was appropriate in the circumstances. Feedback from the Group is taken on board by the Constabulary to ensure any force wide or individual learning is captured and actioned. One example is where the Panel felt that the Constabulary could have obtained more details on a victim's personal statement to inform the decision for disposal; a learning point that the Constabulary cascaded across the force.
- 3.12 The **Stop Search Public Scrutiny Group** is an independent group chaired by a community member and made up of key community representatives, including those groups most subject to Stop Search. The Group meets on a quarterly basis and provides advice, guidance and scrutiny around all aspects of Stop Search, from a community perspective. This includes setting a community trigger following complaints, influencing policy change, witnessing stop search in action, via Body Worn Video footage, inspecting Stop Search records and aiding decision making.
- 3.13 The **Integrity Advisory Group** has provided the Commissioner with a useful sounding board to explore issues and prevent insularity relating to integrity. Most recently this has included consideration of the Commissioner's proposed response to the Committee on Standards in Public Life regarding leadership, ethics and accountability in policing.
- 3.14 One key demonstration of integrity during the reporting period was the Commissioner's **recruitment of the Chief Constable**. The Commissioner undertook a robust, fair and open selection process, adhering to the various legislative requirements and involved an Independent Member, with support from the College of Policing. This ensured the process was conducted with the principles of merit, fairness and openness. This was endorsed by the Independent Panel members report and the Police and Crime Panel's endorsement of the appointment.

4. External integrity drivers

- 4.1 HMIC has undertaken a number of inspections of the Constabulary during this reporting period, the purpose of which being to monitor the Constabulary's performance. Some inspections have been solely on the Constabulary's effectiveness and efficiency, others thematic². Some of the inspections focussed on integrity within

² These inspections examine a key issue across a representative number of forces, and comment solely on performance in relation to that key issue.

the various business areas, such as 'Police Integrity and corruption', 'Crime data integrity force reports', and 'Stop Search'. The Constabulary has provided the Commissioner with their response to the subsequent HMIC inspection reports to enable the Commissioner to fulfil his statutory responsibility to give his comments to the Home Secretary and HMIC. The Constabulary's papers and the Commissioner's responses are published on the Commissioner's website for transparency.

- 4.2 The Constabulary track progress on HMIC recommendations through their **Organisational Review Board** and in addition for the ones relating to PSD, through the Alliance Sub-Group and Governance Board.

5. **Complaints update – delivery of integrity**

- 5.1 By its legislative nature, a complaints process is primarily predicated on statutory requirements, such as recording timescales advocated by the IPCC. Nonetheless, a complaints process should be able to challenge the culture of an organisation and in doing so ensure that robust checks and balances are in place, and that learning is seen as a necessary outcome for individual officers, staff and the organisation.
- 5.2 The Chief Constable has underlined that integrity is at the root of all the Constabulary do, so consequently there are roles and responsibilities for all officers and staff in the complaints process. In addition, this also brings accountability to those who have a legal responsibilities placed upon them to ensure this integrity is upheld.
- 5.3 PSD undertakes reactive and proactive investigations and management of misconduct and complaints against the Constabulary. The Commissioner has a statutory duty to monitor complaints and to handle complaints against the Chief Constable. The Police and Crime Panel has a statutory duty to handle complaints against the Police and Crime Commissioner.
- 5.4 In September 2015 an **Internal Audit** report was finalised following a review of complaint handling processes across each of the collaborative police forces (Bedfordshire, Cambridgeshire and Hertfordshire) and OPCCs. The aim of the audit was to identify and share good practice. The review included the arrangements for managing complaints and appeals to the Force, Chief Constable and OPCC in accordance with legislation, statutory guidance and policies. Individual reports were produced for each OPCC, which concluded that the control framework to be robust but did identify areas of good practice across the three forces and OPCCs. An Action Plan identifying suggested areas of improvement, such as information provision both internally and externally, is with OPCCs to take forward as required.
- 5.5 As an indicator the latest available figures for complaint statistics for the period from April 2015 to December 2015 have been provided alongside the figures for April 2014 to December 2014 given as a comparison. Between April to December 2015 there were 576 allegations against police officers and staff when compared to 798 between April to December 2014 (a decrease of over 27%). 287 complaints were recorded by PSD (a case can include multiple allegations) for the 2015 period compared to 349 for the same period in 2014 (a decrease of over 17%). Of these recorded cases, 71 appeals were made, of which 13 were upheld by the relevant appeal body (either the Constabulary or the IPCC). During the same period in 2014 there were 72 appeals made to the Constabulary and IPCC with 16 being upheld.

- 5.6 PSD actively promote lessons learnt to improve performance and reduce complaints from members of the public. Lessons learnt from individual cases and from IPCC Bulletins are cascaded through the three forces at both individual level where this required, at force-wide level through regular bulletins, and with high-level capture to the PSD Alliance and Governance Groups. By way of illustration, in the period October to December 2015 across Bedfordshire Police, the Constabulary, and Hertfordshire Constabulary, Investigating Officers identified 36 lessons to be learned. 27 related to individual learning for officers subject to the complaint made, with the remainder relating to organisational learning.
- 5.7 During the period of this report the Commissioner received 11 complaints against the Chief Constable, eight of which were against the previous Chief Constable and three against the current Chief Constable. None of these were upheld by the Commissioner in line with statutory guidance, or the IPCC (to date) where the complainant exercised their right of appeal.
- 5.8 The Panel did not record any complaints against the Commissioner or the Deputy Police and Crime Commissioner.

6. Forward Look

- 6.1 2016 onwards will be a challenging year. Changes in legislation are likely to radically change the way in which complaints are handled. The focus on governance will become even more key. Whilst there are robust structures and procedures in place which make for a strong foundation, it may be healthy and opportune to review the controls assurance landscape to ensure it continues to be fit for purpose.

Control processes - as presented to Joint Audit Committee in March 2015

Domestic - those that deal with integrity within the Constabulary and on behalf of the Commissioner

Business Co-ordination Board

The Business Coordination Board (BCB) is a monthly meeting between the Commissioner, Deputy Commissioner, senior officers from the Constabulary and the Office of the Police and Crime Commissioner (OPCC), chaired by the Commissioner. It is a forum in which current and future business is discussed between the senior leaders of the two bodies, focussing on issues relating to strategy, governance, business and holding the Chief Constable to account. It is one forum in which decisions can be made by the Commissioner, informed by the Commissioner's Decision Making Policy. The BCB takes a risk-based approach. Minutes of the meeting and key papers are published on the Commissioner's website. Minutes from the Finance and Estates Sub-Groups are also presented to the BCB. A paper on the integrity landscape across the Commissioner's office and the Constabulary was presented to the BCB last year and will become an annual paper.

Force Executive Board

The Force Executive Board (FEB) is the Constabulary's most senior management team. FEB members include the Chief Constable, Deputy Chief Constable and Assistant Chief Constable. The remaining members each represent a directorate or department and staff association representatives. All the members support and advise the Chief Constable in the overall strategic direction of the Constabulary. FEB meets every month and is responsible for ensuring that the vision, values and strategic aims of the Constabulary are maintained, supported and therefore effective. They also ensure 'corporate governance' - which is providing effective systems and processes for the Constabulary to work and relate to its communities and partners.

Ethics Committee

The Constabulary has its own internal Ethics Committee which meets every two months. Membership consists of senior management from across the Constabulary, along with an independent advisor from the University of Cambridge. The Committee's specific purpose is to promote the highest standards of conduct in line with the Code of Ethics, with one of its key objectives being learning from best practice.

Crime Data Integrity Working Group

In January 2014, the UK Statistics Authority withdrew the "national statistics" classification of police crime recording due to significant concerns that police forces were under-representing figures. HMIC conducted a national assessment, with an interim national report published in

May 2014 and the Constabulary specific report³ published in November 2014. The Constabulary sees accurate information as crucial in promoting an ethical and transparent service. The Constabulary's Crime Data Integrity Working Group was established in November 2013 to ensure recording is accurate and victim focussed. The Group meets monthly and considers and embeds recommendations from national and Constabulary specific reports into working practices.

Collaborative - *those where the Constabulary and the Commissioner are the responsible for leading on behalf of the strategic collaborative alliance with Bedfordshire and Hertfordshire*

PSD Alliance Sub-Group

This Group serves a dual purpose in enabling the Commissioner to fulfil his responsibility on behalf of Bedfordshire and Hertfordshire to have overall oversight of the collaborated PSD. In addition, the Group enables the Commissioner to carry out his statutory function to monitor all complaints made against Constabulary officers and staff. This Group, which meets four times a year, is chaired by the Deputy Police and Crime Commissioner for Cambridgeshire, with membership from consisting of PSD senior management and officers from Cambridgeshire, Bedfordshire and Hertfordshire OPCCs.

PSD Governance Board

This Board meets every two months and is chaired by the Deputy Chief Constable from the Constabulary with senior level membership from the Constabulary, Bedfordshire Police and Hertfordshire Constabulary, along with the Cambridgeshire OPCC representing the Bedfordshire and Hertfordshire OPCCs. The Board is responsible for the governance and oversight of all PSD business. This includes seeking assurance and promoting the highest standards of professional behaviour and conduct of all staff and officers, actively supporting and promoting the Code of Ethics, identifying and addressing specific risk, and ensuring that lessons are learned with all necessary actions seen through to completion. This Board reports to the PSD Alliance Sub-Group.

Independent - *those that have independent members.*

Police and Crime Panel

The Cambridgeshire Police and Crime Panel provides support and challenge to the Commissioner. The Police and Crime Panel also has a statutory role of overseeing all complaints against the Commissioner and the Deputy Police and Crime Commissioner. Any complaints are handled in accordance with the legislation, IPCC guidance and their own Complaints Procedure. A report is presented to the Police and Crime Panel at each meeting updating them on any complaints received against the Commissioner and Deputy Commissioner.

³ <http://www.justiceinspectorates.gov.uk/hmic/wp-content/uploads/crime-data-integrity-cambridgeshire-2014.pdf>

Joint Audit Committee and Integrity Sub-Committee

The Joint Audit Committee comprises five members who are independent of the Commissioner and the Constabulary. The Committee, which meets quarterly, provides an independent assurance on the adequacy of the corporate governance and risk management arrangements in place.

An Integrity Sub-Committee is in place to support the Joint Audit Committee in carrying out its functions in respect of overseeing the management of conduct, complaints and integrity matters (as the controls assurance). The purpose of the Sub-Committee is to review the mechanisms for effectively and transparently handling and monitoring complaints against the Commissioner and his/her staff, complaints against the Chief Constable and the Constabulary, and integrity issues such as appointment processes, gifts and hospitality and registerable interests.

Out of Court Disposals Scrutiny Panel

The purpose of the Scrutiny Panel is to independently review a selection of anonymised cases that have been resolved by use of an out of court disposal by the Constabulary. Its aim is to determine whether the method of disposal, such as a cannabis warning or a simple caution, is considered appropriate based on a review of the information available to the decision maker at the time. The Panel meets three times a year and has an independent Chair and membership, made up from representatives of the judiciary, Crown Prosecution Service and Youth Offending Teams. The Constabulary takes the Panel's recommendations and actively translate these into learning and development at both individual feedback level and across the Constabulary.

Integrity Advisory Group

The Commissioner has his own independent Integrity Advisory Group consisting of three lay members who meet twice a year. The purpose of the Group is to provide an external sounding board for the Commissioner on matters relating to integrity.