

Mr Richard Lewis
Chief Constable
Cleveland Police

Cc: Mr Steve Turner
Police and Crime Commissioner, Cleveland Police

17 August 2021

Dear Richard,

CLEVELAND POLICE CAUSE OF CONCERN REVISIT – ETHICS AND CULTURE

Background

We inspected Cleveland Police, as part of our PEEL inspection programme, between 20 and 31 May 2019. During the inspection, we identified six causes of concern. One of them was about the inappropriate behaviour being demonstrated by senior leaders. This was that:

“Many senior leaders (superintending and chief officer ranks, and senior police staff managers) aren’t consistently demonstrating ethical behaviour. The inappropriate behaviour of these leaders within Cleveland Police is so profound that it is affecting the efficiency and effectiveness of the force.

The force should take immediate action to:

- embed the Code of Ethics principles and behaviours within the organisation;
- create a culture where officers and staff are honest and take responsibility for their work and action taken;
- hold the entire workforce to account for inappropriate behaviour and poor performance; and
- ensure there is a process for the workforce to discuss ethical dilemmas regularly, and understand decisions made by the force about fairness that also influence policy and practice.”

2. We reviewed progress against this cause of concern between 12 April and 25 May 2021. The revisit was done remotely (because of COVID-19 restrictions) and, more recently, on-site to allow for reality testing.

3. During the revisit, we interviewed staff from across the force, observed force meetings, and reviewed a range of documents and data. This letter gives an update on our findings.

Progress against the cause of concern recommendations

Embed the Code of Ethics principles and behaviours within the organisation – in progress

4. We found improved leadership and governance of ethics and standards across the organisation. Standards are being reinforced by chief officers and an overarching standards and ethics board, informed by an internal ethics committee and external independent ethics panel. The Code of Ethics has been communicated to all senior leaders, through a personal letter from the chief constable. The force's senior leader cadre has changed since our inspection in 2019. A large proportion are now from other forces, which has helped in breaking down an established culture at this level. Newly promoted inspectors and sergeants are now asked to sign up to a pledge that commits them to upholding the force values.

5. The Code of Ethics is evident through all recruitment, on-boarding, induction and promotion processes. And it is communicated through posters, pocket notebook inserts and induction packs. There has been additional investment in an operational ethics lead. And prevent leads (one for standards and ethics, and one for counter corruption) are engaging with the workforce on a regular basis. Opportunities have been taken to reinforce the positive behaviours expected of the workforce after national policing-related incidents.

6. Through reality testing, we found that most officers and staff know the force values and behaviours expected of them. All new joiners and newly promoted sergeants and inspectors have received training in Code of Ethics behaviours and principles, the legislative requirement, and how this applies to officers and police staff doing their roles. Officers younger in service described it as being 'drilled into them' as part of their student officer training. And they clearly understood what could cause them to lose their job. These officers represent a large proportion of the frontline workforce now. We also asked longer-serving officers and staff. They were able to explain that values, behaviours and the Code of Ethics have been communicated and are clearly visible on posters around the force buildings as a reminder.

7. However, we also found that many of the behaviours displayed in the force's custody suite are inappropriate and not in line with the Code of Ethics. Our 2021 unannounced inspection visit to police custody suites in Cleveland Police found that there is a lack of leadership by supervision and a lack of fairness and respect of basic human rights for detainees. And officers and staff aren't taking responsibility for doing their role as required. As a result, the force has not yet successfully embedded the Code of Ethics across the whole organisation.

Create a culture where officers and staff are honest and take responsibility for their work and action taken – in progress

(Evidence relating to this recommendation is also captured in the ethics, values, behaviours, and culture work as above.)

8. The force has reinforced what leaders at all levels are responsible for through the people performance framework. From the force's priorities at a strategic level through to operational delivery, it is known who is responsible for what and how programmes or work areas will be run. Ownership has been given to chief superintendents, superintendents, and police staff equivalents for them to lead their areas. This is described as giving them 'permission' to take ownership, rather than decisions constantly being escalated up to chief officers. The communication is clear that the executive team is looking five years ahead and is here to provide direction, with other senior leaders being responsible for the day-to-day business.

Hold the entire workforce to account for inappropriate behaviour and performance – signed off

9. Serious misconduct is being dealt with robustly. We found that this is being addressed across the organisation, at all ranks – from chief officers to student officers and the equivalent police staff grades. The force is not shying away from doing so and is appropriately referring investigations to the Independent Office for Police Conduct where required. We saw examples of action being taken as a result of investigations and, in some instances, this meant that people left the force.

10. Reporting inappropriate behaviour and potential misconduct matters for further investigation is being encouraged. In the 12 months to 31 March 2021, an anonymous 'Break the Silence' reporting line received 104 reports leading to 22 investigations. This resulted in advice to officers, interventions, ethical interviews, and four misconduct cases. This shows that the workforce is raising concerns through the anonymous reporting line, regardless of how minor or serious. And this is resulting in action being taken when inappropriate behaviour and misconduct is substantiated.

11. Inappropriate behaviour is being addressed and challenged. We found that behaviour that doesn't amount to misconduct or disciplinary action is being dealt with. Ethical leadership behavioural issues are being addressed using an organisational justice approach called Operation Cartmel. This means that when genuine mistakes are made, or lower-level issues are identified that don't fit the criteria of formal processes, this is recognised and dealt with appropriately through ethical interviews. We saw examples of where this has happened, and individuals have responded positively.

12. There is a performance culture where most officers and staff are taking responsibility for their work and feel able to raise issues about negative performance that needs dealing with. In our 2019 PEEL inspection, we found that there was no governance structure to oversee the performance of the force and its business areas – these meetings had stopped happening.

We also found that senior leaders knew about some of these risks and vulnerabilities, but stated openly that they weren't dealing with it.

13. Senior leaders are now being held to account for performance. A revised force governance structure is in place, with chief officers chairing accountability and delivery groups in each functional area. There is clear direction and accountability of senior leaders, including superintendents and chief inspectors, who attend these meetings. The meetings, while holding people to account, also allow for honest and open discussion about some of the problems faced and the solutions being explored. There are clear actions allocated, which are followed up at subsequent meetings. There is a cascade of accountability through regular senior leadership team meetings in each business area. Clear actions are set, and individuals are held to account for completing or achieving the expected standard of performance in their area.

14. Individual members of staff are assessed against their performance and expected behaviours as part of the performance development review process. The force is using this workforce information better to understand themes about the performance and behaviour of officers and staff, both positive and negative. It is analysing the themes from complaints, misconduct, and grievances, and from positive feedback received. Lessons learnt and positive behaviours are being reinforced in response to problems identified via training, particularly through new recruits.

Ensure there is a process for the workforce to discuss ethical dilemmas regularly, and understand decisions made by the force about fairness that also influence policy and practice – signed off

15. The workforce is raising and discussing ethical dilemmas. There are channels through which they can raise ethical dilemmas, including a dedicated form on the force intranet, an anonymous reporting email inbox (part of the professional standards department), and 'Ideas Drop' (an online forum to raise matters). This also now includes ethics and equality as a subject area for discussion. Ethical dilemmas are received, discussed, and responded to through the internal ethics committee, and referred for advice to the external ethics committee. When required, decisions are made at the ethics and standards board. A total of 30 ethical dilemmas were discussed and actioned during the 12 months to 31 March 2021. These groups are also linked to the regional ethics group and national ethics committee, for which you (the chief constable) are the chair. We also recognise that the force plans to progress this approach further with a youth ethics committee, and will continue to review policies and practice.

16. The force is better at discussing and recording its decisions and rationale when policy and practice for police forces is not clear cut: for example, the use of the pre-record feature on body-worn video as part of force policy. These decisions are consulted on with the workforce, internal and external ethics panels, and professional standards experts, and benchmarked with other forces. The recording and communication of these decisions provides the workforce with a better understanding of the choices made and why.

Conclusion

17. I am pleased with the progress that has been made, and that this is starting to show in the positive culture and behaviours displayed by many in the workforce. While we have continually monitored progress, this is the first time we have formally reviewed and reality tested the force's results. As a result of our review, two of the four recommendations have been signed off. We will continue to monitor progress against the recommendations that remain open.

18. Finally, I would like to take the opportunity to recognise the positive progress made, and the commitment it has taken from most of Cleveland Police's workforce to make this happen. While there is still more to do, there has been significant investment in embedding new governance, changing processes, adding additional posts, and training and communication with the workforce.

19. This is one of six PEEL causes of concern being monitored. As such, Cleveland Police remains in the engage phase of our monitoring process. Our next review of this cause of concern will be during our PEEL inspection period 2021–2022.

Yours sincerely,



Andy Cooke, QPM

HM Inspector of Constabulary

HMI Inspector of Fire & Rescue Services