

PEEL: Police legitimacy 2015

An inspection of Staffordshire Police



February 2016

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ISBN: 978-1-78655-049-1

www.justiceinspectors.gov.uk/hmic

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Overview – How legitimate is the force at keeping people safe and reducing crime?

Overall judgment¹



Good

Throughout 2015, HMIC's PEEL legitimacy inspection programme has assessed the culture within Staffordshire Police, and how this is reflected in the force's public engagement, use of Taser and compliance with the Best Use of Stop and Search scheme.

The chief constable had set out a vision for staff to 'do the right thing' when serving the public, and most staff reported that an ethical culture formed part of everyday policing. We found that officers and staff consistently engage very effectively with the public and understand their needs.

Staffordshire Police is not compliant with the Best Use of Stop and Search scheme, and we have concerns about the recording of reasonable grounds for lawful use of the power. The force uses Taser fairly and appropriately.

This is the first time HMIC has graded forces on their legitimacy, so no year-on-year comparison is possible.

Summary

In Staffordshire Police, HMIC found that the chief constable had set out a vision for staff to 'do the right thing' when serving the public and that most staff reported that an ethical culture formed part of everyday policing. Staff told HMIC they felt valued and had confidence in the fairness of the complaints procedure and the promotion process.

HMIC found that the performance and standards unit was fair and consistent in its approach to complaints and misconduct investigations. There was good oversight and governance from chief officers. Staff had confidence in both the process and the management of investigations. Most staff were confident they would be treated fairly if subject of a complaint.

When HMIC looked at how well the force understands and engages with all the people it serves, we found that in many instances officers and staff engage very effectively with the public and understand their needs. This work is supported by

¹ Outstanding, Good, Requires improvement or Inadequate – see Annex A.

appropriate central guidance and excellent resources on the force intranet. As a result, we are satisfied that overall the force has a very good understanding of the needs of local people and that most officers treat people fairly and with respect.

Stop and search and Taser are two ways that the police can prevent crime and protect the public. However, they can be intrusive and forceful methods, and it is therefore vital that the police use them fairly and appropriately. HMIC found that Staffordshire Police is not compliant with the Best Use of Stop and Search scheme and we have concerns about the recording of reasonable grounds for lawful use of the power. Use of Taser in Staffordshire Police is fair and appropriate, and it is overseen in accordance with national guidance and reviewed by senior officers.

To what extent does practice and behaviour reinforce the wellbeing of staff and an ethical culture?



Good

In Staffordshire Police, HMIC found that the chief constable had set out a vision for staff to 'do the right thing' when serving the public and that most staff reported that an ethical culture formed part of everyday policing. Staff told HMIC they felt valued and had confidence in the fairness of the complaints procedure and the promotion process. A staff survey conducted in 2014 provided the force with a clear understanding of wellbeing and staff understood their responsibility to support each other. A wellbeing steering group was co-ordinating effectively the activity the force had undertaken in response to the survey.

The force was working well to ensure the Code of

How well does the force understand, engage with and treat fairly the people it serves to maintain and improve its legitimacy?



Outstanding

In Staffordshire Police there is a clear and consistent understanding of the importance of effective public engagement. The force uses a clear communications approach to ensure that a focus on engagement is maintained.

An excellent 'citizen focus toolkit' contains a broad range of relevant information about local communities. This comprehensive understanding helps the force to respond very effectively to issues of concern.

The force uses an extensive range of methods to ensure effective engagement with local people; good use of social media allows it to reach out to communities

To what extent are decisions taken on the use of stop and search and Taser fair and appropriate?



Good

HMIC found that Staffordshire Police is not compliant with the Best Use of Stop and Search scheme in relation to recording and publishing outcomes, providing opportunities for the public to observe stop and search encounters, and monitoring the impact of use of the powers on young people. We also have concerns about the recording of reasonable grounds for lawful use of the power.

There has been independent review of stop and search by the ethics, transparency and audit panel (ETAP), established by the police and crime commissioner, and this review has been published.

Ethics was understood by its entire staff. The code was being incorporated into force policies and procedures but further work was necessary to make sure that all staff were aware of and understood the code.

HMIC found that the performance and standards unit was fair and consistent in its approach to complaints and misconduct investigations. There was good oversight and governance from chief officers. Staff had confidence in both the process and the management of investigations. Most staff were confident they would be treated fairly if subject of a complaint.

who are harder to reach. The public are kept well informed through updates provided in social media, internet posts and at local meetings.

The force has very effectively encouraged participation in policing by using a large number of volunteers. This has increased opportunities for effective engagement.

Through the training it has delivered in regard to the National Decision Model, coupled with briefings and guidance on the Code of Ethics, the force has ensured that officers have the knowledge and skills required to treat members of the public fairly and with respect.

Officers understand the National Decision Model and how it can be used to support decision-making about stop and search encounters, but despite all officers completing a computer-based training programme, knowledge of the Best Use of Stop and Search scheme is mixed.

Taser-trained officers are clearly aware of the National Decision Model and understood its application to Taser use. The number of Tasers held and officers trained to use them are appropriate.

Use of Taser is overseen in accordance with national guidance and reviewed by senior officers. An independent review into the use of Taser in Staffordshire had been carried out by the ethics, transparency and audit panel, established by the police and crime commissioner and published.

Taser is used fairly and appropriately in Staffordshire.

Force in numbers



Ethnic diversity

Percentage of BAME in workforce 31 March 2015

overall workforce

2%

officers

2%

staff

2%

PCSOs

4%

Percentage of BAME in local population, 2011 Census

6%



Gender diversity

Percentage of females in overall workforce 31 March 2015

Staffordshire Police

42%

England and Wales force average

41%

Percentage of females by role, Staffordshire Police

officers

27%

staff

64%

PCSOs

50%

Percentage of females by role, England and Wales force average

officers

29%

staff

60%

PCSOs

47%



Public complaints

Number of allegations made by the public that have been finalised 12 months to 31 March 2015

Staffordshire Police

990

Proportion of finalised allegations investigated 12 months to 31 March 2015

Staffordshire Police

64%

Force's most similar group average

53%

Proportion of finalised allegations upheld after investigation 12 months to 31 March 2015

Staffordshire Police

Force's most similar group average

14%

17%



Stop and search

Number of stops and searches carried out 12 months to 31 March 2015

6,189

Stops and searches per 1,000 population 12 months to 31 March 2015

Staffordshire Police

Force's most similar group average

5.6

6.9

Change in number of stops and searches 12 months to 31 March 2014 to 12 months to 31 March 2015

Staffordshire Police

Force's most similar group average

-59%

-34%



Tasers

Number of times a Taser was used 12 months to 31 December 2014

390

Number of times a Taser was used per 10,000 population 12 months to 31 December 2014

Staffordshire Police

Force's most similar group average

3.5

1.5

Taser 'discharged' (as proportion of overall use) 12 months to 31 December 2014

Staffordshire Police

Force's most similar group average

15%

17%

Data: for further information about the data used in this graphic see annexes B and D in this report and annex B in the national legitimacy report.

Introduction

Throughout 2015, HMIC has assessed the extent to which police forces are legitimate in how they keep people safe and reduce crime. This is one strand of the PEEL (police effectiveness, efficiency and legitimacy) all-force inspection programme.

A police force is considered to be legitimate if it has the consent of the public, and if those working in the force consistently behave in a way that is fair, reasonable, effective and lawful. The force must also generate the trust and co-operation of the public.

To reach a judgment on each force's legitimacy, HMIC examined three areas:

Spring 2015 inspection

- To what extent does practice and behaviour reinforce the wellbeing of staff and an ethical culture?

Autumn 2015 inspection

- How well does the force understand, engage with and treat fairly the people it serves to maintain and improve its legitimacy?
- To what extent are decisions taken on the use of stop and search and Taser fair and appropriate?

This report provides the main findings for Staffordshire Police.

Methodology

During our inspection we interviewed relevant senior leaders, collected data and documentation from forces, surveyed the public to seek their views of the force, held focus groups for those at different grades and ranks, and undertook unannounced visits to individual police stations to gather evidence and speak with officers and staff.

Prior to inspection fieldwork we also reviewed a small number of Taser deployment forms and stop and search forms; and listened to calls for service from members of the public.

This work was informed by research on the two principal characteristics of a legitimate organisation – organisational justice and procedural justice.

Organisational justice²

Every day, people respond to the actions and decisions made by their organisation that affect them or their work. Research shows that an individual's perceptions of these decisions (and the processes that led to them) as fair or unfair can influence their subsequent attitudes and behaviours.

In a policing context, staff who feel they are treated fairly and with respect by their force, are more likely to go on to treat the public with whom they come into contact fairly and with respect. This will increase the public's view that the police act legitimately.

Procedural justice

Research³ has shown that for the police to be considered legitimate in the eyes of the public, people need to believe that the police will treat them with respect, make fair decisions (and take the time to explain these decisions), and be friendly and approachable. It also indicates that the way officers behave is central to policing as it can encourage greater respect for the law and foster social responsibility.

There is also an economic benefit for a force which is seen as legitimate by the communities it serves. The more the public provides support to the police through information or intelligence, or becomes more active in policing activities (such as Neighbourhood Watch or other voluntary activity), the less the financial burden on police forces.

² *It's a fair cop? Police legitimacy, public cooperation, and crime reduction*, Andy Myhill and Paul Quinton, National Policing Improvement Agency, London, 2011. Available from: http://whatworks.college.police.uk/Research/Documents/Fair_Cop_Briefing_Note.pdf

³ *Ibid.*

To what extent does practice and behaviour reinforce the wellbeing of staff and an ethical culture?

Introduction

As organisational justice has a direct relationship to procedural justice (we treat others as we are treated), it is critical that the culture inside police forces is an ethical one, where challenge and continual improvement are encouraged. It is also crucial that all officers and staff feel that they and others are treated fairly and consistently (for example, when an allegation is made against them by a member of the public or a colleague). Even if a system or process is fair, if people do not believe that it is, then organisational justice will not have been achieved.

Officers and staff who feel they are treated fairly and with respect by their force, are more likely to go on to treat the public with whom they come into contact fairly and with respect. This will increase the public's view that the police act legitimately.

In spring 2015,⁴ HMIC made an assessment of police force culture. The inspection asked:

1. How well does the force develop and maintain an ethical culture?
2. How well does the force provide for the wellbeing of staff?
3. How well has the Code of Ethics been used to inform policy and practice?
4. How fairly and consistently does the force deal with complaints and misconduct?

In addition, HMIC also considered the number of females and black, Asian and minority ethnic (BAME) people at different ranks and grades, to determine the extent to which the diversity of the force reflects that of the communities it serves.

Gender and black, Asian and minority ethnic (BAME) breakdown in Staffordshire Police

A breakdown of the full-time equivalent (FTE) workforce⁵ in Staffordshire Police as at 31 March 2015 is shown below.

⁴ The inspection took place between March and June 2015.

⁵ Workforce comprises officers, staff and police community support officers (PCSOs).

Figure 1: Breakdown of full-time equivalent (FTE) workforce in Staffordshire Police, 31 March 2015

FTE	Total	Of which	
		Female	BAME*
Total workforce	3,107	1,318 (42%)	59 (2%)
Total officers	1,714	456 (27%)	31 (2%)
Constables	1,302	374 (29%)	25 (2%)
Sergeants	294	65 (22%)	3 (1%)
Inspecting ranks	97	15 (15%)**	3 (3%)**
Superintendents and above	20	2 **	0 **
Staff	1,185	758 (64%)	19 (2%)
PCSOs	208	104 (50%)	8 (4%)

Note that numbers may not add up to totals because of rounding.

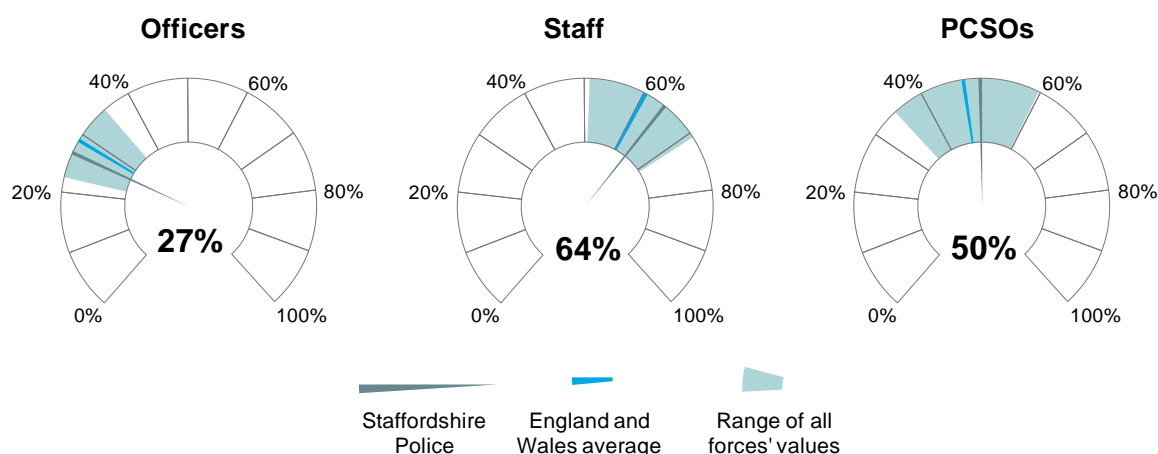
* Individuals are not required to record their ethnicity. As a result, BAME totals and percentages exclude officers/staff/PCSOs where the ethnicity is not stated.

** Due to the figures being small, percentages should be treated with caution. In particular, percentages have not been included where totals are very small.

Source: Home Office Police Workforce statistics

The figure below shows how the percentages of female officers, staff and PCSOs in Staffordshire Police compared with the averages of all forces in England and Wales. It shows they were broadly similar for PCSOs, higher for staff yet lower for officers.

Figure 2: The percentage of female officers, staff and PCSOs in Staffordshire Police compared with the force average for England and Wales, 31 March 2015

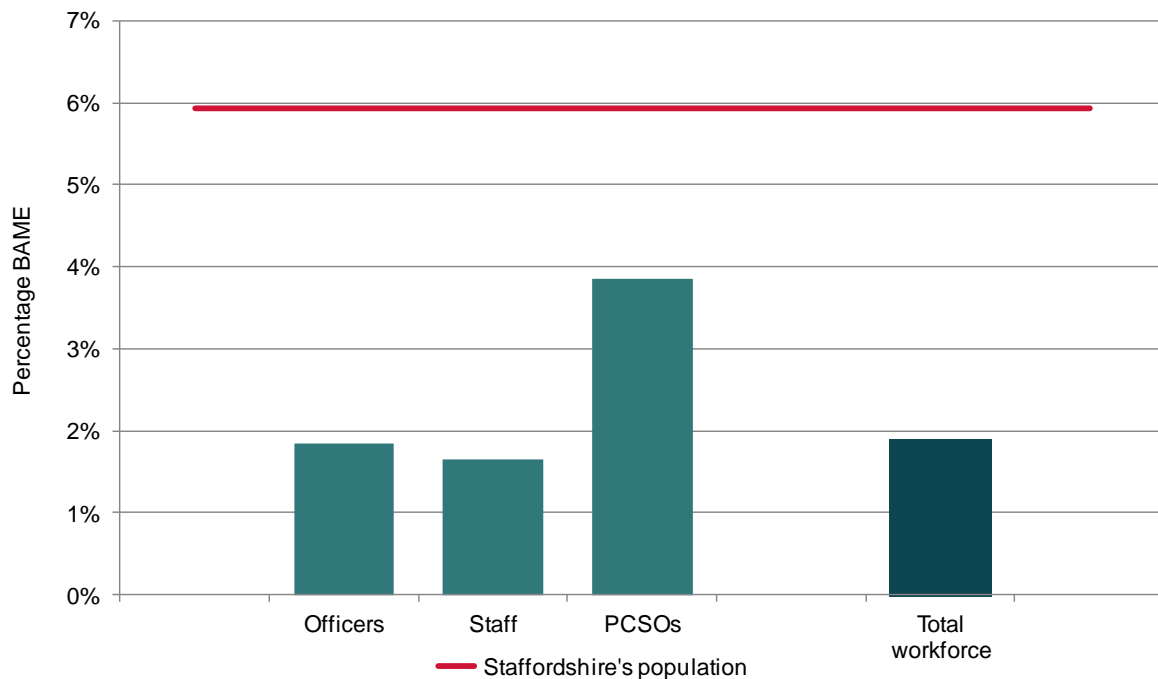


Source: Home Office Police Workforce statistics

We compared the percentages of (i) BAME officers, (ii) BAME police staff and (iii) BAME PCSOs in each force with the overall proportion of BAME people in the force's local population. In Staffordshire, around 6 percent of the local population were BAME. The figure below shows these comparisons.

There was a statistically significant under-representation of BAME people in Staffordshire Police's overall police workforce, as well as separately for officers and staff.

Figure 3: Percentage of BAME people within Staffordshire Police's workforce (as at 31 March 2015) compared with its local population



Sources: Home Office Police Workforce statistics and Office for National Statistics 2011 Census

Police forces in England and Wales have experienced large reductions in their total workforce since the government's October 2010 spending review.⁶ HMIC also examined how the percentages of BAME officers and staff, and females within the workforce had changed over this period.

Across all police forces in England and Wales, total workforce numbers decreased by 15 percent between 31 March 2010 and 31 March 2015. However, the percentages of BAME people and females within the overall workforce increased during the five-year period. Most notably, the proportion of female officers increased over 2 percentage points to 28 percent, and the proportion of BAME officers increased by nearly 1 percentage point to just under 6 percent. In contrast, the proportion of BAME PCSOs decreased by nearly 2 percentage points to just over 9 percent. The figure below shows how these volumes and proportions have changed in Staffordshire Police over the spending review period.

⁶ Spending Review 2010, HM Government, October 2013. Available from: www.gov.uk/government/publications/spending-review-2010

Figure 4: Change in Staffordshire Police’s workforce (overall volume and the percentage of female and BAME people), 31 March 2010 to 31 March 2015

	Total change		Percentage point change	
			% female	% BAME
Total workforce	-665	(-18%)	+2 •	0
Officers	-448	(-21%)	+1	0
Staff	-189	(-14%)	+1	0
PCSOs	-29	(-12%)	-1	-1

Note that numbers may not add up to totals because of rounding.

• Denotes there has been a statistically significant change in the proportion (see Annex B for details).

Source: Home Office Police Workforce statistics

There was a statistically significant increase in the proportion of females in Staffordshire Police's overall workforce between 31 March 2010 and 31 March 2015. There were, however, no statistically significant changes in the percentages of BAME people or females at an officer, staff or PCSO level.

Overall, compared with other forces, as at 31 March 2015, the percentage of women within Staffordshire Police's workforce was broadly similar for PCSOs, higher for staff yet lower for officers. By ethnicity, there was an under-representation in BAME officers and staff and there was no statistically significant change in the proportion between 31 March 2010 and 31 March 2015 for either group.

How well does the force develop and maintain an ethical culture?

It is critical that the culture inside police forces is an ethical one, where challenge and continual improvement are encouraged and where staff feel that they and others are treated fairly and consistently. If it is not, the service provided to the public may be equally unfair and inconsistent. HMIC therefore considered the extent to which people at all levels and all ranks (or equivalent) were creating and maintaining an ethical culture.

HMIC found that in Staffordshire Police the chief constable had set out effectively her vision and values for the force and how these related to the Code of Ethics. She promoted these through visits, roadshow events and messages to the force. The staff we spoke to welcomed these messages and were committed to 'doing the right thing' for the public. They also commented that the development of an ethical culture in Staffordshire Police was a core part of their everyday activity.

We found that the force was taking active steps to work with and involve the workforce. Staff described an online forum with chief officers, called 'Grapevine Live'. They saw this as a positive example of the force listening to staff concerns and

providing an opportunity for chief officers to communicate with the workforce and increase their accessibility. It was evident that staff felt valued and fully engaged in the consultation process for the change programme that the force was going through.

The force had taken good measures to ensure personnel processes were fair and free from bias. For example, in selection processes the interviews were led by a trained interviewer and monitored to ensure consistency and fairness. Staff at various levels across the force expressed confidence that selection processes were ethical and transparent.

The force had introduced a performance and standards group, involving senior professional standards officers and human resources advisors, who met monthly. They exchanged information on specific cases, which helped to identify any staff welfare issues and give them a regular opportunity to review more complex cases of misconduct. This approach supported officers and staff who were witnesses in misconduct cases and HMIC found that frontline staff not only felt encouraged to challenge poor behaviour but also confident to report wrongdoing.

HMIC is satisfied that Staffordshire Police had good working practices in place to support the development and maintenance of an ethical culture.

How well does the force provide for the wellbeing of staff?

Police forces need to understand the benefits of having a healthier workforce – a happy and healthy workforce is likely to be a more productive one, as a result of people taking fewer sick days and having a greater investment in what they do. This inspection was concerned with what efforts were being made in forces to consider, and provide for, the wellbeing needs of their workforce.

HMIC was consistently told that Staffordshire Police was making effective efforts to ensure the workforce felt valued and engaged in decisions that affected them. Most staff we met reported that they felt fully engaged in the change programme that the force was going through.

In 2014, the force conducted a wide-ranging staff survey to collect data on wellbeing, which 52 percent of staff responded to. This provided the force with a clear understanding of the workforce's view of wellbeing. A steering group had been overseeing the implementation of actions required as a result of the staff survey. The force had recently introduced a range of wellbeing support measures and there was evidence that they were providing effective practical support for staff members and managers. However, further work was required to promote and publicise the range of measures, as not all frontline staff we spoke to were aware of them.

The force was encouraging staff to understand and take responsibility for their own health and wellbeing. Staff we spoke to described a focus on wellbeing and health issues including the formation of running clubs. Managers were encouraged to identify emerging welfare issues and take positive, early action. We were pleased to find that frontline staff we spoke to gave examples of genuine concern and support from supervisors. It was positive to find that staff members under investigation for misconduct were automatically referred to the occupational health unit.

Overall, we are satisfied that the force had good arrangements in place to provide for the wellbeing of its workforce.

How well has the Code of Ethics been used to inform policy and practice?

In April 2014, the College of Policing launched the Code of Ethics.⁷ This sets out nine policing principles that should be applied by all officers and staff: Accountability; Integrity; Openness; Fairness; Leadership; Respect; Honesty; Objectivity; and Selflessness. These principles should be used to underpin the decisions and actions taken by officers and staff.

This inspection considered the extent to which officers and staff were aware of the Code of Ethics, and how the force was working to make the code part of day-to-day practice.

HMIC found that Staffordshire Police was promoting the Code of Ethics and incorporating it into force policy. It had introduced a Code of Ethics working group, comprising of 15 staff members from a wide range of backgrounds in the force. The group was implementing a range of actions to promote use of and adherence to the Code of Ethics.

We were encouraged to find that the force was engaging in a publicity campaign coordinated by the communications department to publicise the Code of Ethics. There was a sustained programme of training, monthly intranet briefings, and specific Code of Ethics presentations on the force intranet from the chief constable, setting out the principles of the code. The force had posters in prominent places in police buildings, examples of which were seen by HMIC inspectors. The posters included references to the personal endorsement of the code by other senior officers.

In publicising the Code of Ethics the force had sought to exert a positive influence on the behaviour of staff. The force had made good use of scenarios and ethical dilemmas within training to aid the understanding of the application of the code and

⁷ Code of Ethics – A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales, College of Policing, London, July 2014. Available from: www.college.police.uk/What-we-do/Ethics/Documents/Code_of_Ethics.pdf

generate debate. Further work was required to ensure the campaign was effective at all levels. Some operational officers we spoke to told us they had not been exposed to the dilemmas, and some did not demonstrate an awareness of the code.

The National Decision Model (NDM) is well used across the force. The force provided an online training resource and staff at various levels described how they used it to support everyday decision-making. The force was in the process of incorporating ethical considerations into its policies, high level decision-making and operational plans.

We were pleased to find that the Code of Ethics featured in interview questions posed to promotion candidates. The code underpinned many aspects of the force's training and the force had plans to maintain this.

The force was aware that the Code of Ethics applies to everyone providing a service to the public. The force also had plans to apply the code to contractors and private organisations working alongside the force. Without this in place there was a potential reputation risk for the force and it should, therefore, take a more proactive approach to ethical procurement of services.

HMIC is satisfied that the code had been sufficiently integrated into force policy and working practice and that good efforts had been made to ensure the workforce acted ethically.

How fairly and consistently does the force deal with complaints and misconduct?

Complaints made by the public against police officers, police staff, contracted police staff, and force procedures are recorded by individual police forces. Each complaint may have one or more allegations attached to it. For example, one complaint that an officer was rude and that they pushed an individual would be recorded as two separate allegations.

Each allegation can be dealt with, or resolved, in a number of ways. Some complaints, such as rudeness or incivility, may be dealt with through the local resolution process. The way these complaints are resolved should be adapted to the needs of the complainant – for example, they may involve an apology or an explanation of the circumstances in writing or in person. If the complaint is more serious, and assessed as not suitable for local resolution, it must be investigated by an appointed investigating officer who will produce a report detailing findings against each allegation. Under certain circumstances, some complaints do not proceed. These use processes known as disapplication or dispensation (for example, if the matter is already the subject of a complaint or if the complaint is repetitive or

vexatious), discontinuance (for example, if the complainant refuses to cooperate or it is not reasonably practicable to investigate the complaint) or if they are withdrawn by the complainant.⁸

In the 12 months to 31 March 2015, Staffordshire Police finalised 990 allegations from public complaints that were made against its officers and staff. Of these, 64 percent had been investigated and 24 percent had been locally resolved. A greater proportion of allegations were investigated and a smaller proportion were locally resolved in Staffordshire compared with the average of its most similar group of forces.⁹

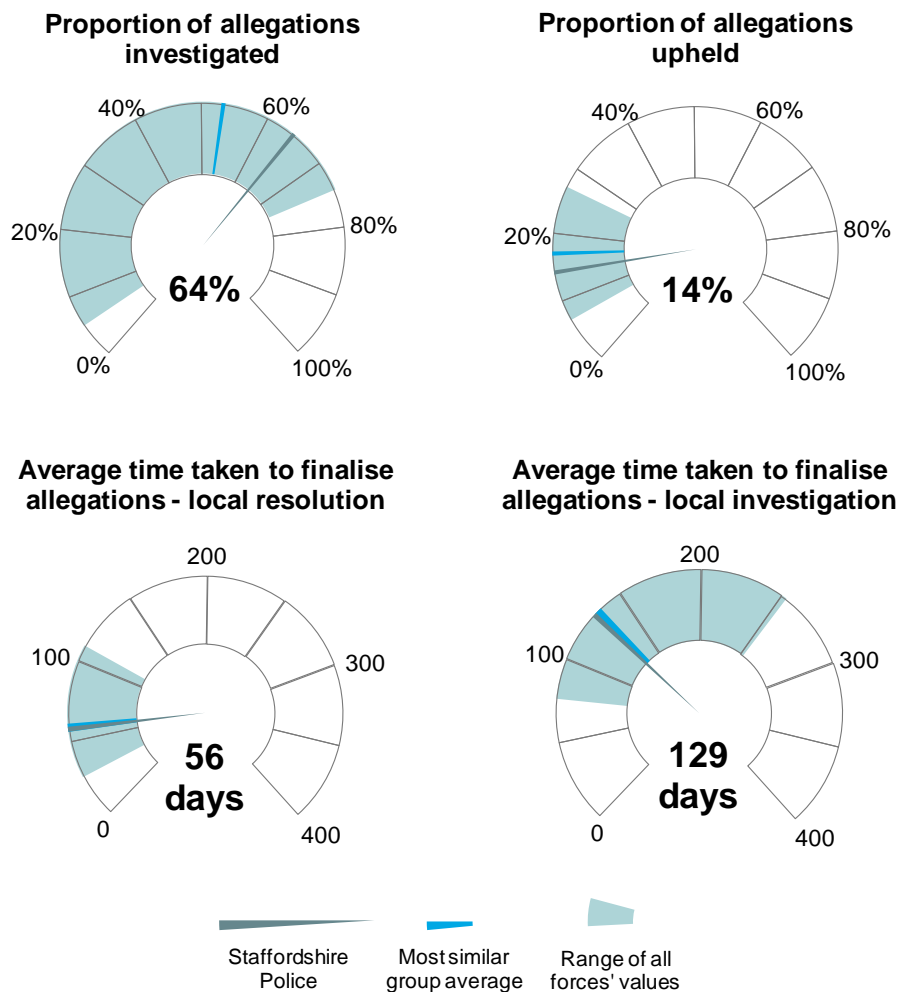
In the 12 months to 31 March 2015, the average time Staffordshire Police took to complete a local resolution was 56 days, in line with the average of its most similar group of forces (56 days). Over the same period, the average time a local investigation took to complete was 129 days, broadly in line with the average of its most similar group of forces (131 days).

After local investigation, Staffordshire Police closed 634 allegations in the 12 months to 31 March 2015. Of these, 14 percent were upheld, where it was concluded that the service provided by the police officer or police staff or the service as a whole did not reach the standard a reasonable person could expect. This was less than the average of Staffordshire's most similar group of forces of 17 percent. The following figure shows how these values compare.

⁸ For a more complete outline of the definitions and potential outcomes resulting from public complaints, please see the Independent Police Complaints Commission's website: www.ipcc.gov.uk.

⁹ Most similar groups are groups of local areas that have been found to be most similar to each other using statistical methods, based on demographic, economic and social characteristics which relate to crime. See Annex B for more information.

Figure 5: Proportion of allegations investigated, proportion upheld, time taken to finalise allegations by local resolutions and investigations by Staffordshire Police, 12 months to 31 March 2015



Source: Independent Police Complaints Commission

Overall, in the 12 months to 31 March 2015, Staffordshire Police finalised 64 percent of allegations by investigation. The proportion of allegations it upheld after local investigation was less than the average of its most similar group of forces. Compared to its most similar group of forces, Staffordshire took a similar amount of time to complete both local resolutions and local investigations.

Are officers and staff, particularly those with protected characteristics, treated fairly following a complaint or allegation against them?

While it is very important that public complaints and allegations of misconduct or corruption are taken seriously, it is also important that those subject to these allegations or complaints are treated fairly and consistently, and that there is no bias or discrimination involved in any aspect of the decision-making process.

Building on the findings of HMIC's Police Integrity and Corruption inspection,¹⁰ this inspection considered if public complaints and misconduct investigations were dealt with in a timely and consistent manner. The inspection also considered whether investigations were conducted fairly and whether officers and staff, particularly those with protected characteristics,¹¹ felt that they would be treated fairly following a complaint or allegation against them.

Before the fieldwork stage began, HMIC conducted a file review of 65 public complaints and internal misconduct allegations, to assess whether they had been considered fairly and consistently. We examined further the outcomes of the review during our fieldwork.

While not necessarily representative of all cases, in the small number of files we looked at we did not find any evidence of any bias in how the force dealt with complaints and internal misconduct allegations, in respect of gender, ethnicity or rank.

HMIC was pleased to find that all assessments and decisions in relation to complaints and misconduct were the responsibility of four senior officers within the performance and standards unit. They worked closely together to ensure a consistent and fair approach to dealing with complaints and misconduct for both police officers and police staff. However there was no formal training provided for this role and the officers were self-taught and supported each other.

The inspection established that each month data and information about ongoing complaint and misconduct cases were assessed by both the performance and standards unit and the human resources department. The cases were scrutinised to ensure that a fair and consistent approach was being taken.

Each quarter, the police and crime commissioner held chief officers and the head of the performance and standards unit to account at the public performance scrutiny meeting in respect of trends, volume and timeliness of cases. The force took positive action to reduce complaints by providing education programmes for staff and by identifying repeated behaviour. The performance standards group oversaw the action plans for individual officers identified as displaying repeated behaviour.

¹⁰ *Integrity Matters – An inspection of arrangements to ensure integrity and to provide the capability to tackle corruption in policing*, HMIC, London, 2015. Available from: www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/

¹¹ Under the Equality Act 2010, it is against the law to discriminate against anyone because of: age; being or becoming a transsexual person; being married or in a civil partnership; being pregnant or having a child; disability; race including colour, nationality, ethnic or national origin; religion, belief or lack of religion/belief; sex; or sexual orientation. These are called 'protected characteristics'.

On a quarterly basis, the head of the performance and standards unit met with departmental heads and local policing commanders to discuss complaints and misconduct within their specific area of business.

HMIC found that staff had confidence not only in the processes used for handling complaints and misconduct but also in those responsible for carrying out the investigations.

Summary of findings



Good

In Staffordshire Police, HMIC found that the chief constable had set out a vision for staff to 'do the right thing' when serving the public and that most staff reported that an ethical culture formed part of everyday policing. Staff told HMIC they felt valued and had confidence in the fairness of the complaints procedure and the promotion process. A staff survey conducted in 2014 provided the force with a clear understanding of wellbeing and staff understood their responsibility to support each other. A wellbeing steering group was co-ordinating effectively the activity the force had undertaken in response to the survey.

The force was working well to ensure the Code of Ethics was understood by its entire staff. The code was being incorporated into force policies and procedures but further work was necessary to make sure that all staff were aware of and understood the code.

HMIC found that the performance and standards unit was fair and consistent in its approach to complaints and misconduct investigations. There was good oversight and governance from chief officers. Staff had confidence in both the process and the management of investigations. Most staff were confident they would be treated fairly if subject of a complaint.

How well does the force understand, engage with and treat fairly the people it serves to maintain and improve its legitimacy?

Introduction

The negative effect of poor police and community relations on public perceptions should not be underestimated. People who already have a poor opinion of the police are more likely to perceive their contact with the police as a negative experience. On the other hand, perceptions of fair decision-making and positive public interaction and engagement can improve perceptions and increase trust, leading to improved or enhanced police legitimacy. This, in turn, helps efforts to reduce crime by encouraging greater respect for the law and fostering social responsibility, by making people more likely to help the police and not break the law.

Community engagement should influence every aspect of policing. For engagement to be effective, the organisation should focus on the needs of citizens and be committed to ensuring that the results from engagement work are integrated into service design and provision, and that communities participate in that provision.

In autumn 2015, HMIC made an assessment of the extent to which police forces understand and engage with the people they are there to serve. Based on the College of Policing's Authorised Professional Practice on Engagement and Communication,¹² the inspection asked:

1. How well does the force understand the people it serves and the benefits of engaging with them?
2. How well does the force engage with all the people it serves?
3. To what extent are people treated fairly and with respect when they come into contact with police officers and staff?

Before the fieldwork stage of the inspection, HMIC commissioned Ipsos MORI to survey the public in each force area, specifically seeking their views about their force. While the findings of the survey may not represent the views of everyone living in the force area, they are indicative of what the public in that police force area think.

¹² *Authorised Professional Practice on Engagement and Communication*, College of Policing, 2015. Available from www.app.college.police.uk/app-content/engagement-and-communication/?s

How well does the force understand the people it serves and the benefits of engaging with them?

HMIC's inspection considered the extent to which forces understand the relationship between positive public engagement and increased public confidence in the police. We also assessed the extent to which, at local and force levels, the force understands the needs and concerns of the people it serves.

HMIC found that Staffordshire Police has a consistently clear understanding of the importance of engagement with local people to increase confidence and of the benefits of doing this with partners, such as councils. There is a robust and up-to-date communications plan, which supports consistently effective public engagement. This supports the force commitment to 'keeping our communities safe and reassured, through preventing crime, protecting the public and bringing offenders to justice'. The force is committed to being open and this is being done by making a wide range of information available to the public.

An excellent 'citizen focus toolkit' is available to all members of staff and is easily accessed through the force intranet. This resource has a broad range of information about local communities. The information helps the force to understand what issues are of concern to the public and how local problems may affect them. It also includes details of local meetings and events that take place. The force has highly effective arrangements to supplement its data with information from partners, including surveys and public engagement activities. This also helps the force involve other local bodies in solving community problems.

The force uses the toolkit to record information to help with problem-solving and public contacts from meetings, 101 calls and emails. Over 110,000 interactions have been recorded providing a rich picture of public priorities from local areas, to an overall view for Staffordshire. The toolkit is also used to record and track action to deal with local issues and provides information about effective problem-solving techniques. This supports a consistently good understanding of the public.

Local officers mainly demonstrate sensitivity and an ability to identify and manage tensions. This is evident in the use of community impact assessments, which are used following incidents where confidence in the police might be compromised. We saw a number of these – and the actions that followed – and the process was effective.

Of the 498 survey responses from the area covered by Staffordshire Police, 45 percent agree that the police understand the crime and anti-social behaviour issues within their force area and 16 percent disagree. The remainder neither agree nor disagree or do not know. Although not directly comparable because of the small force sample size, of the responses from all forces across England and Wales, 49 percent agree versus 14 percent who disagree.

HMIC is satisfied that Staffordshire Police consistently understands the benefits for police legitimacy that can be gained by engaging positively with their communities.

How well does the force engage with all the people it serves?

For the police to find the most cost effective and efficient ways of communicating with the public, they should tailor their methods of engagement in a way that meets the needs and preferences of those they serve. The police should ensure they overcome any barriers to successful engagement (for example, social exclusion, location, low confidence in the police) to seek the views of all the people they serve and keep them informed.

From the survey, fewer than 10 percent of respondents report that they have, within the previous 12 months, been asked about their views on crime and anti-social behaviour issues that matter most to them where they live. Similarly, in most forces, fewer than 20 percent of respondents have been told, within the previous 12 months, how their force is tackling these issues.

Our inspection looked at the different ways that forces engage their communities. HMIC found that Staffordshire Police uses an effective range of methods to engage with local people. These include: a biannual survey of a citizen panel of 5000 residents; use of social media; media campaigns; and monthly neighbourhood newsletters. The force holds frequent local meetings to seek and provide information. Public engagement activities, such as a recent force open day, have been well supported by the chief constable and senior officers. The force internet site is populated with a wide range of useful information for the public.

The force uses social media effectively and ambitiously. Some posts have been seen by more than 100,000 people. The force uses appropriate software to monitor and understand the audience they are reaching and the level of interest being shown. This allows the force to ensure that its social media messages and campaigns are inclusive and tailored to specific communities. We saw a number of examples where groups that can be hard for the police to engage with were involved using social media. Use of social media by local teams and individual community officers is encouraged and effective. Local officers and police community support officers are trained in use of social media. The force monitors its use of social media to ensure there is a consistent and appropriate approach.

Through its presence on social media, the force is able to provide timely updates on actions taken in response to public concerns. There is a page on the force website which gives updates on police operations, local priorities and campaigns. This is supported by feedback to local meetings, information recorded on the citizen focus toolkit, leaflet drops and articles in local press and radio.

The corporate communications department provided support to local officers in the form of newsletters and leaflets for these local engagement activities. The police and crime commissioner holds quarterly performance meetings which are broadcast on the internet for the public to view. Chief Officers are also involved in these meetings. Force performance updates are also available to the public online.

The force has an effective approach to encouraging public participation in policing. There is a member of staff who helps co-ordinate and support the activities of the special constabulary and police service volunteers. Many local people participate in policing by volunteering. Volunteers work as: advisory group members; custody visitors; vehicle fleet support volunteers; local language volunteers; and in administrative support roles. The force also has a volunteer cadet scheme of around 1500. The cadet scheme is also a key part of the force's youth engagement work. The recruitment of volunteers and cadets had been supported and achieved through regular engagement events such as open days, as well as poster campaigns in local public buildings.

From the survey, 30 percent of the respondents from the area covered by Staffordshire Police speak highly of the police in their local area while 17 percent speak critically. The remainder have mixed views or do not know. Although not directly comparable because of the small force sample size, of the responses from across all forces in England and Wales, 32 percent speak highly and 16 percent speak critically.

We are satisfied that Staffordshire Police is engaging very effectively with the people it serves.

To what extent are people treated fairly and with respect when they come into contact with police officers and staff?

Public bodies (including the police) are required to consider all individuals when carrying out their work, and understand how different people will be affected by their activities. The duty requires the police to show evidence of this in their decision-making.

This inspection looked at whether all members of the public (including those with protected characteristics) are treated (and perceive that they are treated) fairly and with respect by the police. We also assessed the extent to which officers understand the National Decision Model,¹³ the framework by which all policing decisions should be made, examined and challenged. The Code of Ethics is a central component of the National Decision Model.

¹³ *College of Policing – Authorised Professional Practice on National Decision Model*, College of Policing, December 2014. Available from: www.app.college.police.uk/app-content/national-decision-model/?s

The police have thousands of interactions with the public on a daily basis. Research indicates that the quality of the treatment received during encounters with the police is more important to individuals than the objective outcome of the interaction. Before we began our fieldwork activity, we listened to around 40 calls made from members of the public to the 101 (non-emergency) and 999 (emergency) numbers to assess the quality of the treatment received. To determine the overall quality of the call, we considered criteria such as whether the call-handler remained polite, professional and respectful throughout the call, whether he or she took the caller's concerns seriously, appropriately assessing the risk and urgency of the call, and how well he or she established the caller's needs, managed the caller's expectations and explained what would happen next.

Although not necessarily representative of all calls responded to by Staffordshire Police, from the 40 calls assessed, HMIC was generally satisfied that the call-handlers were polite, respectful and effective. All the call-handlers used clear, simple language and ensured the caller understood what was being said to them.

During our fieldwork we also observed front-counter staff in their interaction with visitors at police stations, and we found they were consistently polite and respectful.

HMIC found that in Staffordshire Police officers we spoke to consistently understand the National Decision Model. Completion of a computer-based training package on the model is mandatory for all officers and is supported by guidance on the force intranet. Further compulsory training had been given to all officers attending annual personal safety sessions. This training has been generally well received by participants. An aide memoire about the model is also provided to officers. The model is referred to in many of the force's policies and procedures. Supervisors that we spoke to are confident that the model is understood and used across the force. This is important, as the use of the National Decision Model supports officers and staff in making rational and ethical decisions, which protect the public and build confidence in police.

We found that overall the officers and police staff we spoke to have the knowledge and skills to treat the public fairly and with respect. This has been achieved through the training it has delivered relating to the National Decision Model, coupled with the briefings and guidance provided on the Code of Ethics. Guidance material includes the consideration of ethical dilemmas to ensure learning is based on reality. The chief constable champions the ethos of 'doing the right thing'. The performance and standards unit maintains a blog on the force intranet to ensure learning from live cases is not lost. Arrangements are in place for the review of decisions, particularly on the use of force and stop and search. All operational officers have access to body-worn video equipment. The force is preparing to make the use of this equipment mandatory for those involved with stops and searches, domestic abuse cases and use of force including Taser and firearms deployments.

During the vulnerability inspection conducted earlier in 2015, we did find evidence of a small but significant number of staff displaying unsupportive attitudes towards victims and other people who are vulnerable, but such attitudes were not identified during this inspection and on this basis HMIC is therefore satisfied that most officers in Staffordshire Police treat the public fairly and with respect.

From the survey, 54 percent of respondents from the area covered by Staffordshire Police agree that the police in their local area treat people fairly and with respect versus 9 percent who disagree. The remainder neither agree nor disagree or do not know. Although not directly comparable because of the small force sample size, across all forces in England and Wales, the figures are 54 percent and 7 percent respectively.

Summary of findings



Outstanding

In Staffordshire Police there is a clear and consistent understanding of the importance of effective public engagement. The force uses a clear communications approach to ensure that a focus on engagement is maintained.

An excellent 'citizen focus toolkit' contains a broad range of relevant information about local communities. This comprehensive understanding helps the force to respond very effectively to issues of concern.

The force uses an extensive range of methods to ensure effective engagement with local people; good use of social media allows it to reach out to communities who are harder to reach. The public are kept well informed through updates provided in social media, internet posts and at local meetings.

The force has very effectively encouraged participation in policing by using a large number of volunteers. This has increased opportunities for effective engagement.

Through the training it has delivered in regard to the National Decision Model, coupled with briefings and guidance on the Code of Ethics, the force has ensured that officers have the knowledge and skills required to treat members of the public fairly and with respect.

To what extent are decisions taken on the use of stop and search and Taser fair and appropriate?

Introduction

Fairness, and the perception of fairness, is crucial to police legitimacy. It is therefore important that fairness is demonstrated in all aspects of policing, including the use of police powers. Some of the most intrusive powers available to the police are those involving stopping and searching people and the use of Taser.¹⁴

In autumn 2015, HMIC assessed the use of Taser and stop and search powers (specifically, compliance with the Best Use of Stop and Search scheme¹⁵ and how well reasonable grounds were recorded) to determine whether officers were using their powers fairly and in accordance with legal requirements and Authorised Professional Practice.

The inspection asked:

1. To what extent does the force ensure that it complies with the Best Use of Stop and Search scheme?
2. To what extent does the force ensure that Tasers are used fairly and appropriately?

To what extent does the force ensure that it complies with the Best Use of Stop and Search scheme?

Background

The primary role of the police is to uphold the law and maintain the peace. Unfair, unlawful or unnecessary use of stop and search powers make this task harder, with one of the direct consequences being a reduction in public trust and police legitimacy, and people being more likely to break the law and less willing to co-operate with the police. The purpose of stop and search powers is to enable officers to dismiss or confirm suspicions about individuals carrying unlawful items without exercising their power of arrest. The officer must have reasonable grounds for carrying out a search.

¹⁴ *College of Policing: Authorised Professional Practice on armed policing – legal framework and Taser*. Available from: www.app.college.police.uk/app-content/armed-policing/conducted-energy-devices-taser/

¹⁵ *Best Use of Stop and Search Scheme*, Home Office, 2014. Available from: www.gov.uk/government/publications/best-use-of-stop-and-search-scheme

In our 2013 inspection on stop and search,¹⁶ HMIC concluded that few forces could demonstrate that use of stop and search powers was based on an understanding of what works best to cut crime and rarely was it targeted at priority crimes in their areas. Forces had reduced the amount of data collected, to reduce bureaucracy, but this had diminished their capability to understand the impact of the use of stop and search powers on crime levels and community confidence.

The report was clear that, for a stop and search encounter to be effective and lawful, a police officer must have reasonable grounds for suspicion (based on specific and objective information) that a person is in possession of a stolen or prohibited item. Those grounds should be fully explained to the person being stopped and searched, and the person should be treated with fairness, courtesy and respect. In such circumstances, finding the item and arresting the offender or, alternatively, eliminating the suspicion and avoiding an unnecessary arrest are both valid and successful outcomes.

Following HMIC's 2013 inspection, on 26 August 2014 the Home Office published guidance to police forces on implementing the Best Use of Stop and Search scheme.

The principal aims of the scheme are for the police to establish greater transparency and community involvement in the use of stop and search powers, and make sure that the powers are used in an intelligence-led way to achieve better outcomes for the public.

All police forces in England and Wales have signed up to the Home Office's Best Use of Stop and Search scheme. This inspection considered the extent to which forces are complying with the scheme.

Use of stop and search in Staffordshire Police – Stop and search by volume

In the 12 months to 31 March 2015, Staffordshire Police carried out 6,189 stops and searches. The table below shows this number per 1,000 population for Staffordshire Police and the average of its most similar group of forces, as well as the change from the 12 months to 31 March 2014. The figures indicate that the force's use of stop and search powers is currently less than the average of its most similar group of forces.

¹⁶ *Stop and Search Powers – are the police using them effectively and fairly?*, HMIC, July 2013. Available from: www.justiceinspectorates.gov.uk/hmic/media/stop-and-search-powers-20130709.pdf

Figure 6: Number of stops and searches per 1,000 population carried out by Staffordshire Police compared to the average of its most similar group (MSG) of forces, 12 months to 31 March 2015, and the percentage change from the 12 months to 31 March 2014

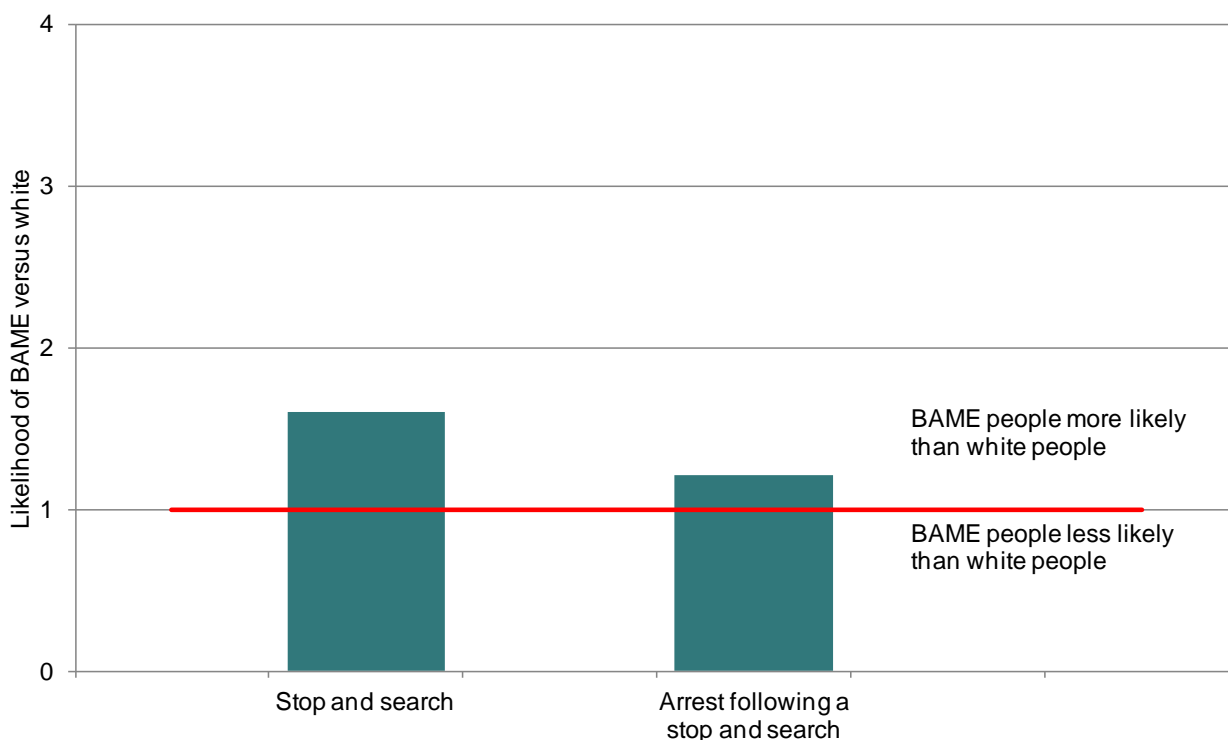
	Stops and searches per 1,000	Change from previous year
Staffordshire	5.6	-59%
Staffordshire's MSG average	6.9	-34%

Sources: Home Office Stop and Search data, Police Powers and Procedures 2014/15 and Office for National Statistics mid-2014 population estimates

Use of stop and search in Staffordshire Police – Stop and search by ethnicity

HMIC looked at the published data on stops and searches by ethnicity and compared them with the most recent local population data by ethnicity (the 2011 Census). The data suggested that BAME people were statistically more likely to be stopped and searched by Staffordshire Police than white people. However, of the individuals who had been stopped and searched, there was no statistical difference in the likelihood of arrest by the force between BAME people and white people.

Figure 7: A comparison between the likelihood of BAME and white people being stopped and searched and, separately, arrested following stop and search by Staffordshire Police, 12 months to 31 March 2015



Sources: Home Office Stop and Search data, Police Powers and Procedures 2014/15 and Office for National Statistics 2011 Census

Caution needs to be taken before drawing assumptions from these data, especially where they might appear to suggest that forces are unfairly targeting particular ethnicities in their use of stop and search powers. Although that is one possible explanation, there are a number of other factors which could result in any disparity, including:

- the 2011 ethnicity figures no longer being representative of the force's local population;
- the difference between the ethnicity of the street population available to be stopped and searched at any given time with the general force population;
- stops and searches being carried out on people who are not resident in the area (and so are not counted as part of the population);
- disparity in the crime rates between different ethnicities;
- disparity in the number of repeat stops and searches carried out on individuals by ethnicity; or
- difficulties with the recorded data by ethnicity (while forces always record ethnicity when arresting a person as a result of being stopped and searched, they do not always record it when the encounter does not involve an arrest).

It is important that forces understand their data along with reasons for any apparent disparity to ensure that their use of the powers is fair.

Recording reasonable grounds for suspicion

In our 2013 inspection, we were concerned to see that, of the 8,783 stop and search records we examined across all forces in England and Wales, 27 percent did not include sufficient reasonable grounds to justify the lawful use of the power. For Staffordshire Police, the 2013 inspection showed that 93 of 199 records reviewed (47 percent) did not have sufficient reasonable grounds recorded.

For this inspection we reviewed 100 stop and search records provided by the force. As in the 2013 inspection, we reviewed the records to determine if reasonable grounds were recorded; 81 of the records reviewed had been endorsed by a supervisor. We found that 12 of the 100 forms (12 percent) did not have reasonable grounds recorded, of which 11 had not been endorsed by a supervisor. This suggests that some officers and supervisors given the task of reviewing records do not fully understand what constitutes reasonable grounds.

While the forms we reviewed may not be representative of all stop and search records completed by the force, the result indicates that still too many records do not have reasonable grounds recorded.

Compliance with the Best Use of Stop and Search scheme

There are several aspects to the Best Use of Stop and Search scheme. As part of this inspection, HMIC considered the extent to which the force complied with each aspect of the scheme. Our analysis is set out in the table below.

An assistant chief constable leads a working group which oversees the use of stop and search powers. This group conducts monthly dip-samples to monitor the fair and appropriate use of powers. The force has also a plan to improve use of stop and search powers, and to comply with the principles of the Best Use of Stop and Search scheme.

An independent review of stop and search had been undertaken by the ethics, transparency and audit panel (ETAP), established by the police and crime commissioner and the report of the review made available to the public.

We spoke to a range of officers about the use of stop and search. All officers had completed mandatory computer-based training on the Best Use of Stop and Search scheme. Further training has been provided during personal safety training. However, we found that understanding of the scheme was mixed. This is unfortunate, as the scheme can help promote fair and appropriate use of these powers.

HMIC found that Staffordshire Police is not complying with the Best Use of Stop and Search scheme.

Feature of Best Use of Stop and Search scheme	HMIC assessment of compliance
Recording and publishing the outcomes following a stop and search	<p>The force does not comply with this feature of the scheme.</p> <p>We found that the stop and search record, provided to us by the force and revised in November 2014, did not record the full list of outcomes set out in the scheme. Some outcomes, such as cannabis/khat warnings, were not included due to the force's involvement in a pilot for out-of-court disposals, but the record also had no means of separately and distinctly recording summonses resulting from stop and search encounters. The record did include a description of the item found, which means it can determine links between the item searched for and the outcome. While no data in respect of the outcomes, or any connections to the items searched for, are published on the force's website, some data are published on the police.uk website, but not the full list required by the scheme. There is a helpful link on the force's website, directing members of the public to the data on the police.uk website.</p>
Providing opportunities for the public to observe officers using the power	<p>The force does not comply with this feature of the scheme.</p> <p>The force had yet to provide opportunities for the public to observe stop and search. The chief constable, supported by the police and crime commissioner, has decided that, because of the geography of the force area and the infrequency of stops carried out, a ride-along/lay observer scheme would not achieve its objectives. As an alternative, the force is planning to introduce local independent panels to scrutinise stop and search use. Two of these panels had already been set up but one has yet to launch. The force also plans to make use of body-worn video mandatory for stop and search encounters; this will increase transparency and accountability. However, at the time of the inspection the force was not compliant.</p>
Explaining to communities how the powers are being used following a 'community complaint'	<p>The force complies with this feature of the scheme.</p>

<p>Reducing the number of people stopped and searched without suspicion under section 60¹⁷ of the Criminal Justice and Public Order Act 1994</p>	<p>The force complies with this feature of the scheme.</p>
<p>Monitoring the impact of stop and search – particularly on young people and black, Asian and minority ethnic groups</p>	<p>The force does not comply with this feature of the scheme. The force monitors the use of stop and search powers in respect of the number carried out, and the ethnicity and gender of those stopped and searched. However, it did not monitor the ages of those stopped and searched and so, while it has some ability to monitor the impact of the use of the powers on black, Asian and minority ethnic (BAME) people, it cannot determine the impact of the use of them on young people. The force also monitors the outcomes of stops and searches in relation to BAME people but this is limited to the number of arrests, other outcomes and no further action. The force does not monitor the number of times a stolen or prohibited item was found, whether it was the item searched for, or how it linked to the outcome.</p>

¹⁷ 'No suspicion' searches are provided for under section 60 of the Criminal Justice and Public Order Act 1994. Available from: www.legislation.gov.uk/ukpga/1994/33/section/60

To what extent does the force ensure that Tasers are used fairly and appropriately?

Background

Taser is a device designed to temporarily incapacitate a person through use of an electrical current which temporarily interferes with the body's neuromuscular system. This usually causes the person to freeze or fall over, giving officers time to restrain them.

It projects a pair of barbs or darts attached to insulated wires which attach to the subject's skin or clothing. The device has a maximum range of 21 feet and delivers its electrical charge in a five-second cycle which can be stopped, extended or repeated.

Taser is one of a number of tactical options available to police officers when dealing with an incident where there is the potential for harm – to potential victims and/or the public, the police officers themselves, or the subject.

The way a Taser is used by police officers is categorised into a range of escalating actions from drawing the device, through to it being 'discharged' (that is, fired, drive-stunned or angled drive-stunned). A table in Annex D outlines the definitions of the different levels of use.

When police are required to use force to achieve a lawful objective, such as making a lawful arrest, acting in self-defence or protecting others, that force must be reasonable in the circumstances. If it is not, the officer is open to criminal or misconduct proceedings. It may also constitute a violation of the human rights of the person against whom the force was used.

HMIC has not previously inspected how Taser is used either in, or between, forces. This inspection considered whether chief officers understand how Taser is being used across the force area, to satisfy themselves that it is being used fairly and appropriately, and whether Taser-trained officers are acting in accordance with the College of Policing's Authorised Professional Practice and the legal framework each time it is used.¹⁸

¹⁸ *College of Policing: Authorised Professional Practice on armed policing – legal framework and Taser*. Available from: www.app.college.police.uk/app-content/armed-policing/conducted-energy-devices-taser/

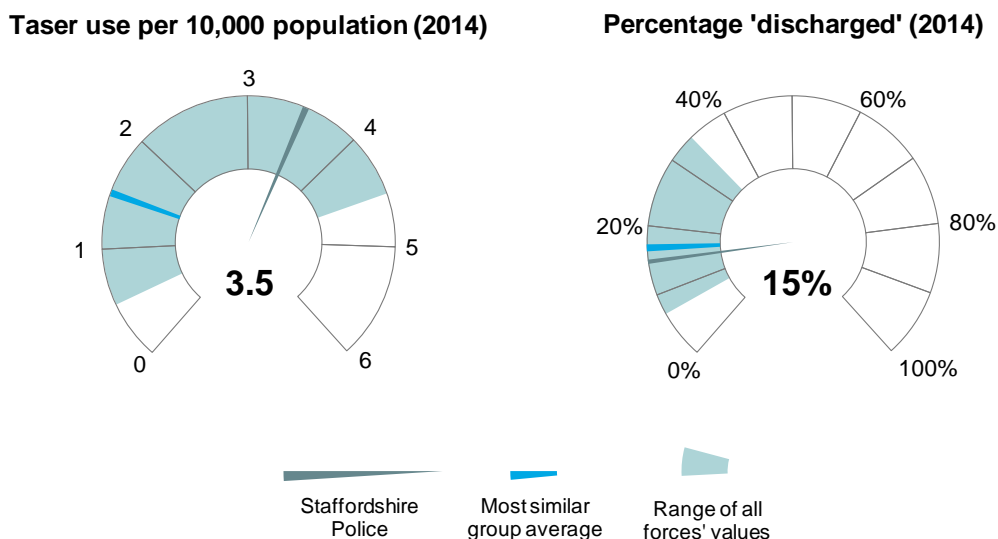
Use of Taser in Staffordshire Police

Every time a Taser is used in some capacity (this includes a full range of use from being drawn to being 'discharged') a police officer makes a record of its 'highest use' on a Taser deployment form.

Between 1 January and 31 December 2014, Taser was used in some capacity 390 times by Staffordshire Police, representing 3.5 times for every 10,000 people in the force's area. This was greater than the average for Staffordshire Police's most similar group of forces, which was 1.5 times per 10,000 population.

During the same time period, Taser was 'discharged' on 58 occasions (out of the 390 times it was used in some capacity). This equates to 15 percent of overall use, broadly in line with the force's most similar group average of 17 percent. The following figure shows the comparisons.

Figure 8: Use of Taser per 10,000 population and the proportion 'discharged' by Staffordshire Police, 12 months to 31 December 2014¹⁹



Sources: Office for National Statistics mid-2014 population estimates and Home Office Police use of Taser statistics

The Taser deployment form is a national document for gathering research information about the operational effectiveness of the Taser device, and any medical implications of its use. If officers fire the Taser, or if they use it in drive-stun or angled drive-stun mode, they are required to complete the full form, including a detailed description of the incident from commencement to resolution. The National Decision Model is used on the form as a structure for officers to record this description.

¹⁹ City of London Police data was removed from figure 8 because of the very low number of times Taser was used by the City of London Police in 2014.

For any other use, such as 'drawn', 'aimed', 'red-dotted' or 'arced', officers are only required to provide brief details of the incident. A detailed description, structured around the National Decision Model, is not required.

Before the fieldwork stage of the inspection, HMIC conducted a review of 20 Taser deployment forms provided by Staffordshire Police. Although the findings of this review are not necessarily representative of all Taser forms completed by the force, they do provide an indication of the force's Taser activity. The forms showed that, of the 20 forms reviewed, Taser had been fired twice, red-dotted 11 times, aimed once and drawn 6 times. On the two occasions that Taser had been fired, we found evidence that other tactics had been considered by the officers.

Overall officers used Taser to protect themselves or others from a range of weapons, including kitchen knives, a claw hammer, a bottle, and a syringe.

The 'brief details' and the NDM sections of the forms provided us with evidence to suggest that the use of Taser was fair, lawful, and appropriate in all of the 20 cases reviewed.

Where officers had been required to complete the NDM section of the form, none of them contained any mention of the national Code of Ethics for the police service which is at the heart of the NDM, and should be considered at each stage, particularly under the 'Powers and Policy' section. This appears to be a national issue and is considered in our national Legitimacy report.

HMIC found that Taser-trained officers that we spoke to clearly and consistently understand the National Decision Model and its application to decisions about Taser use. Initial and refresher training in the use of Taser includes use of the model. This supports fair and appropriate decision-making that can protect the public and officers.

There is a clear rationale for the distribution and number of Taser-trained officers across the force. This has been determined on the basis of risk assessments and a need to provide a ten-minute response time to incidents. The number and location of Tasers and Taser-trained officers are regularly reviewed by a firearms review meeting chaired by an assistant chief constable. This helps ensure that this tactic is appropriately available to protect the public.

The force takes suitable measures to ensure use of Taser is fair and appropriate. All uses of Taser by the force are reported in accordance with national guidance. All incidents of Taser use are reviewed by supervisors, including the chief firearms officer and the senior Taser trainer. An independent review of Taser use by the force had been carried out by the ethics, transparency and audit panel (ETAP), established by the police and crime commissioner.

Force policy on the use of Taser has been made available to the public via the force internet site, which contains a dedicated Taser page. The public are also able to access data on the local use of Taser by Staffordshire Police through a web link to national data published by the Home Office. This supports the development of public trust in the use of this tactic.

Based on our assessment of the Taser forms and our fieldwork findings, HMIC is satisfied that on the whole, Taser is being used fairly and appropriately by Staffordshire Police.

Summary of findings



Good

HMIC found that Staffordshire Police is not compliant with the Best Use of Stop and Search scheme in relation to recording and publishing outcomes, providing opportunities for the public to observe stop and search encounters, and monitoring the impact of use of the powers on young people. We also have concerns about the recording of reasonable grounds for lawful use of the power.

There has been independent review of stop and search by the ethics, transparency and audit panel (ETAP), established by the police and crime commissioner, and this review has been published.

Officers understand the National Decision Model and how it can be used to support decision-making about stop and search encounters, but despite all officers completing a computer-based training programme, knowledge of the Best Use of Stop and Search scheme is mixed.

Taser-trained officers are clearly aware of the National Decision Model and understood its application to Taser use. The number of Tasers held and officers trained to use them are appropriate.

Use of Taser is overseen in accordance with national guidance and reviewed by senior officers. An independent review into the use of Taser in Staffordshire had been carried out by the ethics, transparency and audit panel, established by the police and crime commissioner and published.

Taser is used fairly and appropriately in Staffordshire.

Areas for improvement

- The force should ensure that stop and search records include sufficient reasonable grounds to justify the lawful use of the power, and that officers fully understand the grounds required to stop and search.
- The force should ensure that adequate supervision takes place so that stop and search records are accurate and contain the required information in respect of reasonable grounds.
- The force should put in place an action plan setting out how it will comply with all the features of Best Use of Stop and Search scheme. HMIC will revisit the force within six months to determine what improvements have been made.

Annex A – HMIC judgments

The categories are:

- outstanding;
- good;
- requires improvement; and
- inadequate.

Judgment is made against how legitimate the force is at keeping people safe and reducing crime, it is not an assessment of the overall legitimacy of policing. In applying the categories HMIC considers whether:

- the legitimacy of the force is achieving is good, or exceeds this standard sufficiently to be judged as outstanding;
- the legitimacy of the force requires improvement, and/or there are some weaknesses; or
- the legitimacy of the force is inadequate because it is considerably lower than is expected.

Annex B – Data methodology

Please note the following for the data.

- The sources of the data are provided in each section. For the force in numbers data, please see the relevant section.
- Workforce figures (based on full-time equivalents) were obtained from the Home Office annual data return 502. Most of these are available from the Home Office's published *Police workforce England and Wales statistics*, although figures may have been updated since the publication.
- Police staff includes section 38 designated officers (investigation, detention and escort).
- Data from the Office for National Statistics 2011 Census were used for the number and proportion of black, Asian and minority ethnic (BAME) people within each force area. While the numbers may have since changed, more recent figures are based only on estimates from surveys or projections.
- HMIC has been made aware of updates from particular forces on their Taser and stop and search data. However, for fairness and consistency, we have presented the data as published by the relevant sources.

Please note the following for the methodology applied to the data.

- Comparisons with most similar group of forces – In most cases, comparisons are made with the average of the force's most similar group (MSG) of forces. These are forces that have been found to be the most similar to the force in question, based on an analysis of demographic, social and economic characteristics which relate to crime. The following forces are in Staffordshire Police's MSG: Avon and Somerset, Derbyshire, Essex, Hampshire, Hertfordshire, Northamptonshire and Cheshire.
- Comparisons with averages – For some data sets, we state whether the force's value is 'below', 'above' or 'broadly in line with' the average. To calculate this, the difference to the mean average, as a proportion, is calculated for all forces. After standardising this distribution, forces that are more than half a standard deviation from the mean average are determined to be above or below the average, with all other forces being broadly in line.

In practice this means that, very approximately, a third of forces are above, a third are below, and the remaining third are in line with the average for each measure. For this reason, the distance from the average required to make a

force's value above or below the average is different for each measure so may not appear to be consistent.

- Statistical significance – When commenting on statistical differences, we use a significance level of 5 percent.

Ipsos MORI survey

The national survey was conducted with a sample of 26,057 people aged 16 plus across England and Wales, between 15 July and 6 August 2015. All interviews were conducted online through Ipsos MORI's online panel.

The Ipsos MORI online panel consists of a pre-recruited group of individuals or multiple individuals within households who have agreed to take part in online market and social research surveys. The panel is refreshed continually using a variety of sources and methods.

Respondents to this survey were recruited using an email invitation including a link to the online questionnaire. The survey invitations were managed to achieve robust numbers of interviews in each force area in order to provide indicative results at a force level. Final numbers of responses per force area ranged from 353 to 1,278.

Responses are based on all participants completing the relevant survey question. Results are weighted within the force area to the local age, gender and work status profile of the area, and an additional weight has been applied to the overall total to reflect the population breakdown by force area.

Annex C – The Best Use of Stop and Search scheme

The scheme includes a number of features with the aim of achieving greater transparency, community involvement in the use of stop and search powers and supporting a more intelligence-led approach, leading to better outcomes.

Recording and publishing outcomes

The Best Use of Stop and Search scheme requires forces to record and publish the following outcomes from the use of stop and search powers:

- Arrest;
- Summons/charged by post;
- Caution (simple or conditional);
- Khat or cannabis warning;
- Penalty notice for disorder;
- Community resolution; and
- No further action.

Forces adopting the scheme should therefore be providing the public with a much richer picture of how their use of stop and search powers are enabling them to reduce crime rates. The scheme also requires forces to show the link, or lack of one, between the object of the search (what the officer was looking for) and the outcome. This link helps to show how accurate officers' reasonable grounds for suspicion are by showing the rate at which they find what they were searching for during the stop and search.

Providing opportunities for the public to observe stop and search encounters

A core element of the scheme is the requirement that participating forces will provide opportunities for members of the public to accompany police officers on patrol when they might use stop and search powers.

It is important for the public, particularly young people and people from black, Asian and minority ethnic communities, to be able to see the police conducting their work in a professional way. Equally, it is also important for the police to understand the communities they serve – as this enables more effective policing through community co-operation and exemplifies 'policing by consent'.

By introducing 'lay observation', a process of two-way learning can take place, bringing the police closer to the public.

Implementing a community trigger for complaints

The scheme requires forces to implement a community complaints trigger to signpost the appropriate mechanism for members of the community to raise any concerns or complaints that they have with the way that a stop and search has been carried out by their police force. When the trigger is activated, the scheme requires forces to explain the use of the powers to community scrutiny groups.

Authorising searches under section 60 Criminal Justice and Public Order Act 1994

Section 60 stop and search powers are among the most controversial of all such powers by virtue of the fact that individual police officers can stop and search a person without the need to have reasonable grounds for suspicion.

Once a section 60 authorisation is in place, officers do not need to have suspicions about a particular individual prior to stopping them; though an officer must explain to an individual who has been stopped that a section 60 authorisation is in place. This can lead to a large number of searches which result in community and police tensions. The scheme introduces a set of requirements that, when combined, will ensure that participating forces improve their use of this type of stop and search power. These include raising the authorisation level from inspector to senior officer (assistant chief constable or above), restricting the time a section 60 authorisation can be in force to 15 hours and communicating the purpose and outcomes of each section 60 authorisation in advance (where possible) and afterwards.

Monitoring the use of stop and search powers

The scheme requires forces to monitor the use of stop and search powers, in particular to determine their impact on black, Asian and minority ethnic people and young people.

Annex D – Types of use of Taser

Type of use Definition²⁰

Fired	The Taser is fired with a live cartridge installed. When the trigger is pulled, the probes are fired towards the subject with the intention of completing an electrical circuit and delivering an incapacitating effect.
Angled drive-stun	The officer fires the weapon with a live cartridge installed. One or both probes may attach to the subject. The officer then holds the Taser against the subject's body in a different area to the probe(s), in order to complete the electrical circuit and deliver an incapacitating effect.
Drive-stun	The Taser is held against the subject's body without a live cartridge installed, and the trigger is pulled with no probes being fired. Contact with the subject completes the electrical circuit which causes pain but does not deliver an incapacitating effect.
Red dot	The weapon is not fired. Instead, the Taser is deliberately aimed and then partially activated so that a laser red dot is placed onto the subject.
Arcing	Sparking of the Taser as a visible deterrent without aiming it or firing it.
Aimed	Deliberate aiming of the Taser at a targeted subject.
Drawn	Drawing of Taser in circumstances where any person could reasonably perceive the action as a use of force.

Tasers that have been 'discharged' are those that have been fired, angled drive-stunned or drive-stunned.

²⁰ *Police use of Taser statistics, England and Wales: 1 January to 31 December 2014*, Home Office, 2015. Available from www.gov.uk/government/statistics/police-use-of-taser-statistics-england-and-wales-1-january-to-31-december-2014.