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# PEEL: Police legitimacy 2016

An inspection of Cumbria Constabulary



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## Introduction

As part of our annual inspections of police effectiveness, efficiency, legitimacy and leadership (PEEL), Her Majesty's Inspectorate of Constabulary (HMIC) assesses the legitimacy of police forces across England and Wales.

Police legitimacy – a concept that is well established in the UK as 'policing by consent' – is crucial in a democratic society. The police have powers to act in ways that would be considered illegal by any other member of the public (for example, by using force or depriving people of their liberty). It is therefore vital that they use these powers fairly, and that they treat people with respect in the course of their duties.

Police legitimacy is also required for the police to be effective and efficient: as well as motivating the public to co-operate with the police and respect the law, it encourages them to become more socially responsible. The more the public supports the police by providing information or becoming more involved in policing activities (such as via Neighbourhood Watch or other voluntary activity), the greater the reduction in demand on police forces.

To achieve this support – or 'consent' – the public needs to believe that the police will treat them with respect and make fair decisions (while taking the time to explain those decisions), as well as being friendly and approachable.<sup>1</sup> This is often referred to as 'procedural justice'. Police actions that are perceived to be unfair or disrespectful can have extremely negative results for police legitimacy in the eyes of the public.

Police officers and staff are more likely to treat the public with fairness and respect if they feel that they themselves are being treated fairly and respectfully, particularly by their own police force. It is therefore important that the decisions made by their force about the things that affect them are perceived to be fair.<sup>2</sup> This principle is described as 'organisational justice', and HMIC considers that, alongside the principle of procedural justice, it makes up a vital aspect of any assessment of police legitimacy.

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<sup>1</sup> *It's a fair cop? Police legitimacy, public cooperation, and crime reduction*, National Policing Improvement Agency, September 2011. Available at:  
[http://whatworks.college.police.uk/Research/Documents/Fair\\_cop\\_Full\\_Report.pdf](http://whatworks.college.police.uk/Research/Documents/Fair_cop_Full_Report.pdf)

<sup>2</sup> *Fair cop 2: Organisational justice, behaviour and ethical policing*, College of Policing, 2015. Available at:  
[http://whatworks.college.police.uk/Research/Documents/150317\\_Fair\\_cop%20FINAL\\_REPORT.pdf](http://whatworks.college.police.uk/Research/Documents/150317_Fair_cop%20FINAL_REPORT.pdf)

One of the most important areas in which internal organisational justice and external procedural justice principles come together is the way in which police forces tackle corruption. How this is done needs to be seen to be fair and legitimate in the eyes of both the police workforce and the general public.

HMIC's legitimacy inspection assessed all of these areas during 2016. More information on how we inspect and grade forces as part of this wide-ranging inspection is available on the HMIC website ([www.justiceinspectorates.gov.uk/hmic/peel-assessments/how-we-inspect/](http://www.justiceinspectorates.gov.uk/hmic/peel-assessments/how-we-inspect/)). This report sets out our findings for Cumbria Constabulary.

Reports on Cumbria Constabulary's efficiency and leadership inspections are available on the HMIC website ([www.justiceinspectorates.gov.uk/hmic/peel-assessments/peel-2016/cumbria/](http://www.justiceinspectorates.gov.uk/hmic/peel-assessments/peel-2016/cumbria/)). Our reports on police effectiveness will be published in early 2017.

## Force in numbers



### Workforce

Total workforce as of 31 March 2016

**1,768**

Total workforce breakdown as of 31 March 2016

officers

**1,118**

staff

**566**

PCSOs

**85**



### Ethnic diversity

Percentage of BAME in workforce 31 March 2016

overall workforce

**0.7%**

officers

**1.0%**

staff

**0.3%**

PCSOs

**0.0%**

Percentage of BAME in local population, 2011 Census

**1.5%**



### Gender diversity

Percentage of females in overall workforce 31 March 2016

**45%**

Cumbria Constabulary

England and Wales population, 2011 Census

**51%**

Percentage of females by role 31 March 2016

**36%**

officers

**62%**

staff

**57%**

PCSOs

Cumbria Constabulary



## Public complaints

Number of public complaints per 1,000 workforce 12 months to 31 March 2016

Officers

Cumbria Constabulary

216

England and Wales force average

268

Staff (including PCSOs)

43

61



## Grievances

Number of grievances per 1,000 workforce raised and finalised 12 months to 31 March 2016

Officers

Cumbria Constabulary

0.9

England and Wales force average

4.8

Staff (including PCSOs)

4.6

6.8



## Victim satisfaction

Victim satisfaction with their overall treatment by the police 12 months to 31 March 2016

Cumbria Constabulary

97.2%

England and Wales force average

93.4%

For further information about the data in this graphic please see annex A

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

### Overall judgment<sup>3</sup>



**Good**

Cumbria Constabulary has been assessed as good in respect of the legitimacy with which it keeps people safe and reduces crime.

The constabulary has a good understanding of the importance of providing positive and fair treatment for all members of the public. There are good arrangements in place to work with local communities and the constabulary's workforce, and to understand their concerns. However, there are limited arrangements for the constabulary to proactively identify corruption when it has not been reported.

### Overall summary

Cumbria Constabulary has established good arrangements to listen to the public and understand their concerns. The constabulary is addressing public priorities and people's perceptions of whether they have been treated fairly and respectfully in the course of their involvement with the police.

The constabulary investigates complaints from the public thoroughly. There is a system in place to analyse trends and to promptly address problems concerning individual officers who are the subject of repeated complaints. All staff have a good awareness of the high standards of behaviour and integrity required of them, and regularly receive updates and reminders on the standards of behaviour expected.

The professional standards department is adequately resourced to receive, assess and manage intelligence in relation to wrongdoing and corruption from across the constabulary. However, while the constabulary can vet all new applicants, there is insufficient capacity to carry out the full range of vetting required under new guidelines of staff who have been in the constabulary for some time.

There are strong governance arrangements in place to oversee disciplinary cases, and members of the workforce are supported when they report wrongdoing. While there are confidential reporting lines available to officers and staff, there is only a limited amount of proactive investigation of wrongdoing.

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<sup>3</sup> HMIC judgments are: outstanding, good, requires improvement and inadequate.



There is a strong reliance on the relationship between an individual and their line manager to manage the wellbeing of staff and to understand their concerns. The constabulary has conducted an internal staff survey and is responding positively to the issues raised by the workforce through the introduction of a new wellbeing strategy, which will extend the current physical and emotional support available to the workforce.

Performance assessment occurs at management, team and individual level. The new performance assessment is centred on the constabulary's 'big six' strategy that clearly sets out its ambition and values.

Current performance appraisal arrangements are immature and there is a need to improve the way information on staff progress, skills and development is recorded and managed by the constabulary.

### **Recommendations**

Cumbria Constabulary is a good constabulary. HMIC has not identified any causes of concern and has therefore made no specific recommendations.

### **Areas for improvement**

- The constabulary should ensure that it complies with all aspects of the current national guidelines for vetting.
- The constabulary should ensure that it has the capability to monitor all its computer systems to identify risks to its integrity.
- The constabulary should improve how it manages individual performance.

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

College of Policing research suggests that, in the eyes of the public, police legitimacy stems primarily from the concept of ‘procedural justice’: the expectation that officers will treat the public respectfully and make fair decisions (explaining them openly and clearly), while being consistently friendly and approachable.<sup>4</sup>

While HMIC recognises that police legitimacy stems from much broader experiences of the police than direct contact alone, our 2016 inspection focused specifically on public perceptions of fair treatment. Our inspection aims to assess how far the force can demonstrate the importance it places on maintaining procedural justice; and the extent to which it is seeking feedback to enable it to prioritise and act on those areas that have the greatest negative impact on public perceptions of fair and respectful treatment (e.g. stop and search, surveillance powers or use of force). This should include how the force is approaching those groups that have the least trust and confidence in the police.

## To what extent does the force understand the importance of treating the people it serves with fairness and respect?

It is important for the police to understand that it is procedural justice – making fair decisions and treating people with respect – that drives police legitimacy in the eyes of the public, over and above police effectiveness at preventing and detecting crime.<sup>5</sup> HMIC assessed the extent to which the importance of procedural justice was reflected in the force’s vision and values, and the extent to which it was understood by the workforce.

### Organisational values

We found that the importance of treating people with fairness and respect is universally understood by staff across the constabulary. In March 2016, the constabulary introduced a new structured approach to ‘keep Cumbria safe’ through six inter-dependent priorities, designed to improve the way policing services will be provided. This approach (called ‘the big six’)<sup>6</sup> was set out in a simple format on a

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<sup>4</sup> *It’s a fair cop? Police legitimacy, public cooperation, and crime reduction*, National Policing Improvement Agency, September 2011. Available at: [http://whatworks.college.police.uk/Research/Documents/Fair\\_cop\\_Full\\_Report.pdf](http://whatworks.college.police.uk/Research/Documents/Fair_cop_Full_Report.pdf)

<sup>5</sup> *Ibid.*

<sup>6</sup> The ‘big six’ priorities are: engage with communities and work with partners; prevent crime, road casualties and anti-social behaviour; manage calls for service; manage offenders; protect vulnerable people and communities; investigate crime and bring offenders to justice.

single sheet of paper as a 'plan on a page'. The plan identified those main policing areas where constabulary resources will be focused. Underpinning the new approach and within the plan is a commitment to put the public first, act with integrity and provide quality. Since the launch of 'the big six', there has been a renewed emphasis on managers to make sure that all staff understand their responsibilities in supporting the new strategy. The chief constable has personally promoted a 'Stepping Up' campaign to reinforce the importance of the new strategy and the Code of Ethics produced by the College of Policing. We found a good understanding of both among officers and staff.

Since our last report on legitimacy in Cumbria Constabulary,<sup>7</sup> the constabulary has continued to reinforce expected standards of behaviour through personal messages from senior managers, line supervisors, and regular internal communications and publications that set out expected standards for treating people with due consideration, fairness and respect.

## **How well does the force seek feedback and identify those issues and areas that have the greatest impact on people's perceptions of fair and respectful treatment?**

HMIC's 2015 legitimacy inspection found a positive picture of how forces were engaging with communities. This year HMIC's assessment focused specifically on the extent to which forces are working to identify and understand the issues that have the greatest impact on people's perceptions of fair and respectful treatment, including how well they seek feedback and challenge from the people they serve.

### **Seeking feedback and challenge**

The constabulary seeks feedback well from the communities it serves. In our 2015 legitimacy report,<sup>8</sup> we commented on Cumbria Constabulary's well-established and strong relationships with its communities, and these continue to be present.

The constabulary continues to rely on neighbourhood policing teams, typically police community support officers (PCSOs), to work with and to know their communities. The constabulary believes this approach to be effective and is identifying the best ways to communicate with people. A new set of minimum standards of engagement have been introduced for neighbourhood teams, which include a range of new techniques and channels such as Twitter, Facebook and surveys. However, we found that PCSOs are still attending parish and community meetings to listen to

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<sup>7</sup> *PEEL: Police legitimacy 2015 – An inspection of Cumbria Constabulary*, HMIC, 2016. Available from: [www.justiceinspectorates.gov.uk/hmic/publications/police-legitimacy-2015-cumbria](http://www.justiceinspectorates.gov.uk/hmic/publications/police-legitimacy-2015-cumbria)

<sup>8</sup> *Ibid.*

concerns and respond to them directly, when they consider this to be the most effective means of engagement.

We found examples of PCSOs being given responsibility to focus on one particular group of people who tend to be less likely to take part in traditional forms of engagement. For example, one PCSO who works in a rural area is working closely with the farming community and setting up a 'farm watch' scheme to help farmers improve security and raise awareness of suspicious activity. Another PCSO has a portfolio that includes working with the lesbian, gay, bisexual and transgender (LGBT) community locally to understand their concerns about policing in more detail and to foster better relations to improve trust.

The constabulary has a facility for members of the public to provide comments through a feedback page on its external website, and has been innovative in identifying new methods to gain feedback from the community in relation to developing issues. For example, following a spate of racially aggravated criminal damage to takeaway food outlets across Carlisle, and a hate incident at a high-profile football match in the town, a main contacts consultative group was convened from members of the local community. The local neighbourhood policing team was able to use this group to keep the affected communities fully updated, and to receive feedback on the police investigation into what was seen as a sensitive issue for the local community.

The constabulary carries out a monthly survey to gather the views of the public, including detailed feedback as well as a checklist. In addition, the constabulary also carries out an annual survey of the public to request feedback on how crime and anti-social behaviour have been managed. Analysis of these surveys is used to inform priorities, develop constabulary policy and promote discussion on the quality and focus of services at the regular performance development conferences held in each area.

In our 2015 legitimacy report,<sup>9</sup> we reported that the constabulary had introduced an ethics and integrity committee to provide feedback on a range of ethical, disciplinary and policy issues. We were pleased to see that this group has continued to evolve to a point where the committee now provides quarterly feedback reports to the deputy chief constable on a range of issues relating to complaints, ethics and policy development.

### **Identifying and understanding the issues**

The constabulary uses a range of effective methods to identify and understand issues.

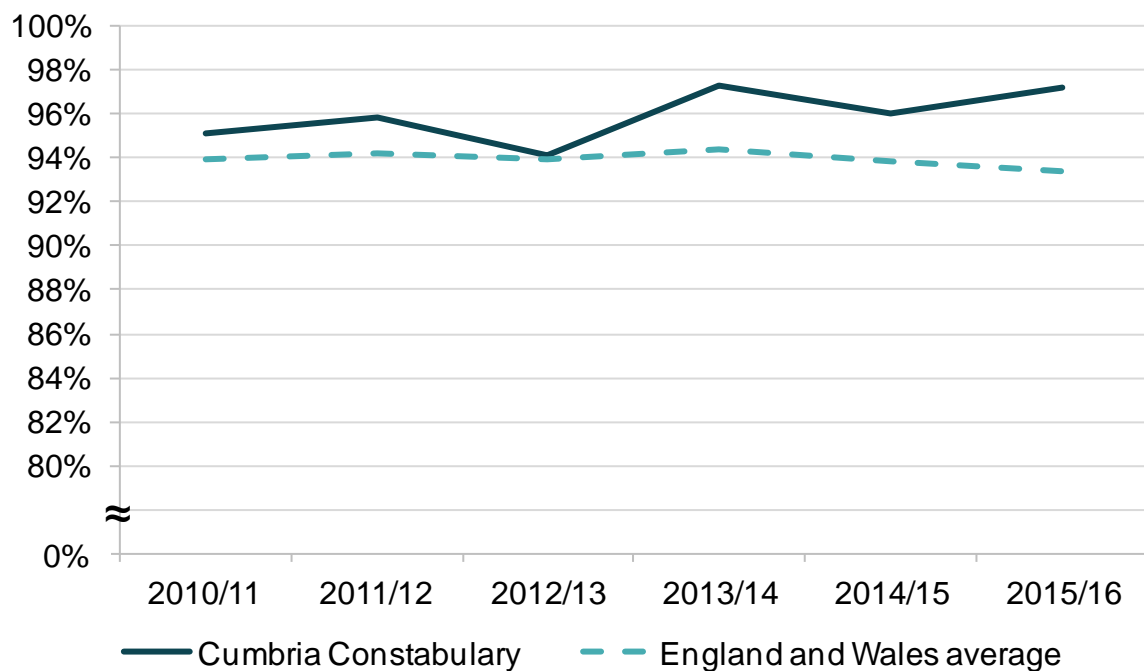
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<sup>9</sup> See: HMIC PEEL Legitimacy Report 2015 – Cumbria Constabulary, available at: [www.justiceinspectorates.gov.uk/hmic/publications/police-legitimacy-2015-cumbria/](http://www.justiceinspectorates.gov.uk/hmic/publications/police-legitimacy-2015-cumbria/)

In Barrow, a new approach to identifying and understanding local issues has been introduced because traditional methods of engagement were no longer considered to be as effective as they could be. Building on established partnership working arrangements, the local superintendent divided the Barrow area into five geographical areas and each of these had a new bespoke engagement plan created for community involvement. These new plans considered the best methods for working with different sections of each community, such as targeted involvement with local schools, elderly people and young people as well as attendance at various community meetings where appropriate.

All forces are required to conduct victim satisfaction surveys with specified victims of crime groups and provide data on a quarterly basis. The surveys take account of victims' experience of the service provided to them by the police and inform forces' improvements to their service provision, including examining how well victims feel they are treated.

**Figure 1: Percentage of victims satisfied with overall treatment by Cumbria Constabulary compared with England and Wales, from the 12 months to 31 March 2011 to the 12 months to 31 March 2016**



**Source: Home Office Annual Data Requirement**  
**For further information about the data in figure 1 please see annex A**

In the 12 months to 31 March 2016, 97.2 percent of all victims of crime (excluding hate crime) who responded to the victim satisfaction survey were satisfied with the overall treatment provided by Cumbria Constabulary, which was higher than the England and Wales average of 93.4 percent; and higher than the 96.0 percent who were satisfied with the overall treatment that the constabulary provided in the 12 months to 31 March 2015, this is not a statistically significant difference.

The constabulary created specific area surveys for local residents and business owners to complete in order to understand the main issues in each of the five areas. In one area, these priorities were identified as drugs supply, anti-social use of the roads and dogs fouling. The constabulary recognised that securing public confidence was the key to dealing with these concerns effectively. In a very short time, the constabulary was able to enlist the support of the local council to tackle dog fouling, empowered PCSOs to do speed awareness activities and supplemented this with the roads policing team carrying out targeted enforcement. In response to the drugs issue, the constabulary undertook a high profile proactive policing operation known as 'Operation Quadrant' against drug dealers.

In support of this work, there was good involvement of the local media to report on the police activity and update the public on court results. There was also frequent and ongoing communication with the community to make sure they felt that the issues they had identified were being addressed.

To inform engagement and policy decisions further, each policing area has a community consultative group (previously called an independent advisory group). These groups act as 'critical friends' to the constabulary and provide feedback and challenge in relation to the service provided. At a county-wide level, there is a strategic independent advisory group that is used to inform constabulary policy.

There is now a well-established relationship with the Gypsy, Roma and Traveller community to inform the policing operation about the annual Appleby fair event, with meetings between the police and the Gypsy, Roma and Traveller community representatives in the lead-up to the annual event to inform the style of policing used by officers.

A new engagement strategy for 2015–18 has been introduced and inspectors with geographical areas of responsibility have reviewed and assessed the effectiveness of the existing lines of communication within their local areas. This has resulted in the constabulary building on its understanding of local communities.

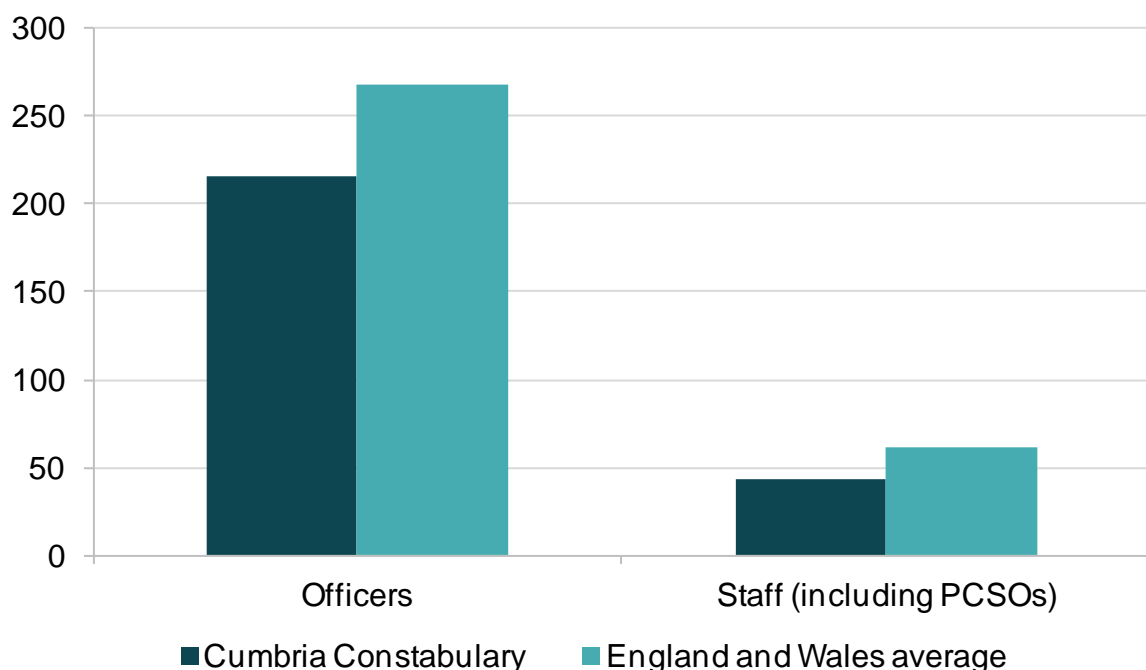
However, there is an acceptance that the constabulary still has a limited awareness of some communities, particularly those arriving from Eastern Europe to work in the holiday industry and others responding to new investment coming into the region from the power industry.

Cumbria is likely to continue to attract significant numbers of new workers who will need to assimilate into established small communities across the county. The constabulary is aware of the problems this could bring and anticipates that an

improved approach to working with local communities through the new engagement strategy, with regularly updated neighbourhood profiles,<sup>10</sup> will allow emerging new communities to be identified more rapidly and be better served by the constabulary.

Each force in England and Wales is required to record the nature of complaint cases and allegations, and to be able to produce complaints data annually. The numbers and types of complaints are valuable sources of information for forces. They can be used to help them identify areas of dissatisfaction with their service provision, and take steps to improve how they treat the public.

**Figure 2: Number of public complaint cases recorded against officers (per 1,000 officers) or staff (per 1,000 staff, including police community support officers) in Cumbria Constabulary compared with England and Wales, in the 12 months to 31 March 2016**



**Source: HMIC Legitimacy data collection**

**For further information about the data in figure 2 please see annex A**

In the 12 months to 31 March 2016, Cumbria Constabulary recorded 216 public complaint cases per 1,000 officers, which was lower than the England and Wales average of 268 cases per 1,000 officers. During this period, the constabulary recorded 43 public complaint cases per 1,000 staff (including PCSOs), which was broadly in line with the England and Wales average of 61 cases per 1,000 staff (including PCSOs).

<sup>10</sup> Neighbourhood profiles are often made up of police and partnership data to assist in the understanding of neighbourhoods and the people living and working in them. Neighbourhood profiling should enable police and partners to identify areas of risk, community tension and vulnerable individuals and groups, which can then be targeted and issues addressed through collaborative problem-solving activity.

The most recent Independent Police Complaints Commission (IPCC) data from forces show that, for April, May and June 2016, the types of complaint most frequently recorded by Cumbria Constabulary are 'other assault', 'other neglect or failure in duty' and 'incivility, impoliteness and intolerance'.<sup>11</sup> It is important to note, however, an issue identified during our 2014 inspection on police integrity and corruption;<sup>12</sup> complaint allegation categories used by different forces may overlap with each other. For instance, similar allegations might be recorded by one force as 'other neglect or failure in duty', and by another force as 'other irregularity in procedure' or 'lack of fairness and impartiality'. This means there is no definitive way of establishing accurately the number of public complaints about certain behaviours.

The constabulary regularly examines complaints received from members of the public to understand the issues that most affect public confidence and perceptions of the constabulary. This has shown that the three main themes leading to complaints against the constabulary relate to incivility, neglect of duty and use of force. Problems are discussed with local senior management teams to ensure that details of complaints are understood and taken up with officers and their supervisors. The senior officer in the professional standards department (PSD) routinely reviews case information supplied by the IPCC to identify trends.

Elsewhere, there are quarterly meetings between the police and independent custody visitors to understand the experiences of people detained in custody. Areas of concern, such as the length of time people are held in detention, and conflict with custody staff, are discussed to determine how well detainees are looked after while in police custody. These meetings are intended to improve police custody procedures and ensure that all detainees are accorded appropriate dignity and respect.

We found that the constabulary had responded to the concerns raised in our legitimacy report in 2015 in relation to the use of stop and search powers. In that report, we identified areas for improvement in how officers use this power, particularly in relation to the recording of the grounds for stopping someone and searching them, better supervision of procedures and the introduction of an action plan to monitor improvements. Further training for officers has been rolled out in terms of the use of the stop and search power, the Metropolitan Police Service's lead for stop and search has undertaken a peer review of stop and search in Cumbria Constabulary, improvements have been made to the recording and publishing of outcomes, and opportunities have been offered to the public to observe its officers using their powers.

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<sup>11</sup> Independent Police Complaints Commission data are available at: [www.ipcc.gov.uk/reports/statistics/police-complaints/police-performance-data](http://www.ipcc.gov.uk/reports/statistics/police-complaints/police-performance-data)

<sup>12</sup> *Integrity matters*, HMIC, January 2015. Available from: [www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/](http://www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/)



In August 2014, following HMIC's 2013 inspection on the effective and fair use of stop and search powers,<sup>13</sup> the Home Office published guidance to police forces on how to implement the Best Use of Stop and Search (BUSS) scheme.<sup>14</sup> The scheme aims to increase transparency and community involvement, and to support a more intelligence-led use of the powers leading to better outcomes. All police forces in England and Wales signed up to participate in the scheme. In 2015, HMIC's legitimacy inspection<sup>15</sup> considered the extent to which the constabulary was complying with the scheme and found that it did not comply with three features of the scheme. Consequently, the Home Secretary suspended the constabulary from participation in the scheme. In 2016, we revisited the force to assess its compliance with the scheme and found that it still did not comply with one feature: implementing a community complaints trigger that, when activated, leads to explanation to communities. However, we are satisfied that the constabulary has, since our revisit, achieved compliance with all features of the scheme. Details of our revisit can be found on HMIC's website at [www.justiceinspectorates.gov.uk/hmic/publications/best-use-of-stop-and-search-scheme](http://www.justiceinspectorates.gov.uk/hmic/publications/best-use-of-stop-and-search-scheme)

## **How well does the force act on feedback and learning to improve the way it treats all the people it serves, and demonstrate that it is doing so?**

It is important that as well as actively seeking feedback from the public, the force also responds to that feedback. HMIC assessed the extent to which this response includes changes to the way the force operates to reduce the likelihood of similar incidents occurring in future, as well as resolving individual incidents or concerns, and how well the force communicates to the public the effectiveness of this action.

### **Making improvements**

The constabulary considers information received in public complaints to improve its service. There is an analyst within the PSD whose role is dedicated to reviewing complaints data and providing information on trends. An example of this is that following revised management arrangements being introduced in the constabulary's communications centre, an increase in public dissatisfaction with call-handling was identified. The concerns were analysed to identify those procedures requiring

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<sup>13</sup> *Stop and search Powers – Are the police using them effectively and fairly?* HMIC, July 2013. Available at: [www.justiceinspectorates.gov.uk/hmic/publications/stop-and-search-powers-20130709/](http://www.justiceinspectorates.gov.uk/hmic/publications/stop-and-search-powers-20130709/)

<sup>14</sup> Best Use of Stop and Search Scheme, Home Office, August 2014. Available at: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/346922/Best\\_Use\\_of\\_Stop\\_and\\_Search\\_Scheme\\_v3.0\\_v2.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/346922/Best_Use_of_Stop_and_Search_Scheme_v3.0_v2.pdf)

<sup>15</sup> *PEEL: Police legitimacy 2015 – A national overview*, HMIC, February 2016. Available at: [www.justiceinspectorates.gov.uk/hmic/publications/police-legitimacy-2015/](http://www.justiceinspectorates.gov.uk/hmic/publications/police-legitimacy-2015/)

improvement, and then communicated to control-room supervisors in order to revise practices and bring about improvements in how calls from the public are responded to.

The PSD holds monthly tasking co-ordination and control action group meetings, which consider significant issues that adversely affect public perception of the constabulary. For example, this meeting considers 'use of force' data, which are collated centrally as a result of officers submitting use of force forms when they have used physical force in dealing with members of the public. Misconduct cases are reviewed and lessons learned are considered for dissemination throughout the constabulary. This meeting is attended by all PSD staff and is chaired by the head of the PSD. The meeting provides information to inform the PSD strategic assessment and the police and crime commissioner's (PCC's) ethics and integrity panel. As a result, the constabulary has a reliable mechanism for recognising, discussing and tackling unacceptable behaviour, and bringing in new ways of working to improve the way the public are treated.

The PSD also considers information and data to identify officers and staff who frequently attract complaints, in particular those officers and staff who have received three or more complaints within a 12-month rolling period. When concerns about members of staff are identified, the PSD conducts further investigation to determine what action may be appropriate to address unacceptable behaviour and allay public concerns. This will include a discussion by the PSD with each officer's line manager as part of the officer's performance review process to see what action can be taken to improve how the officer carries out their duties with the public.

Members of the PSD visit each police area to discuss with local management teams any recurring areas of concern identified through analysis of complaints. These discussions also cover local trends in relation to recorded complaints, and include a particular focus on those officers who regularly attract complaints.

### **Demonstrating effectiveness**

The constabulary evaluates the effectiveness of its actions and uses an adequate range of channels to demonstrate to the people it serves that it has taken timely and/or effective action in response to their feedback.

The constabulary's community engagement and consultation strategy for 2015–18 provides a variety of options for working with different communities. There is less emphasis on attending meetings and an increased focus on using digital technology to communicate important messages.

The constabulary demonstrated an approach to more considered community involvement when addressing tension following a high-profile murder in Carlisle. This occurred within a small community where all parties involved were known to each other and there was the potential for increased community tension.

The local neighbourhood policing team identified suitable local partners (such as schools, a community centre and social services) who could assist in highlighting local concerns at an early stage. From these partners, a community consultation panel was formed. This group worked together with the police to make rapid assessments of emerging issues across the neighbourhood and then develop an appropriate plan of action. This provided the constabulary with clear feedback on how it was responding to local concerns. The constabulary was able to use these contacts to provide regular feedback to the public, which in turn reduced tension across the community.

The plan also enabled the community safety team to establish CCTV in important locations to enable the local neighbourhood policing team to identify flashpoints. This continued right through the course of the investigation and through the duration of the trial and sentencing process.

In taking this approach, the constabulary reinforced the importance and benefits of early and close engagement with communities in conflict, considered decision making with partners to justify and record what was done or not done, and promoted positive joint working with other agencies.

## Summary of findings



**Good**

HMIC found that Cumbria Constabulary has a good approach to treating the people it serves with fairness and respect. Officers and staff have a good understanding of the importance of positive and fair treatment for all members of the public and this is supported by guidance from chief officers. All officers and staff whom we spoke with recognised and related to the constabulary's 'big six' priorities for keeping Cumbria safe, and understood the requirement to put the public first and act with integrity.

The constabulary has good arrangements in place to seek feedback and identify issues that could adversely affect people's perceptions of fair and respectful treatment. The constabulary has a strong tradition of local engagement with local communities, with a range of feedback opportunities available to the public and through frequent face-to-face events with neighbourhood policing teams.

There is a fully independent custody visitors scheme, which regularly reports on the treatment of detainees to senior managers in the constabulary.

There are good and emerging new lines of communication with the public to understand their concerns. Complaints are assessed and acted on to improve service provision, with staff being given feedback on expected standards as part of routine performance monitoring arrangements.

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

In 2014, HMIC inspected the extent to which the police were acting with integrity and guarding against corruption.<sup>16</sup> Given the continued importance of this topic, we are returning in this question to those national recommendations emerging from the 2014 report from that inspection, that our 2015 legitimacy inspection did not cover. Our inspection focus this year also reflects research showing that prevention is better than cure: the best way to ensure that police workforces behave ethically is for the forces to develop an ethical culture and to have systems in place to identify potential risks to the integrity of the organisations, so that forces can intervene early to reduce the likelihood of corruption.<sup>17</sup>

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

One of the first things forces can do to develop an ethical culture is to use effective vetting procedures to recruit applicants who are more likely to have a high standard of ethical behaviour, and to reject those who may have demonstrated questionable standards of behaviour in the past, or whose identities cannot be confirmed.

Once recruited, one of the best ways to prevent corruption from occurring among the workforce is by establishing an ethical working environment or culture. To achieve this, forces need to clarify and continue to reinforce and exemplify acceptable and unacceptable standards of behaviour, including the Code of Ethics.<sup>18</sup> This year, HMIC focused on assessing progress in those areas highlighted for improvement in our 2015 legitimacy inspection and our 2014 integrity and corruption inspection.

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<sup>16</sup> *Integrity matters*, HMIC, January 2015. Available from:  
[www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/](http://www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/)

<sup>17</sup> *Promoting ethical behaviour and preventing wrongdoing in organisations*, College of Policing, 2015. Available at:  
[http://whatworks.college.police.uk/Research/Documents/150317\\_Integrity\\_REA\\_FINAL\\_REPORT.pdf](http://whatworks.college.police.uk/Research/Documents/150317_Integrity_REA_FINAL_REPORT.pdf)

<sup>18</sup> *Promoting ethical behaviour and preventing wrongdoing in organisations*, College of Policing, 2015. Available at:  
[http://whatworks.college.police.uk/Research/Documents/150317\\_Integrity\\_REA\\_FINAL\\_REPORT.pdf](http://whatworks.college.police.uk/Research/Documents/150317_Integrity_REA_FINAL_REPORT.pdf)  
and *The role of leadership in promoting ethical police behaviour*, College of Policing, 2015. Available at:  
[http://whatworks.college.police.uk/Research/Documents/150317\\_Ethical\\_leadership\\_FINAL\\_REPORT.pdf](http://whatworks.college.police.uk/Research/Documents/150317_Ethical_leadership_FINAL_REPORT.pdf) and *Literature review – Police integrity and corruption*, HMIC, January 2015. Available at:  
[www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/](http://www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/)

## **Initial vetting**

Cumbria Constabulary vets new recruits and applicants well but needs to increase capacity to comply with national guidance on vetting.

The constabulary's vetting unit is led by an experienced officer and has sufficient staff to complete vetting enquiries for new recruits, special constables, volunteers and external contractors. However, there is a backlog of vetting in relation to officers who joined the constabulary before 2006 (approximately 720 staff). The vetting officer is giving up other responsibilities to focus on working through this backlog. Priority is given to the vetting of new recruits and all new applicants are vetted in accordance with the latest national vetting guidelines.

In our 2014 police integrity and corruption report,<sup>19</sup> we highlighted that it was not clear that vetting procedures were repeated when staff members were promoted or moved to more sensitive roles. This inspection has shown that while staff who are promoted or who move roles to sensitive posts are now being vetted, there is still insufficient vetting capacity within the constabulary to meet current and anticipated demand for all future vetting requirements, and this is an area that requires improvement by the constabulary.

There is little provision to ensure that the vetting process does not hinder the recruitment of staff from diverse backgrounds. The constabulary does not monitor rejection rates or evaluate those applicants with protected characteristics who fail at the vetting stage. This is because the vetting unit does not receive any information on protected characteristics that may be included in the original application. As a result, the constabulary cannot monitor failure rates from unsuccessful applicants from diverse backgrounds.

The College of Policing's 'disapproved register' contains details of those officers who have been dismissed from the service or who either resigned or retired while subject to a gross misconduct investigation where it had been determined there would have been a case to answer. The constabulary complies with its obligations to provide the College of Policing with details of those officers and staff who have been dismissed from the service for inclusion on the current disapproved register.

## **Clarifying and reinforcing standards of behaviour**

In our last PEEL legitimacy inspection we found that there was a positive and supportive culture within the constabulary that encourages all staff to behave professionally and ethically. During this inspection, we found that this continued to be the case.

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<sup>19</sup> *Police integrity and corruption report 2014 – Cumbria Constabulary*, HMIC, 2014. Available from: [www.justiceinspectorates.gov.uk/hmic/publications/police-integrity-corruption-force/](http://www.justiceinspectorates.gov.uk/hmic/publications/police-integrity-corruption-force/)

Officers receive training on expected standards of behaviour when they first join the constabulary, and these standards are reinforced subsequently during regular performance meetings with their line manager. Some of this training is in relation to dealing with ethical dilemmas from real-life cases, which has been given to the majority of the workforce by staff from the anti-corruption unit (ACU). The training provided has a strong Cumbria Constabulary context, which means that the constabulary can be sure that the main messages about what constitutes unacceptable behaviour have been clearly understood.

Police staff do not receive similar training on standards when they join the organisation, but staff we spoke to fully understood their obligations nonetheless. They understood that being an employee of Cumbria Constabulary meant that they were required to conduct themselves with integrity and in a professional and respectful manner at all times, and this was an issue that would be discussed at their regular one-to-one meetings with line managers. During our discussions, staff told us that the 'plan on a page' mentioned integrity as a core constabulary value and they were clear on how all staff should behave.

There has been no specific training on the Code of Ethics since the code was introduced. However, all lesson plans for other training are quality assured by the learning and development team to ensure their compatibility with the code, equality and diversity issues and the constabulary values. This appears to be working, as officers and staff whom we spoke with were aware of the code and how it related to the 'big six' priorities.

Many staff referred to the regular circulation of PASS newsletters,<sup>20</sup> which frequently reminded them of their obligations around notifiable associations<sup>21</sup> and business interest requirements. These newsletters were very well received, seen as informative and provided details of discipline or misconduct cases within the constabulary, including their outcome. Officers and staff confirmed that these publications continued to remind them of the standard expected of all staff employed by Cumbria Constabulary. To provide further transparency, offers of gifts and hospitality made to the chief officer team are published on the constabulary website.

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<sup>20</sup> PASS newsletters are case studies of discipline cases and outcomes (with the names of the staff member redacted), which are circulated across the constabulary to inform employees of expected standards of behaviour. They are also available to view internally on the constabulary intranet.

<sup>21</sup> A notifiable association policy is designed to identify those individuals who could pose a risk to the integrity of an individual employee or the force itself. It requires the officer or staff member to report such associations which then allows a full evaluation of the risk posed to both the individual and the force to be undertaken.

## **How well does the force identify, understand and manage risks to the integrity of the organisation?**

HMIC's 2014 police integrity and corruption inspection emphasised the need for forces to make arrangements for continuous monitoring of their ethical health, through active monitoring of force systems and processes to spot risks to their integrity, including – but not limited to – business interests, gifts and hospitality, and public complaints.<sup>22</sup> These findings reflect the research commissioned by the College of Policing, which highlights the importance of taking a problem-solving approach to preventing wrongdoing, by scanning and analysing police data to identify particular officers or hotspots for targeting prevention activity.

This year HMIC was particularly interested in how well forces – from dedicated anti-corruption units to individual supervisors – are identifying and intervening early to reduce individual and organisational vulnerabilities (i.e. those individuals, groups or locations that may be susceptible to corruption). We also assessed how well forces are seeking and assessing intelligence on potential corruption, with a focus on those areas for improvement identified in our previous inspections.

### **Identifying and understanding risks to integrity**

The constabulary understands corruption threats to the organisation and works closely with the National Crime Agency (NCA) by providing information in relation to risks to the constabulary's integrity.

The constabulary also has a control strategy in place to mitigate the risks to the organisation. There is an analyst within the constabulary's ACU, who has oversight of all information and intelligence received by the unit. This is then categorised in accordance with the NCA corruption categories. The constabulary informs the NCA strategic threat assessment by completing regular returns on corruption intelligence and there are monthly updates to the PSD tasking, co-ordination and control group to inform decisions taken to protect the constabulary from corrupt activity by its staff.

The PSD holds a tactical tasking and co-ordination meeting every month as well as an annual strategic tasking and co-ordination meeting. In preparation for these meetings, audits of the gifts and hospitality register, the register of business interests and intelligence relating to the integrity of the workforce are carried out. The results are also provided to the PCC.

During the month of April 2016, the chief officer team accepted 13 and declined five offers of hospitality. Records of these contained sufficient detail to understand the overall nature of the gratuity provided. The PSD analyst reported that gratuities had

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<sup>22</sup> *Integrity matters*, HMIC, January 2015. Available at: [www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/](http://www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/)

been cross-checked with intelligence, secondary employment and business interests, and had raised no concerns.

In the future, expenses reports from the chief officer team will be cross-referenced with the constabulary's suppliers list and the results will be reported to the strategic tasking and co-ordination meeting. Any business interest notifications presenting a risk to the integrity of the constabulary are brought to the attention of an external ethics and integrity committee, in order to provide independent validation of any decision taken as to whether the business interest will be allowed.

Individual and organisational risks are monitored at the monthly PSD tactical assessment meeting. The meeting considers intelligence in relation to people, areas, systems, standards and public complaints. There is also a thorough review of current PSD public complaint cases, where investigators are required to provide detailed updates on progress. This demonstrates that there is good oversight of the management of public complaints by the PSD.

The constabulary is able to audit computer systems to establish which member of staff was using any constabulary system at any particular time, in response to any concerns over possible system misuse. However, there is limited capability to allow the constabulary to systematically monitor the use of all constabulary computer systems. Although finance was made available in 2015 to purchase remote monitoring software, the constabulary was unable to find a system that was adequate for monitoring the new generation of mobile technology rolled out to all frontline officers during 2015.

There are procedures in place to manage threats to serious investigations. There is a good exchange of information between the Force Intelligence Bureau (FIB) and the ACU in relation to the security of ongoing operations.

However, the constabulary does not place covert markers on people who are recorded on its crime or intelligence databases. A covert marker is a means by which a force identifies when checks have been conducted by its staff on identified criminal records. This means that the constabulary has no means of identifying whether any officers or staff are conducting unauthorised checks using police systems, with the intention of disclosing confidential intelligence to criminals.

We identified risks to the security of serious and organised crime investigations in our police integrity and corruption inspection in 2014. We consider that the constabulary still has more to do to protect the integrity of the organisation and its systems from potential corrupt activity, and this is an area that requires improvement.



## **Intervening early to manage risks to integrity**

The PSD and the ACU carry out a limited amount of proactive investigation to identify and manage threats and risks to the integrity of the workforce. There is a good system in place to receive and assess intelligence coming into the PSD and then implement a suitable response, but this is largely reactive. However, we recognise that there are good arrangements in place to draw on partner agencies to support the constabulary, and there is sufficient expertise within the ACU to carry out covert investigations into corrupt activity if necessary.

Cases under investigation by the IPCC are discussed at the monthly PSD tactical meeting, along with discussion of cases where a vulnerable individual is involved. In one example, there was consideration of the support being provided to an officer who had reported an officer of a more senior rank for wrongdoing. We found that the constabulary is supportive of officers who speak out against inappropriate or unethical behaviour within the organisation.

## **Looking for, reporting and assessing intelligence on potential corruption**

There is room for improvement in how well the constabulary looks for potential corruption. We found that the constabulary has a well-resourced ACU, with sufficient staff to gather and assess intelligence. There is also the capacity within the unit to investigate staff misconduct.

The constabulary has provided confidential reporting lines to enable the workforce to report any concerns over wrongdoing, by telephone or by email, to the PSD. All officers and staff stated that they were comfortable using them but would usually raise any concerns directly with their line managers in the first instance.

All intelligence received within the PSD is dealt with in a timely and professional manner and is personally reviewed by the head of the department to inform the next action taken.

The constabulary does carry out routine drug testing of staff. The ACU informed us that it conducted forty random and intelligence-led drug tests in the twelve months preceding our inspection. These were carried out in cohorts of ten each quarter across the workforce. The constabulary believes that this level of testing, together with publicising the drug testing process itself, is sufficient to act as a deterrent to officers and staff.

## How well is the force tackling the problem of officers and staff abusing their authority for sexual gain?

In 2012 the Independent Police Complaints Commission (IPCC) published *The abuse of police powers to perpetrate sexual violence*.<sup>23</sup> This report states that “the abuse of police powers for purposes of sexual exploitation, or even violence, is something that fundamentally betrays the trust that communities and individuals place in the police. It therefore has a serious impact on the public’s confidence in individual officers and the service in general.” The report identified this behaviour as a form of serious corruption that forces should refer to the IPCC for consideration of how it should be investigated.

The Code of Ethics<sup>24</sup> – which sets out the standards of professional behaviour expected of all policing professionals – explicitly states that they must “not establish or pursue an improper sexual or emotional relationship with a person with whom [they] come into contact in the course of [their] work who may be vulnerable to an abuse of trust or power”.

The most recent national counter-corruption assessment, in 2013, highlighted corruption for the purposes of sexual gratification as a major threat to law enforcement.<sup>25</sup> HMIC’s 2015 report *Integrity matters*<sup>26</sup> identified police sexual misconduct as an area of great concern to the public. We share the public’s disquiet and so we looked at this issue specifically as part of our 2016 inspection. Our work was given additional emphasis in May 2016 by a request from the Home Secretary that we inspect forces’ response to the issue of officers and staff developing inappropriate relationships with victims of domestic abuse and abusing their position of power to exploit victims.

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<sup>23</sup> *The abuse of police powers to perpetrate sexual violence*, jointly published by the IPCC and ACPO (now the National Police Chiefs’ Council), September 2012. Available at: [www.ipcc.gov.uk/sites/default/files/Documents/research\\_stats/abuse\\_of\\_police\\_powers\\_to\\_perpetrate\\_sexual\\_violence.PDF](http://www.ipcc.gov.uk/sites/default/files/Documents/research_stats/abuse_of_police_powers_to_perpetrate_sexual_violence.PDF)

<sup>24</sup> 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 at: [www.college.police.uk/What-we-do/Ethics/Documents/Code\\_of\\_Ethics.pdf](http://www.college.police.uk/What-we-do/Ethics/Documents/Code_of_Ethics.pdf)

<sup>25</sup> Every three years, the National Counter Corruption Advisory Group commissions a strategic assessment of the threat to law enforcement from corruption. The most recent assessment was completed in June 2013 by the Serious Organised Crime Agency. The assessment was based on three years of intelligence reports on possible corruption gathered by forces in England and Wales, supplemented by information from other forces and national agencies.

<sup>26</sup> *Integrity matters*, HMIC, January 2015. Available from: [www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/](http://www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/)

## **Recognising abuse of authority for sexual gain as serious corruption**

The constabulary recognises the abuse of authority for sexual gain as serious corruption.

The constabulary has a disciplinary case in its recent history concerning a police officer who went to prison for abusing his authority for sexual gain, and all the officers and staff we spoke to were aware of the case. At the time it occurred, the case attracted significant local publicity across Cumbria.

The circumstances of the case feature as a case in point in initial 'ethical dilemma' training presentations given to new recruits, and are taken directly from the actual events that brought this case to light. Officers are invited to consider and comment on the appropriateness of forming relationships with vulnerable victims as part of the training course, and we found a strong appreciation among staff that abuse of authority for sexual gain is considered serious corruption.

## **Looking for and receiving intelligence on potential abuse of authority for sexual gain**

The constabulary has very limited means to proactively identify officers abusing their authority for sexual gain. The high profile case dealt with in the past by the constabulary was brought to notice through a disclosure by a third party and the constabulary does not have a current capability to identify individuals who misuse constabulary systems to identify possible vulnerable victims. However, members of the workforce told us that they saw such behaviour as completely unacceptable and would report it to their line manager in the first instance.

While the constabulary works with different agencies to protect vulnerable people, there are no specific arrangements in place with any of them to identify any officer who is abusing their authority for sexual gain.

## **Taking action to prevent abuse of authority for sexual gain**

Following the conviction of an officer for the abuse of authority for sexual gain, and in line with the constabulary's practice following gross misconduct cases, senior officers spoke to the officer's colleagues to make sure they were clear about the unacceptable nature of the officer's conduct. These visits also served to reinforce expectations about standards of behaviour.

## **Building public trust**

The constabulary releases public statements on its website and to local media in the light of new and emerging disciplinary cases and any court outcomes. In this way, the constabulary seeks to retain public trust that disciplinary cases are being taken seriously and dealt with appropriately.

## **How well does the force engage with the public and its workforce about the outcomes of misconduct and corruption cases?**

HMIC's 2014 literature review on police integrity and corruption emphasised the importance of collection and dissemination of information about misconduct to the public, on the basis that it shows police forces are taking the problem seriously, and detecting and punishing wrongdoing.<sup>27</sup> This information also forms the basis for deterring misconduct and enhancing integrity within police forces themselves. This year, HMIC looked at how well forces engage with the public online and through police officer misconduct hearings in public, and also more widely following high profile incidents with the potential to undermine public perceptions of police integrity. We also looked at how aware the workforce is of these outcomes.

### **Working with the public**

The constabulary publishes the outcome of misconduct cases on its public-facing and internal web pages. The constabulary has conducted five misconduct hearings for its officers. All were public hearings. In four of the cases, the outcome resulted in an officer being dismissed. In the near future, the constabulary intends to hold its first disciplinary hearing with an independent chairperson.

Details of misconduct outcomes feature centrally in the PSD PASS newsletter, which is widely read throughout the constabulary. Issues concerning disciplinary cases and criminal charges brought against Cumbria Constabulary officers and staff are also widely reported in the local Cumbria media.

### **Working with the workforce**

Officers and staff are well informed about the outcomes of misconduct cases. The PSD publishes information on the constabulary's intranet about standards and behaviour, and circulates lessons learned from misconduct cases in its PASS newsletter.

Chief officers carry out personal visits to police stations where officers have been dismissed, to explain the facts of disciplinary cases to dispel any myths that the individual may have been unfairly treated and to promote expected standards of conduct.

In this way, the workforce can have faith in the fairness and integrity of the disciplinary process and understand the consequences of unacceptable behaviour.

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<sup>27</sup> *Literature review – Police integrity and corruption*, HMIC, January 2015. Available at: [www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/](http://www.justiceinspectorates.gov.uk/hmic/publications/integrity-matters/)

## Summary of findings



**Good**

HMIC judges Cumbria Constabulary good in its approach to ensuring that its workforce behaves ethically and lawfully. The constabulary has sufficient resources to provide vetting for all new applicants wishing to join the constabulary. However, there is insufficient capacity to carry out additional vetting for staff within the organisation who joined before 2006.

All employees are clear about the standards of behaviour expected of them and the constabulary publishes details of misconduct cases to reinforce standards and values.

There are good arrangements in place in the professional standards department to receive, assess and manage intelligence in relation to wrongdoing and corruption from across the constabulary. There are strong governance arrangements to oversee the way disciplinary cases are investigated, and members of the workforce are supported when they report wrongdoing. There are sufficient resources and expertise within the ACU to manage current investigations.

Staff are aware that abuse of authority for sexual gain is serious corrupt behaviour and would be prepared to report such conduct to their supervisors. There is scope to do more to protect constabulary computer systems from being misused by staff and to enhance security of serious and organised crime investigations.

### Areas for improvement

- The constabulary should ensure that it complies with all aspects of the current national guidelines for vetting.
- The constabulary should ensure that it has the capability to monitor all its computer systems to identify risks to its integrity.

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

A workforce that feels it is treated fairly and with respect by its employers is more likely to identify with the organisation, and treat the public in a similarly fair and respectful way. Conversely, perceived unfairness within police organisations can have a detrimental effect on officer and staff attitudes and behaviours.<sup>28</sup> As such, this concept of ‘organisational justice’, and its potential impact on ‘procedural justice’ forms an important part of HMIC’s assessment of police legitimacy. As there is no comparative data on how fairly officers and staff perceive forces to have treated them, we focused our assessment on how well forces identify these perceptions within their workforces and act on these findings. In particular, we looked at the extent to which organisational ‘fairness’ is reflected through the way individual performance is managed, and how ‘organisational respect’ is reflected through how forces provide for the wellbeing of their workforces, particularly through preventative and early action.

## How well does the force identify and act to improve the workforce’s perceptions of fair and respectful treatment?

Research suggests that forces that involve officers and staff in decision-making processes, listen to their concerns, act on them, and are open about how and why decisions were reached, may improve workforce perceptions of fair and respectful treatment.<sup>29</sup> On this basis, HMIC assessed how well the force engages with its staff to identify and understand the issues that affect them, and how well it acts on these issues and demonstrates it has done so.

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<sup>28</sup> *Fair cop 2: Organisational justice, behaviour and ethical policing*, College of Policing, 2015.

Available at:

[http://whatworks.college.police.uk/Research/Documents/150317\\_Fair\\_cop%202\\_FINAL\\_REPORT.pdf](http://whatworks.college.police.uk/Research/Documents/150317_Fair_cop%202_FINAL_REPORT.pdf)

*Organisational justice: Implications for police and emergency service leadership*, Herrington C and Roberts K, AIPM Research Focus, Issue 2, 2013. Available at: [www.aipm.gov.au/wp-content/uploads/2013/08/Org-Justice-Final.pdf](http://www.aipm.gov.au/wp-content/uploads/2013/08/Org-Justice-Final.pdf)

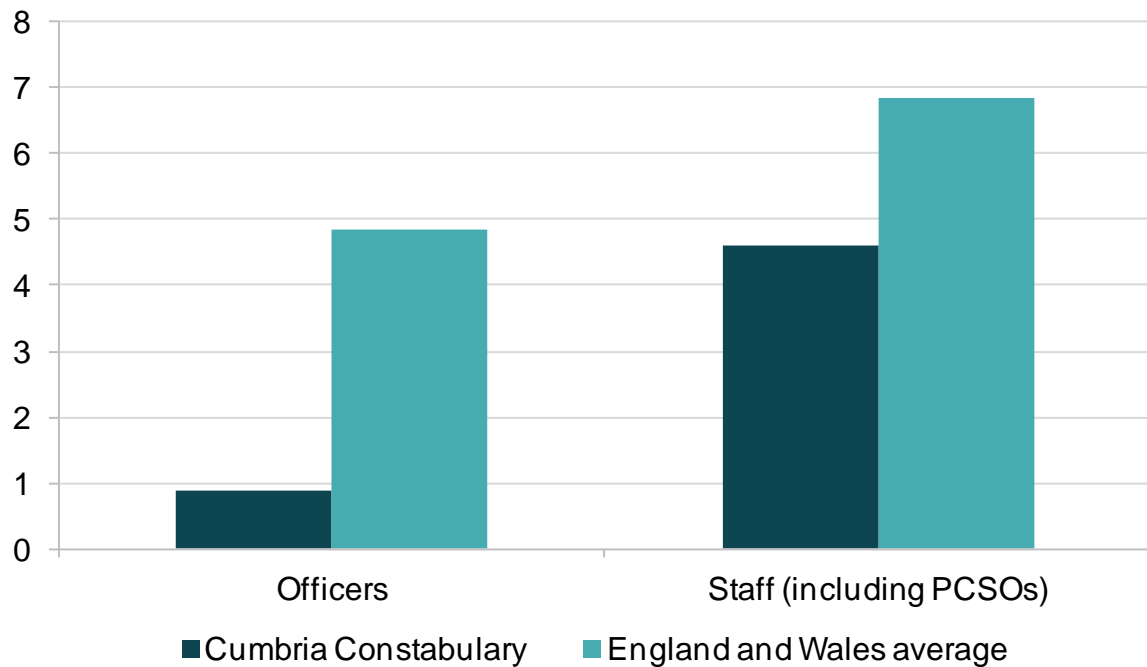
<sup>29</sup> *Fair cop 2: Organisational justice, behaviour and ethical policing*, College of Policing, 2015, page 11. Available at:

[http://whatworks.college.police.uk/Research/Documents/150317\\_Fair\\_cop%202\\_FINAL\\_REPORT.pdf](http://whatworks.college.police.uk/Research/Documents/150317_Fair_cop%202_FINAL_REPORT.pdf)

## Identifying and understanding the issues

Grievances are concerns, problems or complaints raised formally to employers by officers or staff. Data on numbers and types of grievances provide forces with a useful source of information about the sorts of issues that staff and officers are concerned about.

**Figure 3: Number of grievances raised by officers (per 1,000 officers) or staff (per 1,000 staff, including police community support officers) that Cumbria Constabulary finalised compared with England and Wales, in the 12 months to 31 March 2016**



**Source: HMIC Legitimacy data collection**

**For further information about the data in figure 3 please see annex A**

In the 12 months to 31 March 2016, Cumbria Constabulary finalised 0.9 formal grievances raised by officers per 1,000 officers, which was lower than the England and Wales average of 4.8 per 1,000 officers. During this period, the constabulary finalised 4.6 formal grievances raised by staff per 1,000 staff (including PCSOs), which was broadly in line with the England and Wales average of 6.8 per 1,000 staff (including PCSOs).

There is a strong reliance in Cumbria Constabulary for line managers to understand and support the people they manage. All officers and staff we spoke to told us that they were confident to raise any concerns with their supervisor. The number of grievances recorded by the constabulary is significantly lower than in other police forces, and we were told that this is because there is a culture across the constabulary of resolving issues locally through discussion with managers before resorting to more formal routes to register dissatisfaction.

There is a forum on the constabulary intranet that allows the workforce to make suggestions and to ask questions of the chief constable. Staff were aware of the forum and some had used it to post questions to chief officers. Most staff understood that the replies posted on the site are not actually from the chief constable but from other members of the senior leadership team, who are perhaps more aware of the detail required to answer the questions raised. Exit interviews are offered to staff leaving the constabulary and are provided on request.

The constabulary collaborated with Durham University Business School to conduct an internal staff survey for police officers and staff (and their partners). The intention of the survey was to understand staff attitudes, motivation and wellbeing. The constabulary informed us that the survey was completed by just 26 percent of staff and the findings highlighted procedural justice (fairness), organisational support and a perceived shortage of emotional energy as being the main issues for staff.

As a result of the survey, the constabulary has implemented a new wellbeing strategy to resolve the issues highlighted. Staff we spoke to who had not completed the survey generally indicated that they had not had time to complete it or had been too busy. Encouragingly, most of these staff indicated that having seen the positive constabulary response to the survey on this occasion, they will complete staff surveys in the future.

In the spring of 2016, chief officers conducted a series of roadshows at different locations and these provided the opportunity for members of the workforce to ask the chief officer team questions about the change programme and the future direction of the constabulary. Our fieldwork found that these roadshows were well received by employees, although some staff told us that these events were limited in number and they had not been in a position to attend, due to their shift rota and other duties. They felt that more of these events should have been planned with fewer members of the senior leadership team in attendance to provide the principal messages to staff.

### **Making improvements and demonstrating effectiveness**

Opportunities are taken by chief officers at the chief officer roadshows and at performance development conferences<sup>30</sup> to understand the issues affecting staff and to respond by providing information on decisions being taken by the constabulary leadership team.

The constabulary listens to the concerns of the workforce and addresses them appropriately. As an example, we were told of concerns raised by officers about an attendance management policy that was perceived to be unfair. Officers were

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<sup>30</sup> Performance development conferences are meetings held every three months with different department management teams to discuss progress against constabulary objectives and service expectations.



concerned that the policy affected staff career progression and particularly affected those individuals entering a promotion process. In light of feedback from the workforce, the constabulary reviewed existing arrangements and amended the policy to reflect staff concerns.

Staff told us that they felt part of an ethical organisation and one in which they felt empowered to speak up should they perceive that they were being treated unfairly.

## **How well does the force support the wellbeing of its workforce?**

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 being more invested in what they do. Last year our inspection was concerned with what efforts forces were making to consider, and provide for, the wellbeing needs of their workforce. This year we looked at the progress the force had made since the last inspection, with a particular focus on preventative activity to encourage wellbeing.

### **Understanding and valuing the benefits**

The constabulary has recently introduced a new wellbeing strategy to improve the wellbeing of its staff. It has been developed in part to address some of the issues identified in the people survey, and aims to provide support to improve the physical and psychological health of staff. The deputy chief constable oversees the strategy through a monthly wellbeing steering group meeting, and there is a commitment to work towards meeting nationally accredited standards for wellbeing in the workplace.

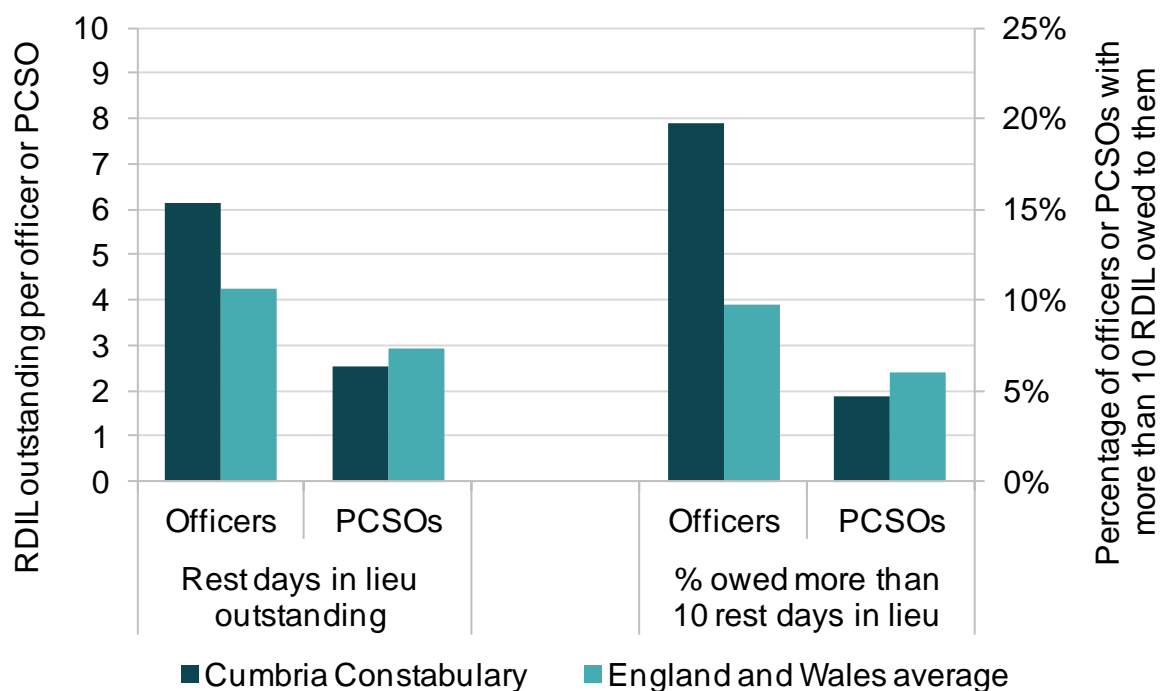
Additional resources have also been made available to the occupational health unit in order to support staff in the workplace. However, much emphasis has been placed on line managers identifying welfare concerns and providing any required support as part of their regular ongoing discussions with employees under their supervision. We found supervisors had a good understanding that the wellbeing of their staff was their primary responsibility. Most staff would raise concerns with their line manager in the first instance.

Staff associations particularly welcomed the additional resources now being made available to support the new strategy, and the willingness of the constabulary to consider flexible working arrangements and financial advice for staff. Most members of staff we spoke to have only recently become aware of the introduction of the new strategy and we will be interested to see how the strategy improves the health and wellbeing of the workforce.

## Identifying and understanding the workforce’s wellbeing needs

Rest days in lieu (RDIL) are leave days owed to officers or PCSOs when they have been required to work on their scheduled rest day due to operational reasons. Long working hours can have a detrimental impact on the health and wellbeing of the workforce, so it serves as a useful point of comparison for assessing the extent to which the constabulary is managing the wellbeing of its workforce. Analysis of the numbers of RDIL accrued, but not yet taken, can be useful tools for forces to identify and understand potential wellbeing concerns for individuals and teams.

**Figure 4: Number of rest days in lieu outstanding per officer or police community support officer (PCSO) and the percentage of officers or PCSOs with more than 10 rest days in lieu owed to them in Cumbria Constabulary compared with England and Wales, as at 31 March 2016**



Source: HMIC Legitimacy data collection

Note: For some police forces data about the number of rest days in lieu outstanding are estimated from data on hours owed. For further information about the data in figure 4 please see annex A.

As at 31 March 2016, there were 6.2 rest days in lieu outstanding per officer in Cumbria Constabulary, which was higher than the England and Wales average of 4.2 days per officer. On the same date, there were 2.5 rest days in lieu outstanding per PCSO in the constabulary, which was broadly in line with the England and Wales average of 2.9 days per PCSO. As at 31 March 2016, 19.8 percent of officers in Cumbria Constabulary had more than 10 rest days in lieu owed to them, which was higher than the England and Wales average of 9.8 percent. As at 31 March 2016, 4.7 percent of PCSOs in the constabulary had more than 10 rest days in lieu owed to them, the England and Wales average was 6.0 percent of PCSOs. Due to the total number of PCSOs being small in Cumbria Constabulary as at 31 March 2016, the

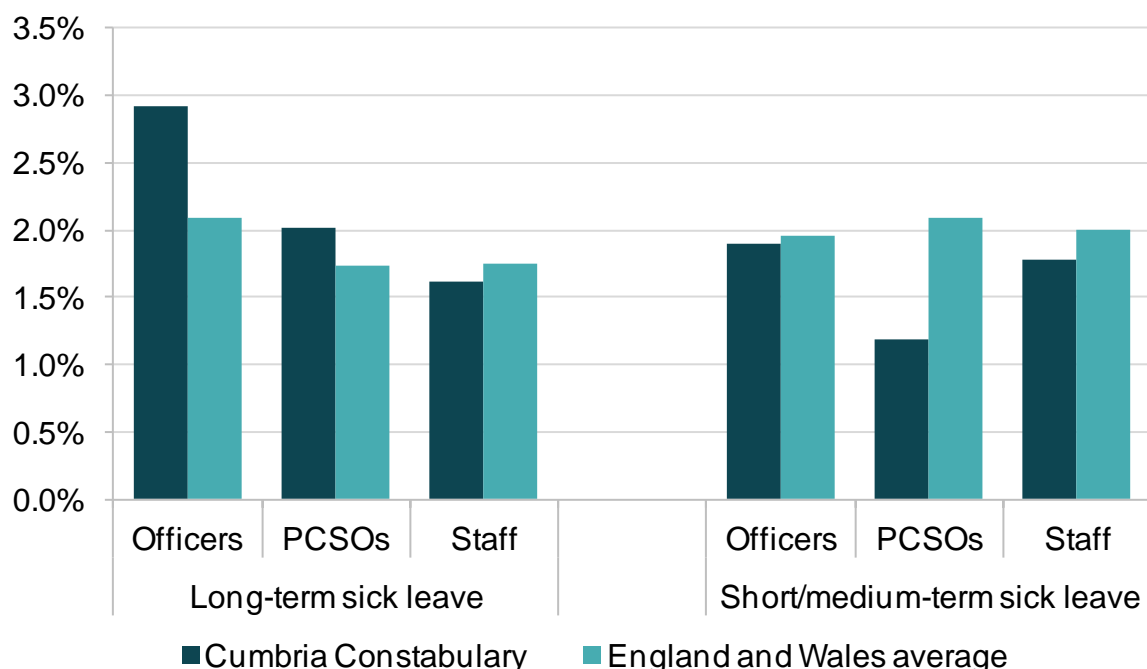
percentage of PCSOs with more than 10 rest days in lieu owed to them should be interpreted with caution. The data on PCSOs did not allow a comparison with the average.

Chief officers made staff welfare and attendance the first point of discussion at each of the performance development conferences that we observed, as they had seen an increase in sickness absence for officers and staff. Questions were asked of management teams, during the course of these meetings, about individual cases and how the staff involved were being supported by their line managers.

Following the constabulary response to the disaster caused by the winter flooding across Cumbria, the constabulary demonstrated that it takes staff welfare and wellbeing seriously. Staff affected by the floods either directly or indirectly have provided positive feedback about the support offered to them by the constabulary through this period. This included the provision of urgent time off and special leave given to 31 members of staff who were affected by the floods.

Sickness data can provide a useful point of comparison for assessing the wellbeing of police workforces. Analysis of these data can also help forces to identify and understand the nature and causes of sickness at individual and organisational levels, and inform targeted activity to prevent and manage sickness.

**Figure 5: Percentage of officers, police community support officers and staff on long-term and short/medium-term sick leave in Cumbria Constabulary compared with England and Wales, as at 31 March 2016**



Source: Home Office Annual Data Requirement

Note: Long-term sickness is defined as an absence due to sickness that has lasted for more than 28 days as at 31 March 2016. Due to the total number of PCSOs being small in Cumbria Constabulary as at 31 March 2016, the percentage of PCSOs on sick leave should be interpreted with caution. For further information about the data in figure 5 please see annex A.

Figure 5 provides data on the proportion of officers, PCSOs and staff who were absent due to sickness on 31 March 2016.

- 2.9 percent of officers were on long-term sick leave, which is higher than the England and Wales average of 2.1 percent.
- 1.9 percent of officers were on short or medium-term sick leave, which is broadly in line with the England and Wales average of 2.0 percent.
- 2.0 percent of PCSOs were on long-term sick leave, which is broadly in line with the England and Wales average of 1.7 percent.
- 1.2 percent of PCSOs were on short or medium-term sick leave, which is lower than the England and Wales average of 2.1 percent.
- 1.6 percent of staff were on long-term sick leave, which is broadly in line with the England and Wales average of 1.7 percent.
- 1.8 percent of staff were on short or medium-term sick leave, which is broadly in line with the England and Wales average of 2.0 percent.

### **Taking preventative and early action to improve workforce wellbeing**

The constabulary has monitoring arrangements in place to provide wellbeing support to 200 officers working in roles with particular challenges, such as public protection, firearms and online internet investigations. The intention is to support each individual's wellbeing needs should they become adversely affected by the duties they are required to perform. The physical needs of the workforce are supported by an adequately resourced occupational health unit and staff are able to access health screening when needed.

In last year's legitimacy inspection, we reported that the constabulary were using trauma risk incident managers (TRIM) to support staff who had dealt with or were subject to traumatic events. Officers told us on this inspection that this service was ongoing and was occasionally used to support officers and staff when appropriate.

## How fairly and effectively does the force manage the individual performance of its officers and staff?

College of Policing research on organisational justice suggests that lack of promotion opportunities and not dealing with poor performance may adversely affect workforce perceptions of fairness, which in turn may lead to negative attitudes and behaviours in the workplace.<sup>31</sup> HMIC assessed how fairly and effectively the force manages the individual performance of its officers and staff, including the extent to which the process aligns with guidance produced by the College of Policing.<sup>32</sup>

### The performance assessment process

The performance assessment process works well at a team and department level. However, more needs to be done to ensure that the performance of individuals is monitored consistently.

We found that the constabulary is monitoring performance across teams and departments. At a strategic level, performance development conferences are taking place within areas and there are team performance development conferences, more formal performance reviews with area inspectors, and one-to-one meetings between area commanders and new sergeants to set expectations about required levels of performance.

There is not yet a formal performance review arrangement in place for all members of the constabulary, although one is being implemented gradually. A previous performance appraisal was replaced with a current requirement for regular five and 15-week discussions between police officers and their line managers. This arrangement is only now being extended to cover all other employees. This new process has a set format by which supervisors can discuss wellbeing and performance with their team. We found that poor performance would be addressed through supervisors offering training and issuing development plans. They would then monitor progress during subsequent performance meetings. However, while these arrangements were more common for officers, we found many police staff yet to have performance discussions with their line manager under these new arrangements.

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<sup>31</sup> *Fair cop 2: Organisational justice, behaviour and ethical policing*, College of Policing, 2015. Available at:

[http://whatworks.college.police.uk/Research/Documents/150317\\_Fair\\_cop%20FINAL\\_REPORT.pdf](http://whatworks.college.police.uk/Research/Documents/150317_Fair_cop%20FINAL_REPORT.pdf)

<sup>32</sup> College of Policing guidance on the police performance development review process is available at: [www.college.police.uk/What-we-do/Support/Reviewing-performance/Pages/PDR.aspx](http://www.college.police.uk/What-we-do/Support/Reviewing-performance/Pages/PDR.aspx)

The absence of a structured formal performance appraisal system was an issue we identified in our 2015 review of leadership of the constabulary.<sup>33</sup> We are disappointed that the constabulary has not yet introduced a consistent performance review process for all staff, and this is an area that requires improvement.

### **The results of performance assessment**

The constabulary's new 'big six' strategy is setting the agenda for all officers and staff in relation to the areas of performance and public service they should focus their efforts on. All officers and staff told us that their individual contribution to the 'big six' objectives would be the main feature of future performance assessment discussions with their line managers. The constabulary has introduced a template for managers to follow when holding these discussions, in order to ensure a consistent approach to performance discussions with each staff member.

However, records in relation to these interviews are still only held locally by individual line managers. As such, the constabulary cannot have a comprehensive understanding of wellbeing issues, overall performance and development needs. Neither can the constabulary have a corporate understanding of any identified gaps in the skills and development of the workforce.

We do recognise that the constabulary intends to invest in a software platform to improve current record keeping in relation to performance appraisals, but this system has not yet been introduced and staff appraisals are currently occurring inconsistently across the constabulary.

## **Summary of findings**



**Requires improvement**

Cumbria Constabulary's approach to treating its workforce with fairness and respect requires improvement. Chief officers take opportunities to speak and listen to staff at organised roadshows, performance development conferences, meetings and through the 'Ask the chief' forum. However, there is a strong reliance on the relationship between individuals and their line managers to ensure that officers and staff understand the standards expected of them, including how the public should be treated.

The constabulary has an understanding of those issues that most affect the workforce through an internal staff survey conducted in partnership with Durham

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<sup>33</sup> For more information about HMIC's 2015 review of leadership in Cumbria Constabulary, see HMIC's website: [www.justiceinspectors.gov.uk/hmic/peel-assessments/peel-2015/cumbria/leadership/](http://www.justiceinspectors.gov.uk/hmic/peel-assessments/peel-2015/cumbria/leadership/)

Business School. The constabulary has developed plans to respond positively to the concerns raised by their employees in the survey.

There is a new constabulary wellbeing strategy in place, which is just being implemented across the constabulary to support the workforce but it is too early to assess the impact on the workforce.

Performance assessment occurs at management, team and individual level. The new performance assessment focus is centred on the 'big six' strategy and applies to all staff. However, current performance appraisal arrangements are immature and there is a need to record centrally information on staff progress, skills and development.

#### **Area for improvement**

- The constabulary should improve how it manages individual performance.

## Next steps

HMIC assesses progress on causes of concern and areas for improvement identified within its reports in a number of ways. We receive updates through our regular conversations with forces, re-assess as part of our annual PEEL programme, and, in the most serious cases, revisit forces.

HMIC highlights recurring themes emerging from our PEEL inspections of police forces within our national reports on police effectiveness, efficiency, legitimacy and also leadership. These reports identify those issues that are reflected across England and Wales and may contain additional recommendations directed at national policing organisations, including the Home Office, where we believe improvements can be made at a national level.



## Annex A – About the data

Please note the following for the data presented throughout the report.

The source of the data is presented with each figure in the report, and is listed in more detail in this annex. For the source of force in numbers data, please see the relevant section below.

### Methodology

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

#### Comparisons with England and Wales average figures

For some data sets, the report states whether the force's value is 'lower', 'higher' or 'broadly in line with' the England and Wales 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 0.675 standard deviations 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 approximately a quarter of forces are lower, a quarter are higher, and the remaining half are in line with the England and Wales 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, a significance level of 5 percent is used.

For some forces, numbers described in the text may be identical to the England and Wales average due to decimal place rounding, but the bars in the chart will appear different as they use the full unrounded value.

Where we have referred to the England and Wales average, this is the rate or proportion calculated from the England and Wales totals.

#### Population

For all uses of population as a denominator, unless otherwise noted, we use the ONS mid-2015 population estimates.

## Force in numbers

### Workforce figures (based on full-time equivalents) for 31 March 2016

These data are obtained from the Home Office annual data return 502. The data are available from the Home Office's published Police workforce England and Wales statistics, [www.gov.uk/government/collections/police-workforce-england-and-wales](http://www.gov.uk/government/collections/police-workforce-england-and-wales), or the Home Office police workforce open data tables, [www.gov.uk/government/statistics/police-workforce-open-data-tables](http://www.gov.uk/government/statistics/police-workforce-open-data-tables). Figures may have been updated since the publication.

Projections for March 2020 are budget-based projections and therefore are likely to take into account a vacancy rate depending on a force's planning strategy. In some instances an increase in budgeted posts may not actually indicate the force is planning to increase its workforce. In other cases, forces may be planning to reduce their workforce but have a current high vacancy rate which masks this change.

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 people within each force area. While the numbers may have since changed, more recent figures are based only on estimates from surveys or projections.

## Figures throughout the report

### Figure 1: Percentage of victims satisfied with overall treatment compared with England and Wales, from the 12 months to 31 March 2011 to the 12 months to 31 March 2016

Forces are required by the Home Office to conduct satisfaction surveys with specific victim groups. Victim satisfaction surveys are structured around core questions exploring satisfaction with police responses across four stages of interactions: initial contact, actions, follow up, treatment plus the whole experience. The data in figure 1 use the results to the question on treatment, which specifically asks "Are you satisfied, dissatisfied or neither, with the way you were treated by the police officer and staff who dealt with you?"

When comparing with the England and Wales average, the standard methodology described above has been used. When testing whether the change in percentage of respondents who were satisfied between the 12 months to 31 March 2015 and the 12 months to 31 March 2016 is statistically significant, a chi square hypothesis test for independence has been applied.

**Figure 2: Number of public complaint cases recorded against officers (per 1,000 officers) or staff (per 1,000 staff, including police community support officers) compared with England and Wales, in the 12 months to 31 March 2016**

The Independent Police Complaints Commission (IPCC) defines a complaint for the purposes of recording as “an expression of dissatisfaction by a member of the public with the service they have received from a police force. It may be about the conduct of one or more persons serving with the police and/or about the direction and control of a police force”. A police complaint can be about more than one officer or member of staff and can refer to one or more allegations.<sup>34</sup>

Data used in figure 2 are data extracted from the Centurion case recording and management system for Police Professional Standards data. We were able to collect the majority of this data through an automated database query, written for us by the creators of the software, Centurion (FIS Ltd). Forces ran this query on their systems and returned the outputs to us. This system is used in 41 of the 43 forces inspected. In order to collect the appropriate data from the two forces not using Centurion (Greater Manchester Police and Lancashire Constabulary), they were provided with a bespoke data collection template designed to correspond to information extracted from the Centurion database.

Although the IPCC categories used to record the type of public complaint and the accompanying guidance are the same in all police forces, differences in the way they are used still may occur. For example, one force may classify a case in one category while another force would classify the same case in a different category. This means that data on the types of public complaint should be treated with caution.

**Figure 3: Number of grievances raised by officers (per 1,000 officers) or staff (per 1,000 staff, including police community support officers) finalised compared with England and Wales, in the 12 months to 31 March 2016**

The data refer to those grievances that were subject to a formal process (not including issues informally resolved with a line manager). Some of the grievances finalised in this period may have been raised in a previous year. Finalised refers to grievances where a resolution has been reached, after any appeals have been completed. Differences between forces in the number of finalised grievances may be due to different handling and recording policies. Data used in figure 3 were provided to HMIC by individual forces via a bespoke data collection in April 2016 prior to inspection.

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<sup>34</sup> *Guidance on the recording of complaints under the Police Reform Act 2002*, Independent Police Complaints Commission. Available at: [www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/guidance\\_on\\_recording\\_of\\_complaints\\_under\\_PRA\\_2002.pdf](http://www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/guidance_on_recording_of_complaints_under_PRA_2002.pdf)

**Figure 4: Number of rest days in lieu outstanding per officer or police community support officer (PCSO) and the percentage of officers or PCSOs with more than 10 rest days in lieu owed to them compared with England and Wales, as at 31 March 2016**

Rest days in lieu are leave days owed to officers or PCSOs when they have been required to work on their scheduled rest day due to operational reasons. Data used in figure 4 were provided to HMIC by individual forces via a bespoke data collection in April 2016 prior to inspection.

**Figure 5: Percentage of officers, police community support officers and staff on long-term and short/medium-term sick leave compared with England and Wales, as at 31 March 2016**

Long-term sickness is defined as an absence due to sickness that has lasted for more than 28 days as at 31 March 2016. Data used in figure 5 were obtained from Home Office annual data returns 501 and 551. Data on long-term absences can be found in the Home Office police workforce open data tables:

[www.gov.uk/government/statistics/police-workforce-open-data-tables](http://www.gov.uk/government/statistics/police-workforce-open-data-tables)