

# PEEL: Police legitimacy (including leadership) 2017

An inspection of Cleveland Police



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# Introduction

As part of its annual inspections into police effectiveness, efficiency and legitimacy (PEEL), HM Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS)<sup>1</sup> assesses the legitimacy and leadership 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). Therefore, it is 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 by 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 why they are making those decisions), as well as being friendly and approachable.<sup>2</sup> This is often referred to as ‘procedural justice’. Police actions that are perceived to be unfair or disrespectful can have an extremely negative effect on 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 are being treated fairly and respectfully, particularly by their own police force. Therefore, it is important that the decisions made by their force about matters that affect them are perceived to be fair.<sup>3</sup> This principle is described as

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<sup>1</sup> This inspection was carried out before 19 July 2017, when HMIC also took on responsibility for fire & rescue service inspections and was renamed HM Inspectorate of Constabulary and Fire & Rescue Services. The methodology underpinning our inspection findings is unaffected by this change. References to HMICFRS in this report may relate to an event that happened before 19 July 2017 when HMICFRS was HMIC. Citations of documents which HMIC published before 19 July 2017 will still cite HMIC as the publisher.

<sup>2</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>3</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)

'organisational justice', and HMICFRS considers that, alongside the principle of procedural justice, it makes up a vital aspect of any assessment of police legitimacy.

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 ensure that their workforce behaves ethically and lawfully. In HMICFRS' 2017 legitimacy inspection, we continued our assessment of how well forces develop and maintain an ethical culture and we re-examined how forces deal with public complaints against the police. 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.

As part of this year's inspection, we also integrated aspects of leadership into our assessment of legitimacy, as the two areas are closely linked. We assessed the role that leadership plays in shaping force culture, the extent to which leadership teams act as role models, and looked at how the force identifies and selects its leaders.

While our overarching legitimacy principles and core questions remain the same as last year, our areas of specific focus continue to change to ensure we are able to assess a full range of police legitimacy topics, including emerging concerns or Home Office commissions. As such, it is not always possible to provide a direct comparison with last year's grades. Where it is possible to highlight emerging trends in our inspection findings between years, we do so in this report.

A separate report on the force's efficiency inspection findings is available on our website ([www.justiceinspectorates.gov.uk/hmicfrs/peel-assessments/peel-2017/cleveland/efficiency/](http://www.justiceinspectorates.gov.uk/hmicfrs/peel-assessments/peel-2017/cleveland/efficiency/)). Our reports on police effectiveness will be published in early 2018. Our 2016 reports on forces' effectiveness, efficiency, and legitimacy are available on our website: [www.justiceinspectorates.gov.uk/hmicfrs/peel-assessments/peel-2016/cleveland/](http://www.justiceinspectorates.gov.uk/hmicfrs/peel-assessments/peel-2016/cleveland/).

More information on how we inspect and grade forces as part of this wide-ranging inspection is available on our website ([www.justiceinspectorates.gov.uk/hmicfrs/peel-assessments/how-we-inspect/](http://www.justiceinspectorates.gov.uk/hmicfrs/peel-assessments/how-we-inspect/)).

## Force in numbers



### Workforce

Total workforce (full time equivalents) as of 31 March 2017

**1,675**

Total workforce breakdown (full time equivalents) as of 31 March 2017

officers

**1,283**

staff (including section 38)

**267**

PCSOs

**125**



### Ethnic diversity

Percentage of BAME in workforce 31 March 2017

overall workforce

**1.8%**

officers

**1.8%**

staff

**2.2%**

PCSOs

**1.6%**

Percentage of BAME in local population, 2011 Census

**5.5%**



### Gender diversity

Percentage of females in overall workforce 31 March 2017

Cleveland Police

**33%**

England and Wales population, 2015 estimate

**51%**

Percentage of females by role 31 March 2017

Cleveland Police

officers

**25%**

staff

**64%**

PCSOs

**42%**



## Grievances

Number of grievances per 1,000  
workforce raised and finalised  
10 months to 31 March 2017

	Cleveland Police	England and Wales force average
Officers	8.7	4.1
PCSOs	0.0	4.4
Staff	4.5	6.2



## Stop and search

Number of stops and  
searches carried out in  
2015/16 (excluding 'vehicle  
only' searches)

2,746

Number of stop and  
searches per 1,000  
population in 2015/16

Cleveland Police	England and Wales force average
4.9	4.8

**Note: All figures exclude section 38 staff unless stated otherwise. For further information about the data used, including information about section 38 staff, please see annex A.**

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

## Overall judgment<sup>4</sup>



**Requires improvement**

Cleveland Police is judged as requiring improvement at how legitimately it keeps people safe and reduces crime. For the areas of legitimacy we looked at this year, our overall judgment is the same as last year. The force requires improvement in aspects of how it treats the people it serves with fairness and respect. It requires improvement at ensuring its workforce behaves ethically and lawfully and it requires improvement in aspects of how it treats its workforce with fairness and respect.

## Overall summary

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



**Requires improvement**

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



**Requires improvement**

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



**Requires improvement**

Cleveland Police continues to improve some aspects of the way in which it treats the people it serves with fairness and respect. The force ensures that its officers and staff understand the importance of treating people with fairness and respect and it communicates this importance clearly through its Everyone Matters programme. Members of the workforce have a good understanding of how to use coercive powers fairly, although the way these powers are actually used, recorded and monitored requires improvement. The force encourages ethical leadership and decision-making, and has made considerable progress in these areas, although there are still some problems due to internal processes, including vetting backlogs.

We were pleased to find that the force identifies, responds to and investigates allegations of discrimination adequately. Although we found that the force needs to improve the way it communicates generally with all potential and existing

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<sup>4</sup> HMICFRS judgments are outstanding, good, requires improvement and inadequate.

complainants. The force is consistently good at seeking feedback and challenge from its workforce. In general, the force deals with grievances thoroughly and professionally, although the time it takes can affect the wellbeing of those involved, and officers and staff we spoke to had little confidence in the process. Cleveland Police prioritises workforce wellbeing and has a good understanding of the relevant threats and risks. An effective range of wellbeing support is available to officers and staff, although this is not recognised and accessed in all local areas. We were pleased to find that the force has improved the fairness of its promotion processes, although more work needs to be done to improve the management and development of individual performance, and to identify and develop talent from across the workforce.

### **Areas for improvement**

- The force should improve external scrutiny of its data; involve young people in its scrutiny arrangements and offer those scrutinising the force appropriate training on the use of police powers.
- The force should ensure that it complies with IPCC statutory guidance for keeping complainants informed at all stages of the complaints process.
- The force should reassure its workforce about the grievance procedure, improve the timeliness of dealing with grievances and ensure that appropriate support is put in place.

The following AFI from HMICFRS' 2015 Legitimacy inspection remains:

- The force should continue with the improvements it has started to ensure that all stop and search records include sufficient reasonable grounds to justify the lawful use of the power, and that officers fully understand the grounds required to stop and search a person.

The following AFIs from HMICFRS' 2016 Legitimacy inspection remain:

- The force should ensure it complies with all aspects of the current national guidelines for vetting.
- The force should put measures in place to understand and address the wellbeing concerns of its workforce.
- The force should improve the way 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 their reasons openly and clearly), while being consistently friendly and approachable.<sup>5</sup>

While HMICFRS recognises that police legitimacy stems from broader experiences of the police than by direct contact alone, our inspection focuses specifically on assessing the extent to which forces make fair decisions and treat people with respect during their interactions with the public. To do this, we looked at how well leaders can demonstrate the importance they place on procedural justice and how well the workforce understands these principles and applies them. Also, we assessed how well the force scrutinises the extent to which procedural justice takes place, particularly with regard to coercive powers, including the use of force and stop and search.

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

HMICFRS assessed the extent to which leaders of the force understand the importance of procedural justice, and the arrangements they have made to provide the workforce with the knowledge, skills and understanding they need to treat all the people they serve fairly and with respect. We examined the workforce’s understanding of the principles of procedural justice (being friendly and approachable, treating people with respect, making fair decisions, and taking time to explain these decisions). We did this by checking their understanding of the concept of unconscious bias,<sup>6</sup> their awareness of effective communication skills<sup>7</sup> in all

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<sup>5</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>6</sup> Personal biases are influenced by factors including people’s background, personal experiences and occupational culture, and they can affect our decision making. When we make quick decisions, these biases can, without us realising, disadvantage particular groups of people. It is vital that police officers understand their own biases and how to overcome them, to ensure the decisions they make are fair.

<sup>7</sup> Research into the effect of communication skills training in Greater Manchester Police (e.g. showing empathy, building rapport, signposting and using positive and supportive language) showed this improved officer attitudes and behaviours and had a “significant positive effect” on the quality of interactions between police officers and victims. See: <http://library.college.police.uk/docs/college-of-policing/Technical-Report.pdf>

interactions with the public and their appropriate use of coercive powers (with a specific focus on stop and search and use of force).<sup>8</sup>

### **Understanding the importance of treating people with fairness and respect**

Cleveland Police understands the importance of treating people with fairness and respect. The force's 'Everyone Matters' programme focuses on work to improve the way the force serves its communities, supports its people and ensures its organisational processes are fair. The programme supports the force's vision and is reinforced through the values and standards communicated by the executive team, who are visible within the workplace. We are pleased to see the progress the force has made in this area, including an improved understanding of what communities expect and how they want to be treated. Members of the workforce are clear about what is expected of them through their interactions with the public and colleagues. The force is working to ensure that its processes are fair for members of the public who come into contact with its officers and staff, and, through a review of the professional standards department, that its processes are fair for its workforce.

### **Understanding of unconscious bias**

The force continues to provide specific training on unconscious bias and conducts awareness sessions with officers and staff. All of the officers and staff that we spoke to could demonstrate an awareness and understanding of unconscious bias. They were positive about the training and said it had allowed them to reflect on the fact that life experiences sometimes leave people with prejudices. We found that officers and staff were able to articulate clear examples of what unconscious bias is and how they have addressed it. For example, an officer explained to us that he had recently dealt with a repeat victim of domestic abuse who regularly withdraws from the criminal justice process. The officer stated that he was aware of his own pre-conceived view and his determination to put it out of his mind to provide the best service possible to the victim, who subsequently remained engaged in the criminal justice process all the way through to a successful prosecution.

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<sup>8</sup> *Authorised Professional Practice on Stop and Search*, College of Policing, February 2017. Available from: [www.app.college.police.uk/app-content/stop-and-search/](http://www.app.college.police.uk/app-content/stop-and-search/); *Authorised Professional Practice on Use of Force*, College of Policing, October 2013. Available from: [www.app.college.police.uk/app-content/public-order/core-principles-and-legislation/police-use-of-force/](http://www.app.college.police.uk/app-content/public-order/core-principles-and-legislation/police-use-of-force/); and *College of Policing and National Police Chiefs' Council, Personal safety manual*, 2016. Available from: <http://library.college.police.uk/docs/college-of-policing/PSM/PSM-MOD-01-INTRODUCTION.pdf>

## **Communication skills**

The force provides some communications skills training to officers and staff, tailored to the type of interactions members of its workforce have with different communities and in different situations. The force does not provide generic customer service communication training. The workforce receives training in managing difficult conversations and in 'words that hurt' and, although these are about internal communications, officers and staff we spoke to felt that skills such as listening, empathy and being respectful are transferrable to their contact with the public. The force's training in stop and search and personal safety includes content that covers how to interact with people in a professional manner, and explains that poor communication and treatment can lead to members of the public feeling dissatisfied, or that they have been unfairly treated. This training also covers the effects of tone of voice, choice of words and body language when interacting with members of the public. Training has been provided to frontline officers in how to communicate with people with mental health problems and autism. The force has also worked with a speech and language therapist from the NHS liaison and diversion team, who has provided guidance for officers in the use of communication techniques and language when dealing with vulnerable people. The force is clear in its expectations that officers and staff should adapt their style and approach according to the needs of others, and officers and staff we spoke to were able to provide some good examples of their interaction with members of the public. For instance, members of a neighbourhood team told us of using listening skills and empathy to persuade a suicidal man not to jump from a bridge.

## **Use of coercive powers**

Overall, members of the workforce have a good understanding of how to use coercive powers fairly and respectfully. Use of force features within the stop and search training provided to officers, and is also covered in personal safety training for frontline officers and staff. Officers we spoke to could articulate how to use force in a fair and proportionate manner. The stop and search training also covers the statutory requirements of stop and search powers, ethical decision-making and the need to ensure that the powers are not used as a result of prejudice or unconscious bias. The safety training is mandatory for all frontline officers and staff and includes how to manage and de-escalate conflict, and the use of the national decision model and the code of ethics, when considering whether and how to use force.

## **How well does the force understand the extent to which its workforce treats people with fairness and respect?**

HMICFRS continues to examine the extent to which forces work to identify and understand what affects people's perceptions of fair and respectful treatment. This year we re-assessed a specific aspect of fair and respectful treatment that we examined in PEEL 2015: the use of force<sup>9</sup> and stop and search powers. Specifically, we inspected the extent to which forces record data and how well they scrutinise data and other information, including through external scrutiny,<sup>10</sup> to understand and improve the use of these powers. In the case of stop and search, the next section sets out our findings. It includes our assessment of the reasonableness of recorded grounds for stop and search.

### **Scrutiny of use of force to improve treatment**

Cleveland Police complies with the national minimum recording standard on the use of force. Data is scrutinised and expectations of performance are discussed at the force's regular performance meeting. Although Cleveland Police collects data in line with the national recording standard, scrutiny at the performance meetings had only begun shortly before our inspection, and it is therefore too early to assess whether this process is effective at monitoring whether force is used fairly. Such scrutiny has, however, identified occasions when force has been used but not recorded. The force has communicated to officers and staff the need to record all types of use of force correctly. To understand the full extent of the use of force, Cleveland Police has implemented an electronic form for officers and staff to complete after they have used force, including handcuffing compliant suspects. This is an interim solution while a more permanent electronic method is developed. Officers told us that the form was taking them considerable time to complete due to the amount of information required and its limited functionality.

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<sup>9</sup> In 2015 HMICFRS found a generally positive picture of force oversight arrangements for use of Taser. However, in 2016, we found that many forces did not have similar levels of oversight for other types of use of force. As a result of a review undertaken by the National Police Chiefs' Council, all forces have been required to collect a minimum data set in respect of use of force since April 2017. The review is available at: [www.npcc.police.uk/documents/uniformed/2016/Use%20of%20Force%20Data%20Report%20to%20Home%20Sec.pdf](http://www.npcc.police.uk/documents/uniformed/2016/Use%20of%20Force%20Data%20Report%20to%20Home%20Sec.pdf). Also see *Authorised Professional Practice on Use of Force*, College of Policing, October 2013. Available from: [www.app.college.police.uk/app-content/public-order/core-principles-and-legislation/police-use-of-force/](http://www.app.college.police.uk/app-content/public-order/core-principles-and-legislation/police-use-of-force/)

<sup>10</sup> *Independent Advisory Groups: considerations and advice for the police service on the recruitment, role and value of IAGs*, College of Policing, 2015. Available at: [www.college.police.uk/What-we-do/Support/Equality/Documents/Independent\\_advisory\\_groups\\_advice\\_2015.pdf](http://www.college.police.uk/What-we-do/Support/Equality/Documents/Independent_advisory_groups_advice_2015.pdf)

## **External scrutiny to improve treatment**

Cleveland Police seeks and receives independent advice on a range of topics through a number of groups including: a strategic Independent Advisory Group (IAG), four associated local advisory groups, a rape scrutiny panel and an independent custody visitor's scheme. Additionally the police and crime commissioner runs a scrutiny and performance group. The main purposes of the independent advisory groups are to provide feedback on consultations, advice about events such as protests, and to scrutinise some data relating to hate crimes. The strategic IAG is made up of the independent chairs of the local IAGs and includes members who represent various communities (although not all communities living in the Cleveland area are represented and there are no young people in the groups). The groups have received presentations from the force to increase their awareness of how it operates and (although they were not specifically set up for this purpose) there has been no training for members to help them understand the use of police powers. Senior officers engage effectively in these groups at both strategic and local levels and respond to questions raised, although we observed a meeting in which there were more police officers in attendance than independent members.

While the independent advisory groups consider and advise on a wide range of policing matters and have access to a range of information, we were disappointed to find limited external scrutiny of force data to improve the way people are treated. The only external scrutiny on the use of stop and search powers is provided by the police and crime commissioner at his scrutiny and performance group. The oversight provided by the force's rape scrutiny panel is more in-depth and focuses on improving the service offered to rape victims and ensuring that the force adopts best practice.

In HMICFRS' 2016 Legitimacy report, we found that the force needed to improve the way it sought feedback from the people it serves about their experiences (or perceptions) of how the police had treated them. In this year's inspection, we were pleased to find that the force's performance in this area has improved. In addition to regular perception surveys, that include questions of people's treatment when they have contacted the police, the force has consulted with seldom-heard communities to establish how they expect to be treated. This consultation identified the need to improve understanding among officers and staff of how their interactions can have a positive or negative effect on diverse communities, and the need to pause and think prior to interactions, in order to show more empathy and respect.

## How fairly does the force use stop and search powers?

The purpose of stop and search powers is to enable officers to eliminate or confirm suspicions that individuals may be in possession of stolen or prohibited items, without exercising their power of arrest. Except in exceptional circumstances, an officer must have reasonable grounds for carrying out such a search. While this can be valuable in the fight against crime when based on genuinely objective reasonable grounds, the powers to stop and search people are some of the most intrusive available to the police. Their disproportionate use in respect of black, Asian and minority ethnic communities threatens to undermine police legitimacy. As such, it is crucial that all forces use these powers fairly, and demonstrate to the public that they are doing this.<sup>11</sup>

HMICFRS has assessed the police's use of its stop and search powers on a number of occasions.<sup>12</sup> Our 2015 legitimacy inspection<sup>13</sup> found that too many forces were not always recording reasonable grounds on their stop and search records. In 2017, we reviewed the reasonableness of the grounds again to assess how fairly forces are using stop and search in line with national guidance.<sup>14</sup> Also, we assessed how the forces scrutinise use of these powers.

### Understanding of national guidance

In Cleveland Police, members of the workforce have a good understanding of how to use stop and search powers fairly and respectfully, and officers attend a two-day course as recommended by the College of Policing. All frontline officers have been trained through this course, and the force is part of the way through a refresher programme: at the time of our inspection two thirds of frontline officers had been through the programme and half of frontline sergeants. The refresher programme covers the College of Policing authorised professional practice and is preceded by online training. Although officers we spoke to were able to articulate understanding of the reasonable grounds to stop someone, the result of our review of 200 stop and

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<sup>11</sup> *Authorised Professional Practice on Stop and Search*, College of Policing, February 2017. Available from: [www.app.college.police.uk/app-content/stop-and-search/](http://www.app.college.police.uk/app-content/stop-and-search/)

<sup>12</sup> *Stop and Search Powers – are the police using them effectively and fairly?* HMIC, July 2013. Available at: [www.justiceinspectorates.gov.uk/hmicfrs/publications/stop-and-search-powers-20130709/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/stop-and-search-powers-20130709/) and *Best Use of Stop and Search revisits*, HMIC, September 2016. Available from: [www.justiceinspectorates.gov.uk/hmicfrs/publications/best-use-of-stop-and-search-revisits/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/best-use-of-stop-and-search-revisits/)

<sup>13</sup> *Police legitimacy 2015 – a national overview*, HMIC, February 2016. Available from: [www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/)

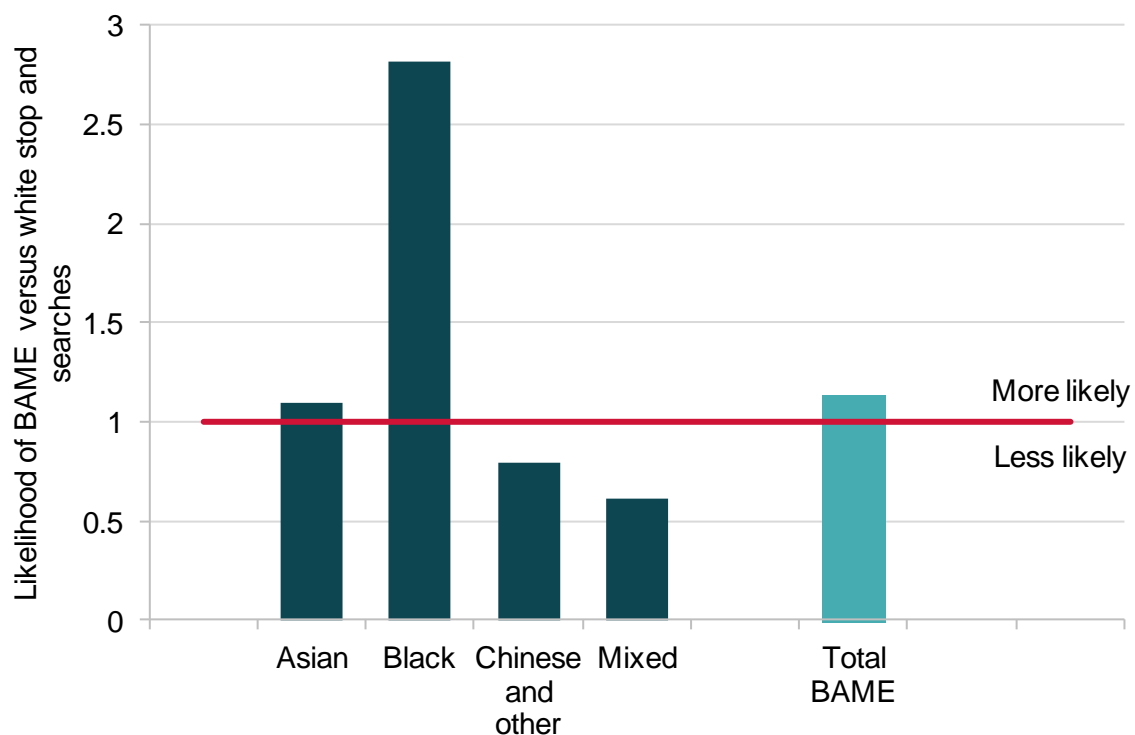
<sup>14</sup> See annex A for more information about the methodology for our review of stop and search records.

search records suggests that some officers and supervisors still do not understand what constitutes reasonable grounds (see reasonable grounds for stop and search section below).

### Monitoring use of stop and search powers to improve treatment

In order to monitor the use of stop and search powers effectively, forces should use a range of data to help them understand how the powers are being used and the subsequent effect on crime, disorder and perceptions in the community. In particular, forces should consider whether the use of stop and search powers is disproportionately affecting one group compared with another. In 2015/16 in the local population served by Cleveland Police, overall black, Asian and minority ethnic (BAME) people were as likely to be stopped and searched as white people. However, black people were 2.8 times more likely to be stopped and searched than white people.

**Figure 1: Likelihood of black, Asian and minority ethnic (BAME) people being stopped and searched (under section 1, PACE)<sup>15</sup> compared with white people, in the local population of Cleveland Police in the 12 months to 31 March 2016**



Source: Home Office 2016

The force records a comprehensive range of stop and search data, which is available through the force's performance system, but this has not been monitored regularly until very recently. These data are scrutinised by the stop and search lead on a monthly basis, and through the force's performance meeting on a quarterly

<sup>15</sup> Police and Criminal Evidence Act 1984. Available at: [www.legislation.gov.uk/ukpga/1984/60/section/1](http://www.legislation.gov.uk/ukpga/1984/60/section/1)

basis. Through the quarterly meeting, trends such as disproportionality are identified, which results in further analysis to understand the reasons. However, the frequency of this meeting may mean that some trends are not identified early enough. The force recognises that black people are almost three times more likely to be stopped and searched than white people and has, through monitoring the data, identified a number of hypotheses that might explain this. The force is currently testing these hypotheses to understand the reason for the disproportionality. The force recognises that it needs to improve in this area; relevant information acquired has been collated into a set of performance data, which it will now review as part of its quarterly performance meeting.

In HMICFRS' 2015 Legitimacy inspection we found that supervisors needed to understand better their responsibilities when checking that stops and searches were conducted lawfully and fairly, and that the grounds were recorded properly. Supervisors have now been given additional training which outlines their roles and responsibilities, including recording the grounds for a stop and search. We found that sergeants are completing compliance checks on all stop and search forms, although those we spoke to were frustrated with perceived duplication as the force also undertakes a monthly compliance audit of all stop and search forms to assess whether the grounds recorded are reasonable. Where grounds are found not to be reasonable, remedial action is taken with the relevant officer. Notwithstanding these checks, the result of our review of 200 stop and search records indicates that such scrutiny processes could still be more thorough (see reasonable grounds for stop and search section below).

The types of searches carried out by officers indicate that stop and search powers are predominantly used to tackle priority crime types, although we found that there was no understanding of the link between stops and searches conducted and the force's geographical priority areas. As part of the scrutiny process, sergeants monitor footage from body-worn video cameras, but the force could do more to identify good and questionable practice and to provide feedback to officers more generally, including findings from scrutiny of body-worn video footage.

### **External scrutiny of stop and search powers to improve treatment**

We were disappointed to find that Cleveland Police has no independent external scrutiny of its use of stop and search powers. Despite forming an independent panel of young people that was specifically intended to provide feedback on stop and search, none of the prospective members attended the first meeting. External scrutiny of this area is something the force should seek to encourage and improve, so it can understand better how the public, particularly those who are more likely to be subject to stop and search, perceive its use, including whether people feel they are treated with fairness and respect.



## Reasonable grounds for use of stop and search

The Police and Criminal Evidence Act 1984 requires that, to stop and search a person, the grounds to suspect that person of being in possession of a stolen or prohibited article must be reasonable and that the grounds must be recorded on the stop and search record.<sup>16</sup>

In our 2013 inspection into the police use of stop and search powers,<sup>17</sup> we were concerned to find that, of the 8,783 stop and search records we examined across all forces in England and Wales, 27 percent did not include sufficient grounds to justify the lawful use of stop and search powers. For Cleveland Police, the 2013 inspection showed that 188 of 200 records reviewed did not have grounds recorded that we considered reasonable. In 2015, as part of our PEEL legitimacy inspection,<sup>18</sup> we carried out a further review of the recorded grounds in a sample of stop and search records. In that inspection, our review of 99 records found that 63 did not have reasonable grounds recorded.

During this 2017 inspection, we reviewed 200 stop and search records; 27 did not include grounds that we considered reasonable. While the records we reviewed may not be representative of all stop and search records completed by the force, our findings indicate that some officers and supervisors still either do not fully understand what constitutes reasonable grounds, or do not know how to record them properly. Moreover, we were disappointed to find that reasonable grounds are still not being recorded in all cases.

It is important to note that a lack of reasonable grounds on the stop and search record does not necessarily mean that reasonable grounds did not exist in reality at the time of the stop and search.

In 42 of the 200 records we reviewed, the item searched for was found. This is an important measure - confirming or allaying an officer's suspicions is the primary purpose of the powers. Finding the item searched for is one of the best indications that the grounds for the suspicions are likely to have been strong.

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<sup>16</sup> Police and Criminal Evidence Act 1984 Available from:  
[www.legislation.gov.uk/ukpga/1984/60/contents](http://www.legislation.gov.uk/ukpga/1984/60/contents)

<sup>17</sup> *Stop and Search Powers: Are the police using them effectively and fairly?* HMIC, 2013. Available from: [www.justiceinspectorates.gov.uk/hmicfrs/publications/stop-and-search-powers-20130709/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/stop-and-search-powers-20130709/)

<sup>18</sup> *PEEL: Police legitimacy 2015* HMIC 2016 Available from:  
[www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/)

**Table 1: Results of HMICFRS stop and search review 2013-17**

	<b>2013</b>	<b>2015</b>	<b>2017</b>
Records not containing reasonable grounds	188 of 200	63 of 99	27 of 200
Item searched for found	-	-	42 of 200

## Summary of findings



**Requires improvement**

Cleveland Police clearly values and communicates the importance of treating people with fairness and respect. The force has invested into improving the understanding of officers and staff on how to treat people with fairness and respect, including training relating to unconscious bias and communication skills. The officers and staff we spoke to were able to articulate this understanding and also had good understanding of how to use coercive powers fairly and lawfully. However, we were disappointed to find that the force continues to require improvement in the way grounds for stop and search are recorded, and has only recently introduced monitoring of comprehensive data on the use of force. The force's external scrutiny groups do not include any young people and there is no external scrutiny of the use of police powers such as stop and search or use of force.

### Areas for improvement

- The force should improve external scrutiny of its data; involve young people in its scrutiny arrangements and offer those scrutinising the force appropriate training on the use of police powers.

The following AFI from HMICFRS' 2015 Legitimacy inspection remains:

- The force should continue with the improvements it has started to ensure that all stop and search records include sufficient reasonable grounds to justify the lawful use of the power, and that officers fully understand the grounds required to stop and search a person.

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

In HMICFRS' 2017 legitimacy inspection, we continued to focus on the extent to which forces develop and maintain an ethical culture to reduce unacceptable types of behaviour among their workforces. We also returned to look at how well forces are handling complaints and misconduct cases,<sup>19</sup> as opposed to last year's focus on how well forces are guarding against corruption.<sup>20</sup>

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

Research tells us that the best way to prevent wrongdoing is to promote an ethical working environment or culture.<sup>21</sup> Police leaders need to promote ethical principles and behaviour and act as role models, in line with the Code of Ethics.<sup>22</sup> Officers and staff should feel confident that they can apply these principles to their decision-making. This year, we focused on the way that the leaders of forces demonstrate ethical behaviour and the way that forces approach ethical decision-making across the entire workforce. In addition, where forces had failed to comply with all aspects of the national vetting standards in 2016, we assessed whether their plans are credible and are likely to be compliant by December 2018.<sup>23</sup>

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<sup>19</sup> *Police legitimacy 2015 – a national overview*, HMIC, February 2016. Available from: [www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/)

<sup>20</sup> We did, however, undertake a review of forces' plans in response to our PEEL legitimacy 2016 national report recommendation. The report of our findings is available here: [www.justiceinspectorates.gov.uk/hmicfrs/publications/peel-police-legitimacy-2016/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/peel-police-legitimacy-2016/)

<sup>21</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)  
*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)

<sup>22</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, 2014. Available from: [www.college.police.uk/What-we-do/Ethics/Pages/Code-of-Ethics.aspx](http://www.college.police.uk/What-we-do/Ethics/Pages/Code-of-Ethics.aspx); *Literature review – Police integrity and corruption*, HMIC, January 2015. Available from: [www.justiceinspectorates.gov.uk/hmicfrs/publications/integrity-matters/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/integrity-matters/)

<sup>23</sup> HMICFRS' recommendation in December 2016 was that (i) Within six months, all forces not already complying with current national vetting policy should have started to implement a sufficient plan to do so and (ii) Within two years, all members of the police workforce should have received at least the lowest level of vetting clearance for their roles. The ACPO/ACPOS National Vetting Policy as

## **Leaders as ethical role models**

The executive team of Cleveland Police provides strong ethical leadership. Officers and staff we spoke to reported that they have received clear communication on what is expected of them, and they were complimentary of the executive team's efforts to demonstrate the values and behaviours it expects from others. Members of the executive team have given up their personal parking spaces in front of the force headquarters to create disabled parking spaces, and have made a point of not purchasing cars to the full value of their vehicle allowance to make more efficient use of public money. The chief constable has also made an effort to speak to officers and staff within their own working environments. The force has established and used both internal and external ethics committees to which anyone in the force can refer questions/dilemmas for advice. The chief officer team publishes details of members' salaries, any business interests and it records gifts and hospitality on the force's website, although we found the latter to be out-of-date.

## **Ethical decision making**

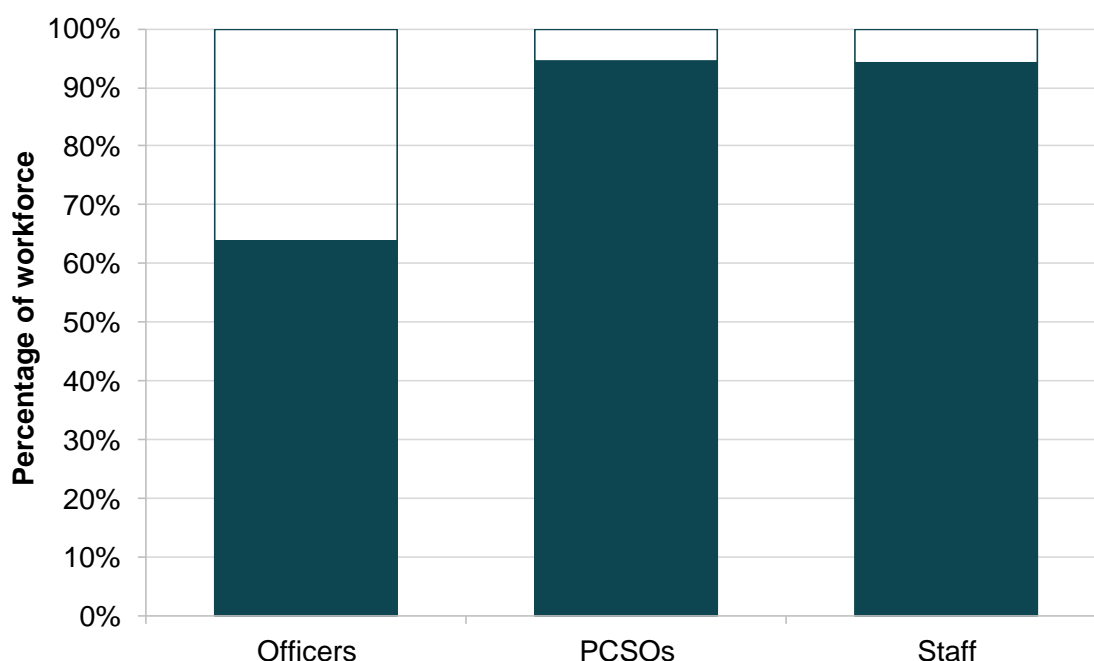
The force is good at seeking external challenge to ensure it is ethical in its decision-making. In 2016, we reported that the force had established an active internal ethics committee as well as a joint external ethics committee with Durham Constabulary. The force continues to receive advice and constructive challenge on ethical dilemmas, policies and procedures from both its internal and external ethics committees. The internal ethics committee comprises members of the workforce. The joint external ethics committee is seeking to extend its membership, and governance of the meeting has transferred to the office of the police and crime commissioner (OPCC) for Cleveland to provide greater independence from the force.

Where the force retains its own policies, these are accessible and comply with the equality duty; we found evidence that the force emphasises the need to apply policies in a fair, equal and consistent way, using honesty, integrity and impartiality. The ethics committees consider policies that are referred to them, such as: working arrangements, bonus payments, visible tattoos, stop and search triggers, lawful business monitoring and privately funded police officers. The advice from both of these committees ensures that the decisions of the force's management board are informed by the views of the workforce and are subject to independent challenge; these decisions are published on force's intranet.

## Vetting

It is important that re-vetting takes place regularly and before an individual is promoted or posted to a high-risk unit. During this year's inspection we asked Cleveland Police to provide us with data on the percentage of its workforce who had up-to-date security clearance. The data we received showed that on 31 January 2017, 64 percent of officers, 95 percent of PCSOs, and 94 percent of staff had up-to-date security clearance, as illustrated in figure 2.

**Figure 2: Percentage of officers, PCSOs, and staff with up-to-date vetting checks, in Cleveland Police as at 31 January 2017**



**Source: HMICFRS Legitimacy data collection**

During our 2016 legitimacy inspection we considered the extent to which the force was ensuring it was developing and maintaining an ethical culture through effective vetting. We found that Cleveland Police was not complying with all aspects of the national vetting policy,<sup>24</sup> which included failures to: apply the standards for higher level vetting; re-vet individuals upon promotion; and conduct regular reviews of vetting. We found a backlog of vetting cases that the force suggested was due to the high level of recruitment. During this year's inspection, we found that the force does not have a credible and achievable plan to ensure it is complying with current national vetting policy, and we found limited progress has been made to address the vetting backlog.

<sup>24</sup> ACPO & ACPOS *National Vetting Policy for the Police Community*, ACPO and ACPOS, London, 2010. Available from

[www.northants.police.uk/files/documents/Freedom%20Of%20Information/ac%5EACPO%20National%20Vetting%20Policy.pdf](http://www.northants.police.uk/files/documents/Freedom%20Of%20Information/ac%5EACPO%20National%20Vetting%20Policy.pdf)

At the time of our inspection there were in excess of 1,000 members of the workforce, including staff working for the force's private provider, requiring re-vetting. In addition, 230 contractors will require vetting prior to construction of the force's new headquarters, known as the community safety hub. The force has designated all roles that require enhanced vetting and those post-holders have been vetted, however, the force cannot be sure that this is always done in a timely way. Vetting checks are still not carried out when officers and staff are promoted. Vetting takes six to seven weeks, which is too long. The force has increased the number of staff within the vetting unit to assist with the backlog. In 2015 we reported that consideration was being given to use of a more up-to-date system, but this has since been put on hold and currently the unit is still using its less efficient system.

## **How accessible is the complaints system to all members of the public?**

An accessible complaints system is crucial to building public confidence in the police and to a force's ability to improve the extent to which its workforce acts ethically and lawfully. As such, we assessed how easy it is for the public to make a complaint – including how well forces support those people that may require additional help to gain access to the complaints process.<sup>25</sup> Also, we used a review of case files to assess the level of information provided to complainants and looked at how well forces keep complainants updated about the progress of their complaints.

### **Ease of making a complaint**

Cleveland Police provides clear, useful and easy-to-find information on its website about of to make a complaint, including some detail about the additional support it can provide to complainants who may need it. It is possible to translate the whole website into a different language for those who have difficulty understanding English. The website did not, however, enable complaints to be made online, nor did it contain a 'frequently asked questions' section.

As well as requiring forces to provide clear information on their websites, the Independent Police Complaints Commission (IPCC) statutory guidance requires forces to produce printed information, such as leaflets and posters that explain how to make a complaint. These should be made available in public areas of police stations, and in non-police premises such as Citizen's Advice and community

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<sup>25</sup> These could include people with learning difficulties, mental health issues, young people or people whose first language is not English. *IPCC Statutory Guidance to the police service on the handling of complaints*, IPCC, May 2015. Available at: [www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/2015\\_statutory\\_guidance\\_english.pdf](http://www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/2015_statutory_guidance_english.pdf) and *Access to the police complaints system*, IPCC, September 2015. Available at: [www.ipcc.gov.uk/sites/default/files/Documents/research\\_stats/Access\\_to\\_the\\_police\\_complaints\\_system.pdf](http://www.ipcc.gov.uk/sites/default/files/Documents/research_stats/Access_to_the_police_complaints_system.pdf)

centres. We found that Cleveland Police did not produce or display any printed information either in public areas of police premises or in non-police premises. IPCC leaflets were available in the force's enquiry offices if requested, however the lack of posters and force-produced material may deter some from making a complaint, particularly if they have to ask for information.

We spoke to officers, control room staff and enquiry staff who were able to demonstrate us that they understood what to do when a member of the public reports a complaint directly to them. Some members of the public require adjustments to be made to usual procedures to help them explain their allegations to forces and to understand what is happening. During our inspection, we carried out a file review of 25 public complaints, and were disappointed to find one case in which a complainant had needed additional support but this had not been provided.

### **Keeping complainants updated**

The force does not always provide the required statutory information to complainants, and it should improve its processes for keeping complainants updated. When forces record public complaints, the Police Reform Act 2002 and Police (Complaints and Misconduct) Regulations 2012 require them to provide the complainant with a copy of the complaint record. The IPCC statutory guidance extends this by stating that complainants should receive an explanation of the possible ways the complaint may be dealt with, and to advise on who will be dealing (including contact details). We were disappointed to find that out of 25 complaint files we reviewed, only two contained evidence that these requirements had been met.

Once an investigation into a public complaint has started, forces must keep complainants informed of the progress every 28 days, providing enough information to make updates meaningful. Although this legal requirement only applies to public complaints, we expect a similar level of communication to be provided to the subject of the complaint and to those who are the subject of misconduct allegations. During our case file review, we found that only 15 of the 25 complaint cases recorded regular updates to complainants, although all 15 were sufficiently informative. We found that 11 of the 15 misconduct cases we reviewed recorded regular updates to witnesses and those who were subject of allegations, and that all 11 were sufficiently informative.

When public complaints are finalised, the force is required to provide the complainant with the findings, the force's own determinations and information about the complainant's right to appeal. We were pleased to see that 24 of the 25 complaint files reviewed contained evidence that all of these legal requirements had been met.



## **How well does the force identify and investigate potential discrimination by officers and staff?**

For the public to have confidence in the police and the police complaints system, it is vital that allegations of discrimination arising from police complaints, conduct matters, and death and serious injury investigations are handled fairly and appropriately. We reviewed complaint, misconduct and grievance files to assess the extent to which forces identify and respond to discrimination appropriately and at the earliest opportunity (including referrals to the IPCC), and the extent to which these allegations are investigated in accordance with the IPCC guidelines for handling allegations of discrimination.<sup>26</sup>

### **Identifying and responding to potential discrimination**

Cleveland Police's workforce has a good understanding of discrimination, and the officers and staff we spoke to felt confident about identifying discrimination in its various forms. The force has increased the workforce's awareness of discrimination, equality and diversity through its 'Everyone Matters' programme. The force introduced a bullying, harassment and victimisation procedure in June 2016 to provide officers and staff with appropriate advice and a mechanism through which to raise problems, including discrimination. All student officers now receive training on what constitutes discrimination, how to identify it and how to report it. The force also has confidential reporting processes in place for officers and staff to report discrimination, which include the support of staff networks and associations.

The force is good at identifying and responding to complaints and internal allegations of discrimination. In all of the cases we reviewed, the force had correctly identified any forms of discrimination. We did not find any additional cases in which the force had failed to identify discrimination. To provide external scrutiny, the Police (Complaints and Misconduct) Regulations 2012 require forces to refer serious cases to the IPCC if they are aggravated because it is alleged that discrimination was a reason for the behaviour. We were pleased to find that all of the cases we reviewed that met the criteria had been referred correctly by the force.

### **Investigating allegations of discrimination**

The force investigates allegations of discrimination well, and generally complainants receive a good service. Our review of 10 discrimination complaints found that all had been investigated satisfactorily. We also considered whether, overall, the complainant making an allegation of discrimination received a good service from the

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<sup>26</sup> See annex A for more information about our case file review. *IPCC guidelines for handling allegations of discrimination*, IPCC, September 2015. Available at: [www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/Guidelines\\_for\\_handling\\_allegations\\_of\\_discrimination.pdf](http://www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/Guidelines_for_handling_allegations_of_discrimination.pdf)



force; we found that seven of the ten complainants received a good service, but that the remaining three experienced a combination of delays, lack of information and lack of updates.

All complaint investigations are allocated to investigators within the force's professional standards department (PSD). The force is equipping its officers and staff with the necessary skills to investigate allegations of discrimination, in line with IPCC discrimination guidance. During the week of our inspection, those officers and staff working within PSD were attending a mandatory training course that included the identification and investigation of discrimination.

The findings of a high profile misconduct hearing in December 2016 highlighted what the chief constable believed to be areas for improvement in the PSD's ability to deliver consistent high quality investigations. In response, the force commissioned an independent review of PSD, which commenced in January 2017, to assist it in improving PSD investigations and its responses to complaints from the public and allegations of misconduct.

## Summary of findings



**Requires improvement**

The force is improving its processes to ensure its workforce behaves ethically and lawfully. It has good ethical leadership and ethical decision-making across the workforce, as a result of effective leadership, communication and training, and has made considerable progress in this area, particularly through the 'Everyone Matters' programme. The force has made limited progress towards addressing the backlog of officers and staff who require re-vetting. The force could do more to make the complaints system accessible to all, and it needs to improve the way it keeps complainants updated, although we were pleased to find that the force is generally good at identifying, responding to and investigating discrimination. The force recognises these concerns and intends to address them as a result of an independent review of its professional standards department.

### Areas for improvement

- The force should ensure that it complies with IPCC statutory guidance for keeping complainants informed at all stages of the complaints process.

The following AFIs from HMICFRS' 2016 Legitimacy inspection remain:

- The force should ensure it complies with all aspects of the current national guidelines for vetting.

## 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 types of behaviour.<sup>27</sup> As such, this concept of ‘organisational justice’, and its potential effect on ‘procedural justice’ forms an important part of HMICFRS’ assessment of police legitimacy and leadership. As no comparative data exist on how fairly officers and staff perceive forces have treated them, we continue to focus our assessment on how well forces identify individual and organisational concerns within their workforces and act on these findings.

In our 2017 inspection, we focused specifically on how well forces identify and act to improve fairness at work, including what action they are taking to make their workforces more representative of the communities they serve. We continued to look at how well forces provide for the wellbeing of their workforces, particularly through preventative and early action, and at the way individual performance is managed and developed.

### How well does the force identify and act to improve fairness at work?

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>28</sup> HMICFRS assessed how well force leaders seek feedback from their workforces and use this, alongside other data and information – including that on grievances<sup>29</sup> – to identify, understand, prioritise and resolve their workforces’

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<sup>27</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) and *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>28</sup> *Ibid.*

<sup>29</sup> Grievances are concerns, problems or complaints that a member of staff raises formally with an employer, so data on numbers and types of grievances can provide forces with useful information about matters of concern to their workforces.

concerns. Part of our assessment involved reviewing a small number of grievance cases to assess if these adhere to Acas guidance and the Code of Practice.<sup>30</sup>

Unfairness, or perceived unfairness in recruitment processes, opportunities and limited career progression can lead to good officers and staff leaving the service prematurely and fewer women and people from black, Asian and minority ethnic (BAME) communities wanting to join the police in the first place. As such, we re-examined how well forces address disproportional workforce representation in a variety of areas – including recruitment, retention and progression for those people with protected characteristics.<sup>31</sup> We looked at the treatment of BAME officers and staff subject to allegations of misconduct – to improve fairness at work and to make forces more representative of the communities they serve.<sup>32</sup>

### **Leaders seeking feedback and challenge from the workforce**

The force is consistently good at seeking feedback and challenge from its workforce. A range of well-used mechanisms exist for the workforce to provide feedback, including: an on-line ‘Ask the Exec’ tool for officers and staff to write questions; ‘Talk with the Chief’ using online chat function; and organisational briefing days with leaders. The officers and staff we spoke to commented on how visible and accessible the chief and executive teams are, and how much they engage in conversation. The force also encourages suggestions through ‘Let’s Innovate’, an on-line suggestions portal. The force’s change team actively encourages workforce participation in providing feedback on processes, and also has an email address that any member of the workforce can use to comment on things they would like to see change or improve. The force also encouraged feedback through its most recent workforce survey, which was completed at the end of 2016. The force has responded well to workforce concerns from its previous survey and, at the time of our inspection, was planning to use focus groups to understand further the findings of the most recent survey.

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<sup>30</sup> *Code of Practice on Disciplinary and Grievance Procedures*. Acas 2015. Available from [www.acas.org.uk/media/pdf/f/m/Acas-Code-of-Practice-1-on-disciplinary-and-grievance-procedures.pdf](http://www.acas.org.uk/media/pdf/f/m/Acas-Code-of-Practice-1-on-disciplinary-and-grievance-procedures.pdf). Also *Discipline and grievances at work: The Acas guide*, Acas, August 2017. Available from: [www.acas.org.uk/media/pdf/9/g/Discipline-and-grievances-Acas-guide.pdf](http://www.acas.org.uk/media/pdf/9/g/Discipline-and-grievances-Acas-guide.pdf)

<sup>31</sup> The Equality Act 2010 defines the following characteristics as protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation. Available from: [www.legislation.gov.uk/ukpga/2010/15/section/4](http://www.legislation.gov.uk/ukpga/2010/15/section/4)

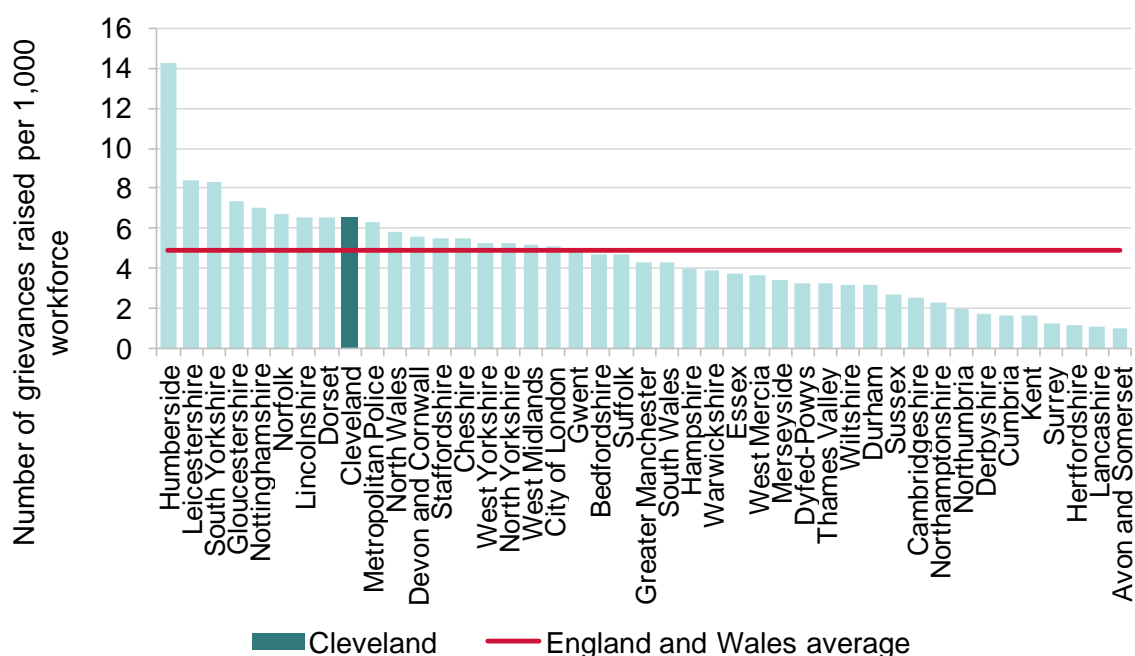
<sup>32</sup> We last examined these issues as part of our 2015 PEEL legitimacy inspection. See *Police legitimacy 2015 – a national overview*, HMIC, February 2016. Available from: [www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/)

## Identifying and resolving workforce concerns

Data on the numbers and types of concerns, problems or complaints (collectively known as grievances) that have been raised by officers or staff can provide forces with useful information about matters of concern to their workforces.

All forces have grievance procedures but the number of grievances in each force differs widely across England and Wales. We requested data for the ten months from 1 April 2016 to 31 January 2017 on the number of grievances raised by the workforce. Figures 3 below shows that Cleveland Police had 7.5 grievances raised per 1,000 workforce. This is higher than the England and Wales average of 4.9 grievances raised per 1,000 workforce.

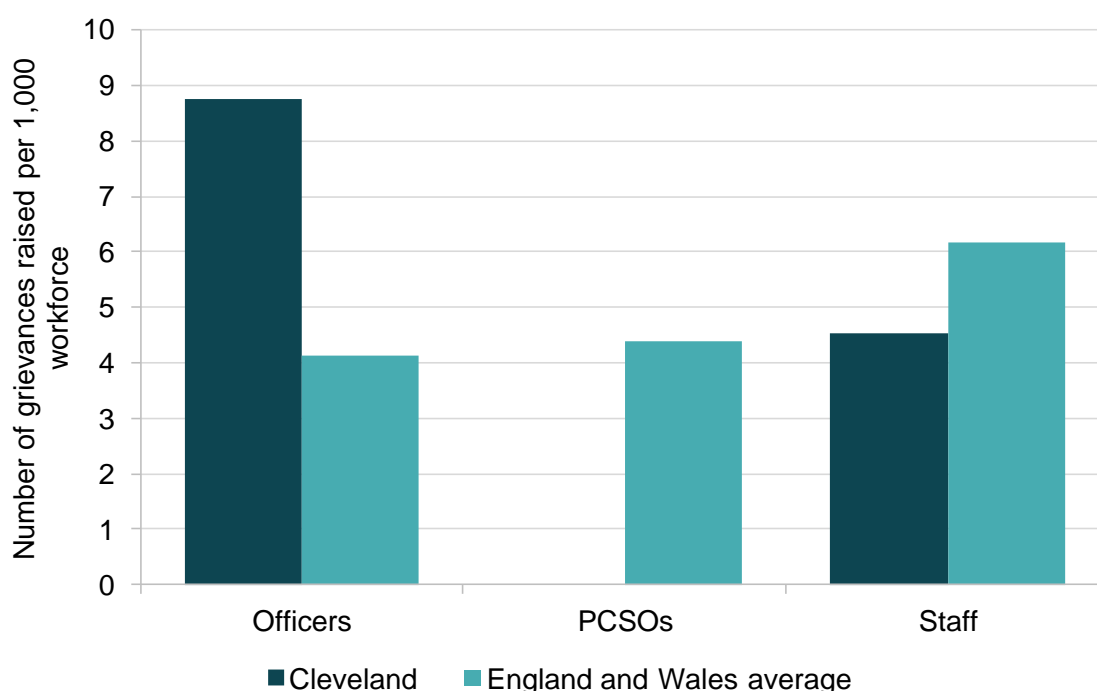
**Figure 3: Grievances raised per 1,000 workforce, in Cleveland Police in the ten months from 1 April 2016 to 31 January 2017**



Source: HMICFRS Legitimacy data collection

Figure 4 shows that the number of grievances raised by officers in Cleveland Police was 8.7 grievances per 1,000 officers, and the England and Wales average was 4.1 grievances per 1,000 officers. In the same period, PCSOs raised no grievances, compared to the England and Wales average of 4.4 grievances per 1,000 PCSOs. Police staff raised 4.5 grievances per 1,000 staff in the same period, compared to and the England and Wales average of 6.2 grievances per 1,000 staff.

**Figure 4: Grievances raised by officers, PCSOs and staff (per 1,000 officers, PCSOs and staff), in Cleveland Police in the ten months from 1 April 2016 to 31 January 2017**



**Source: HMICFRS Legitimacy data collection**

The force has a clear grievance policy, which is based on current legislation and Acas<sup>33</sup> principles. The policy includes provision for early intervention through mediation. We reviewed 10 grievance cases and 5 workplace concerns not formally recorded as a grievance. The force properly identified, investigated and resolved the grievance in all cases, and in the majority of workplace concerns the aggrieved person received a satisfactory service. However, we identified some problems with the speed of handling of grievances; albeit there was evidence that the force's HR department requested monthly updates with the reasons for delays being subsequently recorded. We were disappointed to find that the officers and staff we spoke to reported having no confidence in the grievance procedure and would not use it for fear of repercussions, based on past experiences and hearing stories of what has previously gone wrong. Although we found that the force experiences high levels of grievances, this is because of a workplace culture of counter-grievances being taken out by the subject of the grievance, in addition to instances of multi-grievances being taken out by teams. The force has been working to address this through external mediators engaging with the teams to address problems informally in the first instance. Employment tribunals are being used by the workforce to address problems related to unfairness, as these are seen as being fair and having integrity because of their independence.

<sup>33</sup> Acas (Advisory, Conciliation and Arbitration Service) provides information and advice to employers and employees on all aspects of workplace relations and employment law.

The force could do more to analyse its information about workforce concerns to identify the themes that it needs to address in a more proactive way. The force monitors some information through its monthly people intelligence board, which is chaired by the deputy chief constable, and has a thorough understanding of individual cases. The workforce survey completed at the end of December 2016 has provided the force with an understanding of workforce concerns, which are now being addressed by the force's change team. The force has developed an 'Everyone Matters' dashboard which helps inform scrutiny and accountability in a number of areas, including grievances, but there is no current understanding of the themes arising from grievances.

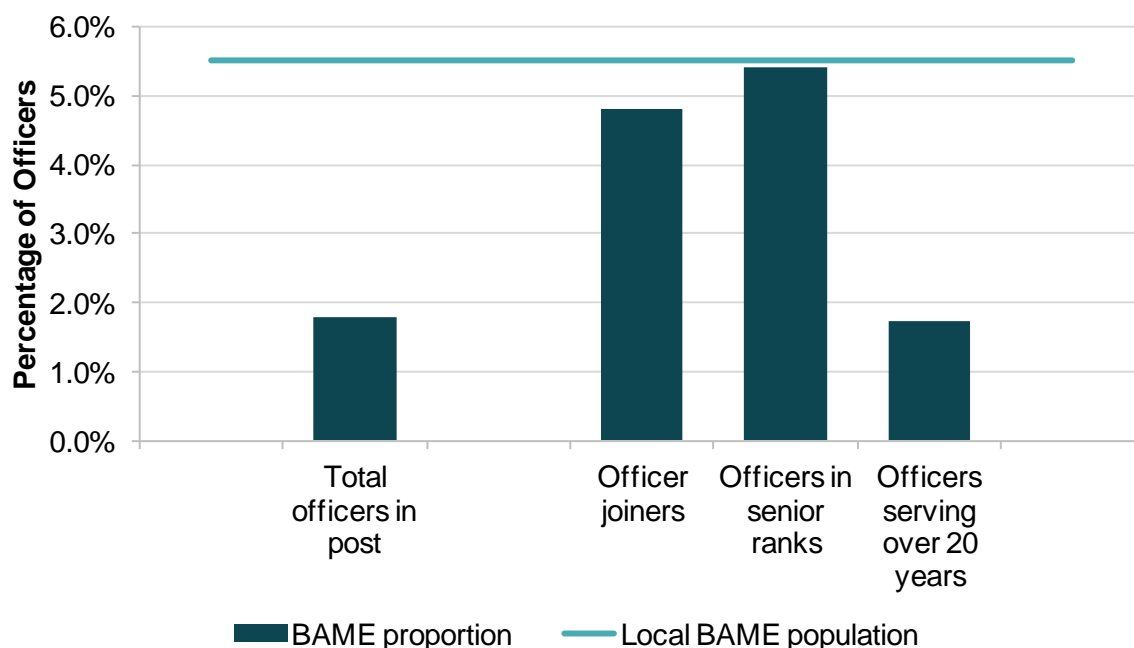
The force should also conclude its job evaluation process, which had been raised by the workforce as a concern because it has been continuing for five years. Officers and staff perceive it to be negatively affecting their wellbeing and their ability to plan financially because of the uncertainty around their salaries. The force has recently appointed a new chief officer for resources who is developing a pay model, in negotiation with unions, to allow for the outcome of the job evaluation process to be implemented by April 2018.

### **Creating a more representative workforce**

To assess how well the force reflects the local population, we considered data on the number of women and people from BAME communities recruited to the force, the number at senior officer level and the number who have served for over 20 years. We used these data to compare the make-up of the force with the make-up of the community it serves.

In the geographical areas served by Cleveland Police, the 2011 census indicates that BAME people made up 5.5 percent of the local population. In 2016/17, in Cleveland Police 1.8 percent of officers were BAME (see figure 5). In relation to officers, 4.8 percent of those joining the force, 5.4 percent of those in senior ranks and 1.7 percent of those who had served over 20 years were BAME.

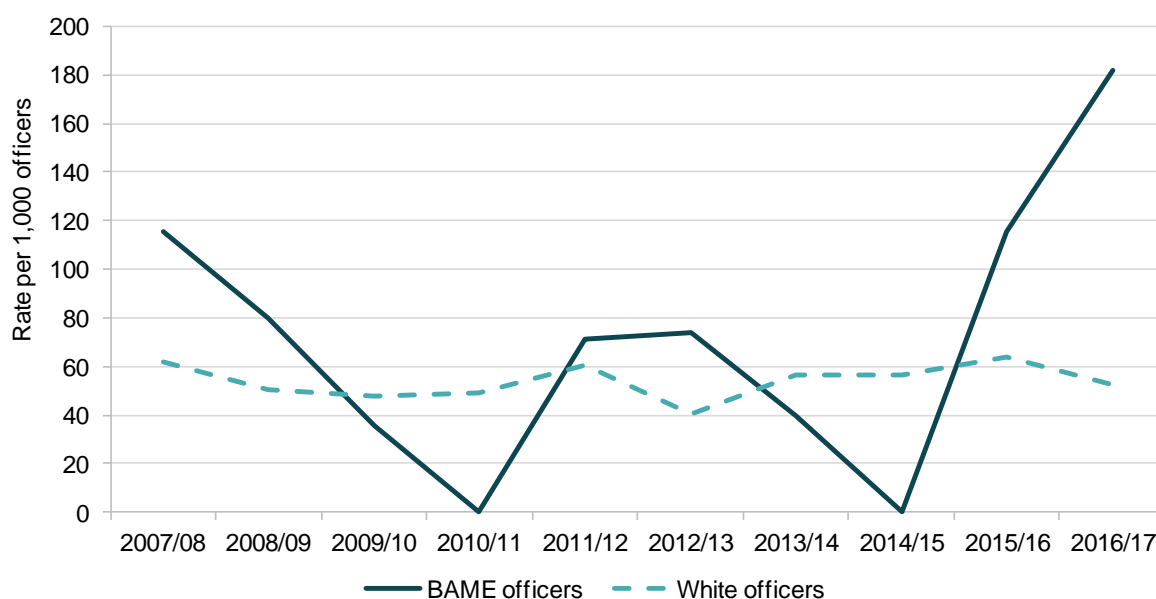
**Figure 5: Percentage of officer joiners, officers in post, officers in senior roles and officers serving over 20 years who are black, Asian or minority ethnic (BAME), in Cleveland Police in 2016/17, compared with the percentage of BAME people in the local population**



Source: Home Office Annual Data Requirement

Note: High percentages may be due to low overall numbers. The figure above represents officers where an ethnicity was stated.

**Figure 6: Comparison of officer leaving rates between white and black, Asian or minority ethnic (BAME) officers (per 1,000 white or BAME officers), in Cleveland Police from 2007/08 to 2016/17**

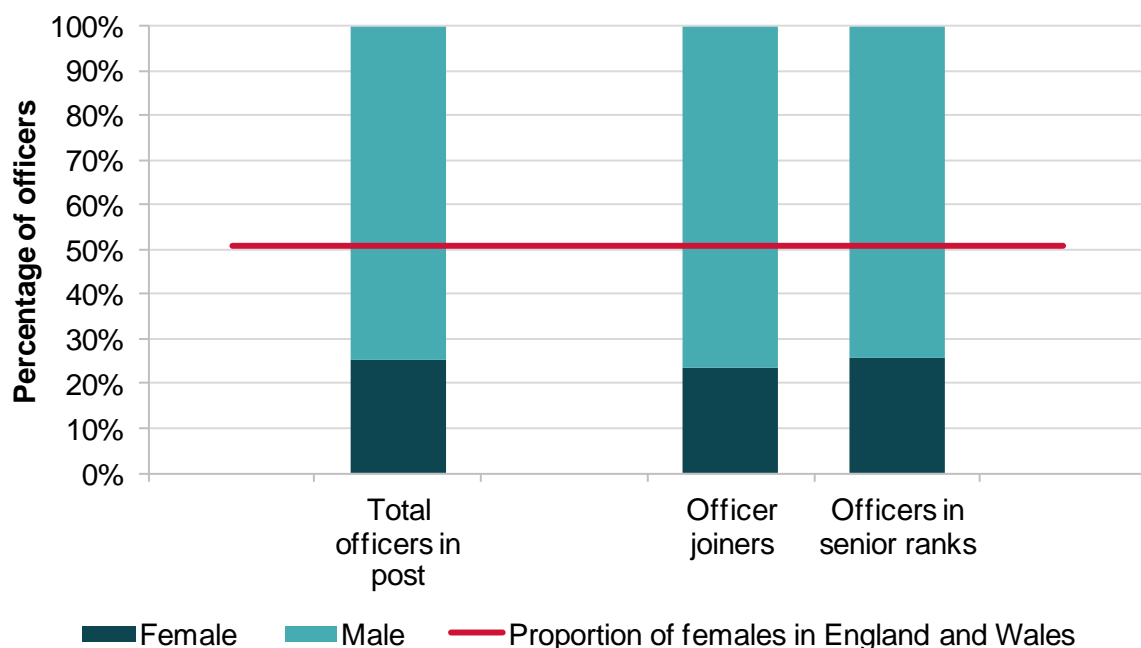


Source: Home Office Annual Data Requirement

In 2016/17 in Cleveland Police for the equivalent of every 1,000 BAME officers, 182 left the force (see figure 6), while for every 1,000 white officers 52 left. Fluctuations in the BAME officer leaver rate may be due to low numbers of BAME officers in the force.

The proportion of female officers is lower than the proportion of females in the general population (51 percent), at 25 percent. In the 12 months to 31 March 2017 in Cleveland Police, 24 percent of those joining the force and 26 percent of those in senior ranks were female (see figure 7).

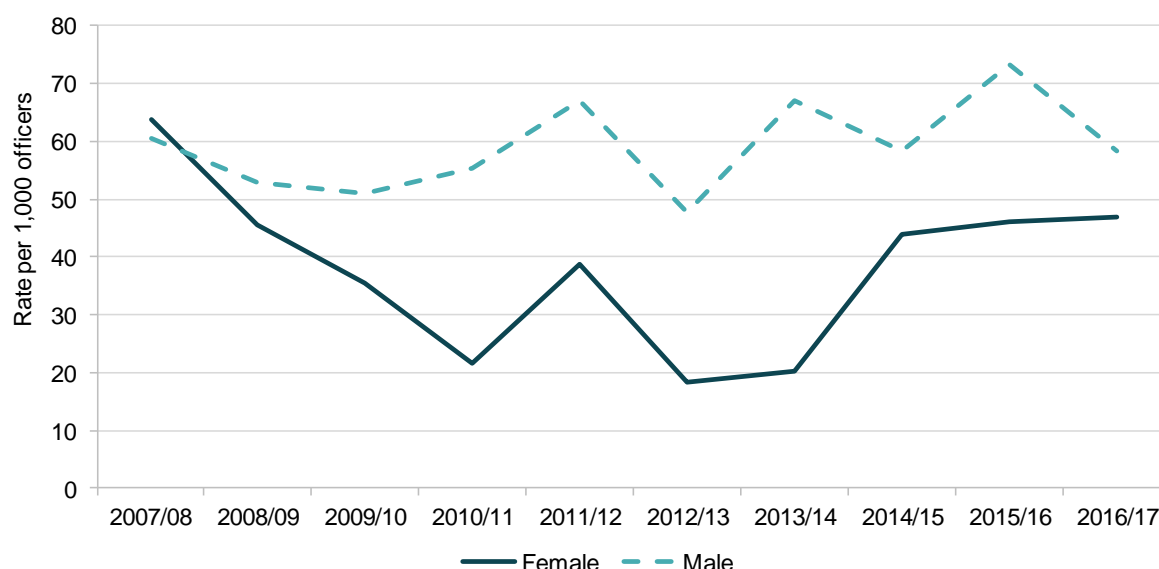
**Figure 7: Percentage of officer joiners, officers in post and officers in senior ranks, by gender, in Cleveland Police in 2016/17 compared with the percentage of women in the England and Wales population**



Source: Home Office Annual Data Requirement



**Figure 8: Comparison of officer leaving rates between male and female officers (per 1,000 male or female officers), in Cleveland Police from 2007/08 to 2016/17**



**Source: Home Office Annual Data Requirement**

In 2016/17 in Cleveland Police 47 female officers per 1,000 officers left the force, compared with 58 male officers per 1,000 officers.

The force monitors disproportionality in its recruitment in relation to gender, ethnicity and age, and understands the importance of addressing potential disproportionality in recruitment, retention, and progression. The force continues to take action to improve diversity within its workforce, which does not accurately represent the community at present.

One of the objectives of the force's 'Everyone Matters' programme is to enhance positive action to increase representation of women and people from BAME backgrounds. The force has communicated its recruitment activity through a local Asian radio programme, circulated advertisements to BAME groups to distribute to their networks, via its independent advisory group, and held open nights at Teesside University. The force has also circulated College of Policing documentation to under-represented groups about becoming a direct-entry inspector.

The force is investing £25,000 to enable the development and implementation of new approaches to increase the diversity of the workforce, including an upgrade to the electronic recruitment platform to allow for more effective marketing.

We are pleased to find that the force is investing in improving recruitment to reduce disproportionality, but we were disappointed to find that the force does not consider potential disproportionality within its misconduct allegations or complaints, and we found limited evidence of other continuing efforts to improve retention and promotion among those officers and staff with protected characteristics.

## **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.<sup>34</sup> HMICFRS assessed how well force leaders understand and promote these benefits by developing a culture that fosters workforce wellbeing, and how well forces use data and information – including feedback from the workforce – to identify and understand their wellbeing. Also, we assessed how well forces use this information to take preventative and early action to support workforce wellbeing at both an individual and organisational level.

### **Understanding and promoting wellbeing**

Cleveland Police prioritises wellbeing and this is recognised by the workforce. The force's wellbeing strategy 2016-2020 outlines the benefits of an effective wellbeing programme. It identifies four wellbeing priorities with associated actions: psychological, physical, social and financial. The force aims to complete the North East Better Health at Work Award scheme, and has completed an initial assessment. The chief constable has demonstrated his commitment by signing up to the MIND Blue Light 'Time to Change' pledge, along with the Police Federation and Unison. During January 2017 he has also promoted mental health awareness through the force's electronic briefings and a video briefing for the workforce. Many of the force's policies have been checked against a MIND checklist to ensure that they are suitable. Supervisors we spoke to said they had a good understanding of their wellbeing responsibilities, but they did not always feel equipped to discharge them effectively.

### **Identifying and understanding workforce wellbeing needs**

Analysis of sickness data can give an indication of whether there are problems relating to wellbeing within a police force. It provides a useful point of comparison between forces, who can also use sickness data to help them understand the nature and causes of sickness across the organisation to help them prevent sickness and manage it when it occurs.

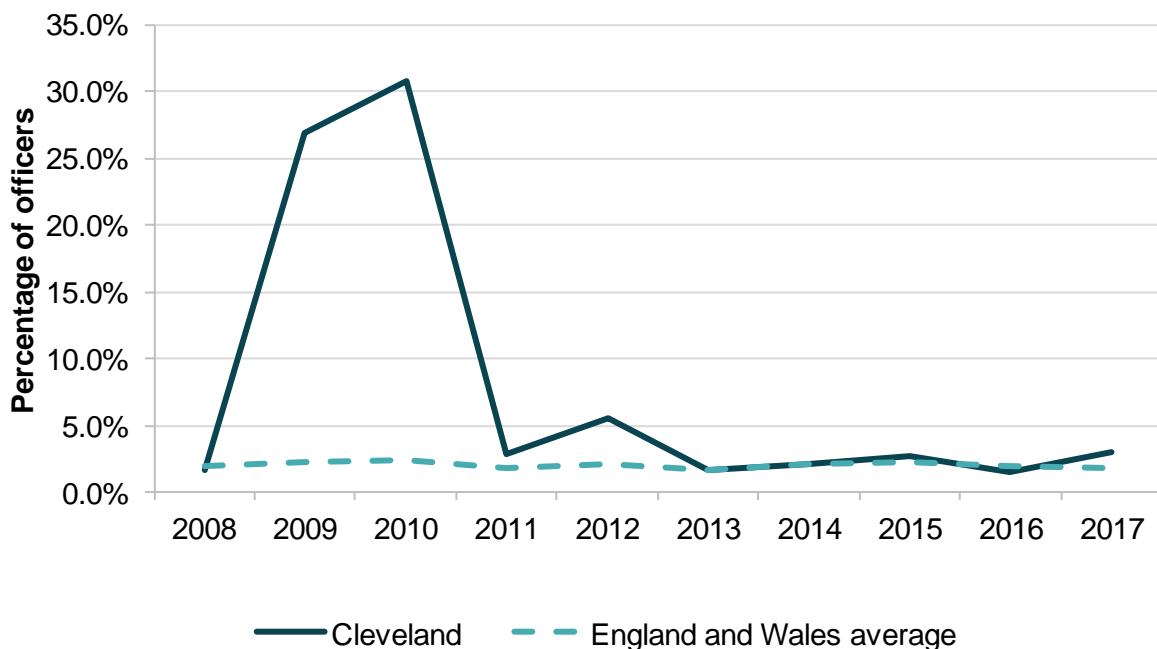
We compared force data on the percentage of police officers, PCSOs and police staff on long-term and short/medium-term sickness absence. On 31 March 2017 in Cleveland Police, 3.0 percent of officers were on short or medium-term sick leave.

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<sup>34</sup> Well-being and engagement in policing: the key to unlocking discretionary effort, Ian Hesketh, Cary Cooper and Jonathan Ivy, 2016, Policing. pp. 1–12. Available from: <https://oscarkilo.org.uk/wellbeing-and-engagement-in-policing-the-key-to-unlocking-discretionary-effort/> Also see <https://fitforwork.org/employer/benefits-of-a-healthy-workforce/>

The England and Wales average was 1.8 percent. The latest year for which data is available was 2017 which saw an increase of 1.5 percentage points from the previous year, which is in line with changes in the last ten year period (see figure 9).

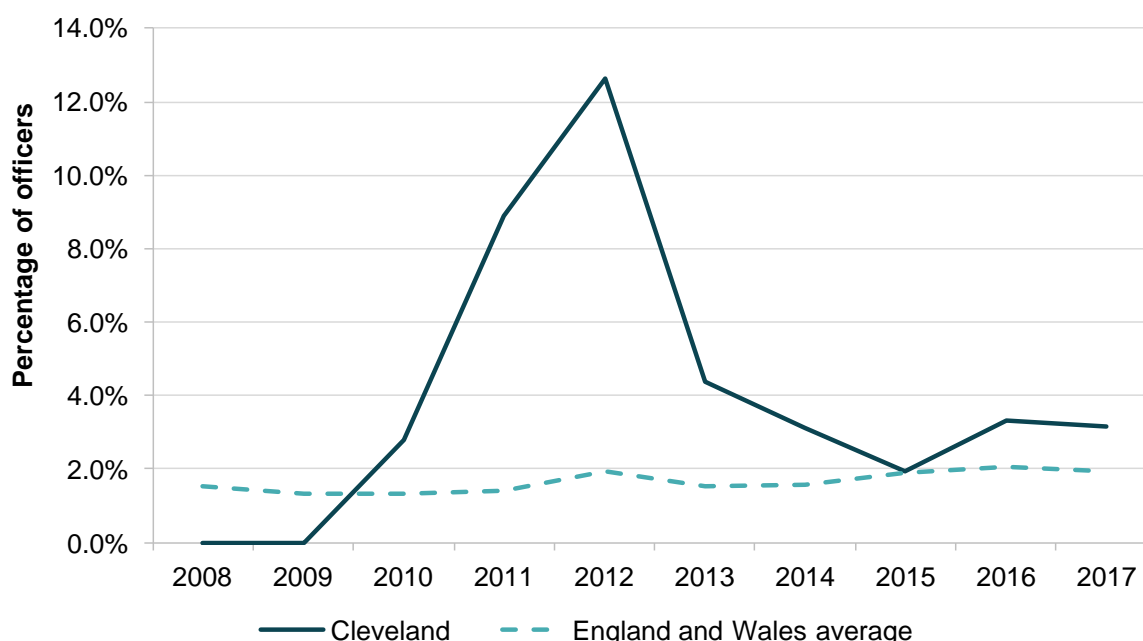
**Figure 9: Percentage of officers on short or medium-term sick leave, in Cleveland Police compared with the England and Wales average, on the 31 March from 2008 to 2017**



**Source: Home Office Annual Data Requirement**

On 31 March 2017, the proportion of officers in Cleveland Police on long-term sick leave was 3.2 percent and the England and Wales average was 1.9 percent. The latest year for which data were available is 2017, which saw a decrease of 0.2 percentage points from the previous year, which is in line with changes in the last ten-year period.

**Figure 10: Percentage of officers on long-term sick leave, in Cleveland Police compared to the England and Wales average, as at 31 March from 2008 to 2017**



**Source: Home Office Annual Data Requirement**

The force has a good understanding of the threats and risks to wellbeing. The lead for wellbeing makes use of a range of information, including the number of consultations, employee assistance programme referrals, the number of hits on the MIND website, the number of consultations with staff associations and the force's health and safety officer, along with any themes identified. As part of the workforce survey, the force gathers further information on the mental wellbeing of officers and staff. The most recent survey covered topics such as working conditions, finance, work-related stress, emotional energy, perceptions of organisational fairness and support. The force has noticed an increase in the recording of mental health problems as the reason for sickness absences. This information informs the bi-monthly wellbeing board which then determines the priorities for the force. The current priority is mental health with a focus on preventing people becoming mentally ill.

The force is developing its baseline wellbeing data to include sickness absence, time off in lieu of overtime worked (TOIL), and referrals to the force's occupational health unit. Sickness data and TOIL are already reported to the force's monthly performance meeting.

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

The force has some effective preventative measures in place to maintain workforce wellbeing and has recently launched an employee assistance programme. This, along with the provision of the force's occupational health unit and other referral services, provides the force with a good range of measures to support the workforce.

Although support is available, we found that within the local policing areas there is a mixed understanding of this provision, and the process for referring people to the occupational health unit was not well known.

The force has started providing training to supervisors to assist with recognising the early signs of wellbeing problems. The force's lesson plan for 'moving forward with leadership' includes content on understanding the early indicators of financial, psychological, sickness and social problems. Supervisors are also expected to have conversations about wellbeing as part of the performance and development review process. Some supervisors told us they need training to identify, understand and deal with wellbeing problems.

The force has invested in the MIND Blue Light programme, with 50 Blue Light champions to provide local and more informal support, who have been trained in 'speaking up, speaking out' and in mental health awareness. The force has noticed an increase in the uptake of force counselling services, however there has been a delay in referrals for mental health services. The force is aware that referrals were affected by the absence of the force nurse between September and November 2016, and because some managers were making referrals to the occupational health unit instead of accessing mental health services directly.

The force provides additional support to officers and staff who are the subject of a complaint or misconduct. A welfare officer is available to provide this support, along with access to counselling services. Support is also made available through staff associations or the police federation. While similar support is provided to those raising a grievance, there is currently no dedicated support, other than from their line manager, for a person subject of a grievance.

## **How fairly and effectively does the force manage and develop both the performance of its individual officers and staff and its selection processes?**

College of Policing research on organisational justice suggests that the process for promoting people and failure to deal with poor performance may have an adverse affect on workforce perceptions of fairness, and this in turn may lead to negative attitudes and types of behaviour in the workplace.<sup>35</sup> In addition, effective performance management and development mitigate risks to the force and ensure continuous improvement. HMICFRS assessed how fairly and effectively forces manage the performance of individual officers and staff, including the value that forces place on continuing professional development (CPD), in line with guidance

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<sup>35</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).

from the College of Policing.<sup>36</sup> Also, we looked at how fairly forces identify and select their leaders, and the extent to which these decisions result in leaders who represent a range of styles, approaches and backgrounds.

### **Managing and developing individual performance**

Cleveland Police's management and development of individual performance requires improvement. HMICFRS' 2016 Legitimacy inspection found that the force needed to improve the way it managed individual performance. Since then, the force has amended its performance development review (PDR) process.

During this year's inspection, we found that 86 percent of the workforce was in the performance development process, which means they have had an initial conversation and some have a completed a paper PDR form. This is required to be completed annually on the anniversary of the person starting in their current role. It is focused on personal objectives, with no organisational objectives linking to either the force's 'Towards 2020' vision or its 'plan on a page'. This focus means that it may be unclear to officers and staff as to how their own work is expected to support what the force is trying to achieve.

The PDR process is inconsistently applied, resulting in a lack of clear objectives and infrequent conversations for some members of the workforce. It also appears to be dependent upon the supervisor or line manager's ability to undertake a good personal development discussion and subsequently make a fair assessment of an individual's performance. The PDR process is not used to identify underperformance effectively; there is no evidence with which to deal with unsatisfactory performance. The force should provide its leaders with the skills and capabilities to support and develop good performance, while also dealing with poor performance.

The force is working with its private provider to develop a fully electronic PDR capable of analysing the information provided. The only way of abstracting information from the current paper form is to manually enter each PDR, and for it to be read and assessed.

### **Identifying potential senior leaders**

HMICFRS' 2016 Legitimacy inspection revealed that the force did not have a systematic talent management process to identify and develop potential leaders within the workforce. In this year's inspection, we found no progress has been made in this area.

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<sup>36</sup> College of Policing guidance on the police performance development review (PDR) process is available from [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). See also the College of Policing's competency and values framework. Available from: [www.college.police.uk/What-we-do/Development/competency-and-values-framework/Pages/Competency-and-Values-framework.aspx](http://www.college.police.uk/What-we-do/Development/competency-and-values-framework/Pages/Competency-and-Values-framework.aspx)

The force's understanding of talent management is limited. Its talent management policy, dated 2015, describes talent management as promotion or lateral development, rather than a broader understanding of developing talent in different ways. The PDR process does not allow the force to identify individuals who show the potential to be senior leaders, or to support their development for future leadership. The PDR form is being further developed to allow talent to be identified, but other techniques for identifying and developing talent, including ensuring the selection process is fair for both officers and staff, have not been explored in the absence of information from a PDR form.

### **Selecting leaders**

The way in which the force selects candidates for leadership roles across the force is fair. The force has used external recruitment providers to assist with the selection of two new assistant chief constables and an assistant chief officer. This process included a number of stages, including a presentation to the force's IAG. In HMICFRS' 2016 Legitimacy report, we recommended that the force should review its processes to make sure it can systematically identify those with the potential to become senior leaders, and then support them to gain the necessary skills for future leadership roles within the organisation. The force has since reviewed its promotion processes in line with current good practice and with the involvement of assessors from the College of Policing to ensure that promotions for sergeant and inspector roles are fair and appropriate. This includes: the involvement of a psychologist in developing and validating assessment exercises, senior leaders completing an external partnership exercise and competency-based interviews. The force provides a full briefing to officers interested in applying for promotion, and candidates can request feedback following each stage of the application process. The force also provides a Reflect programme for those aspiring to be an inspector which is open to all workforce members, including those who may have previously been unsuccessful in the promotion process.

In HMICFRS' 2016 Legitimacy report, we also identified that the force was over-reliant on officers in temporary and/or acting positions for extended periods of time. The force now has a process in place to address this and, although temporary and/or acting positions will always exist to provide for development opportunities, this is now at a manageable number.

## Summary of findings



**Requires improvement**

The force is consistently good at seeking feedback and challenge from the workforce. The force is also generally good at identifying, investigating and resolving grievances, although we did find the time it takes to process a grievance is too long in most cases, which can have a negative impact on the wellbeing of those involved. We also found that the workforce has little confidence in using the grievance process for fear of repercussions. The force understands the importance of addressing potential disproportionality in recruitment, retention, and progression, and continues to prioritise the need for a more diverse workforce.

Cleveland Police prioritises wellbeing and has a good understanding of the threats and risks to the wellbeing of its workforce. The force has an effective range of mechanisms to which individuals can be referred, although this provision is not fully recognised within some local policing areas and not all supervisors have yet been trained to identify the early warning signs of wellbeing problems. The force's management and development of individual performance requires improvement. It has assessed and improved its promotion processes in line with best practice, although the force has no way of systematically identifying or developing talent across its workforce.

### **Area for improvement**

- The force should reassure its workforce about the grievance procedure, improve the timeliness of dealing with grievances and ensure that appropriate support is put in place.

The following AFIs from HMICFRS' 2016 Legitimacy inspection remain:

- The force should put measures in place to understand and address the wellbeing concerns of its workforce.
- The force should improve the way it manages individual performance.



## Next steps

HMICFRS will assess progress on any recommendations and areas for improvement identified within its reports in a number of ways. We either re-visit those forces where we have identified a serious cause of concern, go back to assess them as part of our annual PEEL inspection programme or receive updates on their progress through regular conversations with forces.

HMICFRS highlights recurring themes emerging from our PEEL inspections of police forces within our national reports on police effectiveness, efficiency, legitimacy and leadership. These reports identify problems 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 need to be made at a national level.

## **Annex A – About the data**

### **Data used in this report**

The source of the data is presented with each figure in the report, and is set out in more detail in this annex. The source of Force in numbers data is also set out below.

### **Methodology**

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

#### **Comparisons with England and Wales averages**

For some datasets, the report states whether the force's value is 'lower', 'higher' or 'broadly in line with' the England and Wales average. This is calculated by using the difference from the mean average, as a proportion, 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.

The England and Wales averages will differ slightly from the Value for Money Profiles because we have included City of London Police and the Metropolitan Police Service within the average in this publication.

#### **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.

#### **Population**

For all uses of population as a denominator, unless otherwise noted, we use the Office for National Statistics (ONS) mid-2015 population estimates.

## **Note on workforce figures**

All workforce figures are from the Home Office Annual Data Return (ADR) published in the Home Office's published police workforce England and Wales statistics (available from [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 (available from [www.gov.uk/government/statistics/police-workforce-open-data-tables](http://www.gov.uk/government/statistics/police-workforce-open-data-tables)).

This year we have tried to align our workforce categories with those in the Home Office workforce Statistics publication.

This means data presented on the gender and ethnic diversity of the workforce we have not included Section 38-designated officers within the 'Police Staff' category so that these figure will read across to the workforce publication more easily. However we have included Section 38-designated officers within descriptions of the total workforce to be consistent with HMICFRS Efficiency reports.

Please note that all workforce figures are in full-time equivalent (FTE) unless otherwise stated and exclude traffic wardens and special constables.

## **Force in numbers**

### **Workforce (FTE) for 2016/17**

Data may have been updated since the publication. Workforce includes Section 38-designated investigation, detention or escort officers, but does not include Section 39-designated detention or escort staff<sup>37</sup>. The data are the actual full-time equivalent (FTE) and data for 2016/17 are as at 31 March 2017.

For FTE, these data include officers on career breaks and other types of long-term absence, and excludes those seconded to other forces.

### **Ethnic diversity and gender diversity**

Data may have been updated since the publication. As noted above to align categories with Home Office publication the Police Staff category does not include Section 38-designated officers. Staff ethnicity data are derived from headcount rather than FTE.

### **Grievances**

Data are derived from the HMICFRS data collection conducted prior to inspection. The data refer to those grievances that were raised and subject to a formal process (not including issues informally resolved with a line manager).

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<sup>37</sup> See sections 38 and 39 of the Police Reform Act 2002. Available at: [www.legislation.gov.uk/ukpga/2002/30/section/38](http://www.legislation.gov.uk/ukpga/2002/30/section/38)

## Stop and search

Data are derived from the Home Office Police Powers and Procedures England and Wales year ending 31 March 2016 publication (available at [www.gov.uk/government/statistics/police-powers-and-procedures-england-and-wales-year-ending-31-march-2016](http://www.gov.uk/government/statistics/police-powers-and-procedures-england-and-wales-year-ending-31-march-2016)). Stop and search totals used exclude vehicle only searches and those searches where the ethnicity of the subject was 'not stated'. The population data used is usual residents by ethnicity from the 2011 census.

## Figures throughout the report

### **Figure 1: Likelihood of black, Asian and minority ethnic (BAME) people being stopped and searched (under section 1, PACE) compared with white people, in the local population of Cleveland Police in the 12 months to 31 March 2016**

Data are derived from the Home Office Police Powers and Procedures England and Wales year ending 31 March 2016 (available at [www.gov.uk/government/statistics/police-powers-and-procedures-england-and-wales-year-ending-31-march-2016](http://www.gov.uk/government/statistics/police-powers-and-procedures-england-and-wales-year-ending-31-march-2016)). Stop search totals used exclude vehicle only searches and those searches where the ethnicity of the subject was 'not stated'. Data may have been updated since publication. The likelihood of a stop and search is based on the number of stop searches per 1,000 population for each ethnic group. The population data used is usual residents by ethnicity from the 2011 census. These are the most robust and up-to-date population breakdowns by ethnicity.

### **Figure 2: Percentage of officers, PCSOs, and staff with up-to-date vetting checks, in Cleveland Police as at 31 January 2017**

Data are derived from the HMICFRS data collection conducted prior to inspection. HMICFRS asked forces to provide the number and percentage of officers, staff and PCSOs who did not hold up-to-date security clearances in accordance with the ACPO Vetting Policy 2012.

### **Figure 3: Grievances raised per 1,000 workforce, in Cleveland Police in the ten months from 1 April 2016 to 31 January 2017**

### **Figure 4: Grievances raised by officers, PCSOs and staff (per 1,000 officers, PCSOs and staff), in Cleveland Police in the ten months from 1 April 2016 to 31 January 2017**

Data are derived from the HMICFRS data collection conducted prior to inspection. The data refer to those grievances that were raised and subject to a formal process (not including issues informally resolved with a line manager). Differences between forces in the number of raised grievances may be due to different handling and recording policies.

**Figure 5: Percentage of officer joiners, officers in post, officers in senior roles and officers serving over 20 years who are black, Asian or minority ethnic (BAME), in Cleveland Police in 2016/17, compared with the percentage of BAME people in the local population**

These data are derived from ADR 511, 512 and 521. Data may have been updated since the publication. Officer ethnicity totals are based on numbers of people (referred to in the Home Office data as headcount) rather than FTE.

**Figure 6: Comparison of officer leaving rates between white and black, Asian or minority ethnic (BAME) officers (per 1,000 white or BAME officers), in Cleveland Police from 2007/08 to 2016/17**

These data are derived from ADR 511 and 531. Data may have been updated since the publication. Officer ethnicity totals are headcount rather than FTE.

**Figure 7: Percentage of officer joiners, officers in post and officers in senior ranks, by gender, in Cleveland Police in 2016/17 compared with the percentage of women in the England and Wales population**

These data are derived from ADR 502 and 521. Data may have been updated since the publication.

**Figure 8: Comparison of officer leaving rates between male and female officers (per 1,000 male or female officers), in Cleveland Police from 2007/08 to 2016/17**

These data are derived from ADR 502 and 531. Data may have been updated since the publication.

**Figure 9: Percentage of officers on short or medium-term sick leave, in Cleveland Police compared with the England and Wales average, on 31 March from 2008 to 2017**

Data used in the above data were obtained from Home Office annual data returns 501 and 552 and published in the Home Office police workforce open data tables (available from [www.gov.uk/government/statistics/police-workforce-open-data-tables](http://www.gov.uk/government/statistics/police-workforce-open-data-tables)).

**Figure 10: Percentage of officers on long-term sick leave, in Cleveland Police compared with the England and Wales average, as at 31 March from 2008 to 2017**

Data used in the above data were obtained from Home Office annual data returns 501 and 552. (available from [www.gov.uk/government/statistics/police-workforce-open-data-tables](http://www.gov.uk/government/statistics/police-workforce-open-data-tables)). Long-term sick leave is defined as an absence due to sickness that has lasted for more than 28 days as at 31 March 2017. Data may have been updated since the publication.

## **Stop and search record review methodology**

HMICFRS was commissioned by the Home Office to conduct a further assessment of reasonable grounds, building on the assessments we carried out in 2013 and 2015 so that we could demonstrate any changes over time. We used a similar methodology to do this: forces provided details of stop and search records by working back in time from 7 January 2017 until a total of 200 was reached.<sup>38</sup> This amounted to a total of 8,574 records – some records provided were not actually records of stop and search encounters, and these were excluded. As part of our assessment, we gave forces the opportunity to review our findings and make representations.

As in 2013 and 2015, HMICFRS reviewed each record to assess the reasonableness of the recorded grounds. However, this year we also identified how many of the records reviewed were carried out to search for drugs and whether stop and search was carried out for drugs, whether the suspicion involved possession only or the more serious supply-type offence. Currently forces are not required to differentiate between the two. We did this so that we could ascertain how many in our sample were for possession of drugs, rather than supply, as high rates of possession-only searches are unlikely to fit with force priorities.

This year, for the first time, we assessed whether or not the use of stop and search powers prevented an unnecessary arrest. We did this to ascertain how many of the records reviewed involved allaying the officer's suspicion in circumstances where the person would otherwise have been arrested, thereby representing a positive use of the powers. Allaying suspicion and preventing an unnecessary arrest is as valuable as confirming suspicion by finding the item searched for.

## **Professional standards case file review methodology**

During February and March 2017, inspection teams from HMICFRS visited the individual or professional standards departments working collaboratively of each force to conduct a case file review. We asked forces to provide us with the last case files they had finalised up to 31 December 2016; but going back no further than two years. We asked to see:

- 10 complaints the force had recorded as containing an allegation of discrimination
- 15 complaints the force had recorded in categories we felt may contain unidentified allegations of discrimination

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<sup>38</sup> City of London Police was unable to provide records up to 7 January 2017 but instead provided 200 records from 4 October 2016 to 26 November 2016.

- 10 service recovery complaints (if the force operated a separate service recovery scheme)
- 10 internal misconduct allegations the force had recorded as containing an allegation of discrimination
- 10 other internal misconduct allegations (so that we could ascertain if they contained unidentified allegations of discrimination)
- 10 grievances (and 10 workplace concerns if the force recorded these separately)

We assessed these case files against the relevant legislation, guidance and code of practice<sup>39</sup> to answer the following questions:

- Access to the system – Has the force identified those cases where the complainant requires additional support to make their complaint, and has that support been provided?
- Initial information – When the complaint was recorded, did the force provide the complainant with a copy of the complaint record, an explanation of the possible ways the complaint may be dealt with, and advised who will be dealing (including contact details)?
- Keeping complainants updated – Has the force provided complainants, witnesses, and those who are the subject of the complaints with regular, meaningful updates?
- Final outcome – Did the force provide the complainant with the findings of the report, its own determinations and the complainant's right of appeal?
- Handling discrimination – Has the force failed to identify any allegations of discrimination? Have any discrimination cases that meet the IPCC mandatory referral criteria been so referred? Has the force investigated the complaints alleging discrimination satisfactorily? Overall, has the complainant making an allegation of discrimination received a good service from the force?
- Grievances/workplace concerns – Has the force identified, investigated and resolved the grievance satisfactorily? Has the force put arrangements in place to support the employees or witnesses throughout the process? Did the witness and those who are subject to the allegations receive a satisfactory service from the force?

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<sup>39</sup> Relevant police complaints and misconduct legislation, IPCC statutory guidance, IPCC guidelines for handling allegations of discrimination, Acas code of practice on disciplinary and grievance procedures and Acas discipline and grievance guide.