PEEL: Police legitimacy (including leadership) 2017

An inspection of Derbyshire Constabulary

Contents

Introduction

As part of its annual inspections into police effectiveness, efficiency and legitimacy (PEEL), HM Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS)[1] 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.[2] 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.[3] This principle is described as

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[1] 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.

[2] *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

[3] *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

'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/derbyshire/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/derbyshire/.

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/).

Force in numbers

Workforce

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

3,092

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

officers	staff (including section 38)	PCSOs
1,710	**1,230**	**152**

Ethnic diversity

Percentage of BAME in workforce 31 March 2017

overall workforce

4.2%

officers	staff	PCSOs
3.5%	**4.8%**	**7.2%**

Percentage of BAME in local population, 2011 Census

6.7%

Gender diversity

Percentage of females in overall workforce 31 March 2017

Derbyshire Constabulary	England and Wales population, 2015 estimate
45%	**51%**

Percentage of females by role 31 March 2017

Derbyshire Constabulary

officers	staff	PCSOs
31%	**67%**	**48%**

Grievances

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

	Derbyshire Constabulary	England and Wales force average
Officers	1.7	4.1
PCSOs	0.0	4.4
Staff	1.8	6.2
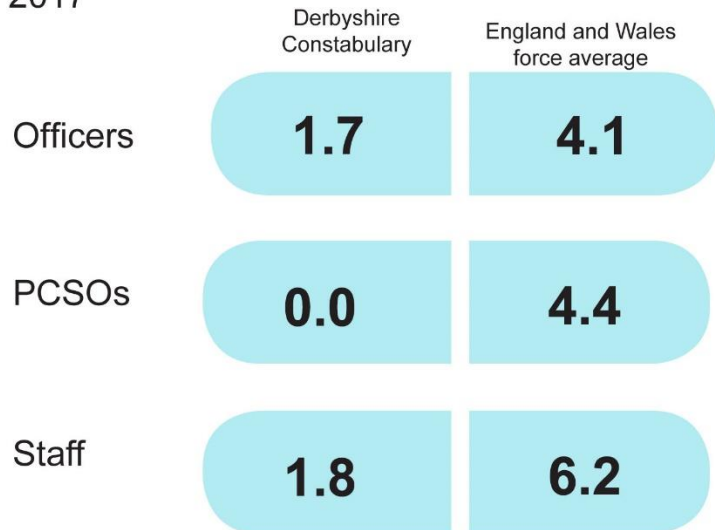
Stop and search

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

3,635

	Derbyshire Constabulary	England and Wales force average
Number of stop and searches per 1,000 population in 2015/16	3.5	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[4]

Good

Derbyshire Constabulary is judged to be good at how legitimately it keeps people safe and reduces crime. The force is judged to be good at treating the people it serves with fairness and respect. It is judged to be good at ensuring its workforce behaves ethically and lawfully and good at treating its workforce with fairness and respect. For the areas of legitimacy we looked at this year, our overall judgment is slightly less positive than last year, but we looked at different areas of legitimacy this year.

Overall summary

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

Good

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

Good

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

Good

Derbyshire Constabulary continues to treat people fairly and with respect, which is an important component of the force's values. The workforce understand the force's values-driven approach and the importance of effective communication skills. The force is taking an innovative approach to using social media to make its workforce and services more accessible. It is very good at seeking external scrutiny of its services and changing its practice when necessary. An independent advisory group provides the force with comprehensive and constructive challenge. The force also seeks feedback directly from minority groups. It seeks to understand and learn from instances of force being used and has improved its methods for recording and scrutinising use of its stop and search powers.

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[4] HMICFRS judgments are outstanding, good, requires improvement and inadequate.

Last year the force was outstanding in how well it ensures its workforce behave ethically and lawfully, based on its excellent work to prevent corruption and abuse of authority for sexual gain. We have assessed different areas of legitimacy this year.

The force continues to have a strong values-driven culture. Leaders in the force act as role models and consider the ethical implications of their decisions. Members of the workforce are confident in making decisions on an ethical basis rather than just by following policies. However, although the force investigates complaints well, it does not always comply with the mandatory requirement to refer complaints involving allegations of discrimination to the IPCC.

Derbyshire Constabulary treats its workforce fairly and with respect. The force continues to demonstrate a strong commitment to the health and wellbeing of its workforce. Leaders are trained to understand wellbeing problems and to help provide access to support. The range of support the force provides continues to grow and includes preventative action to improve wellbeing.

The force seeks to ensure that all its policies and processes are fair and equitable. It plans to address under-representation of minority groups in its workforce by using a targeted recruitment campaign that encourages applications and offers the support of a mentor. It has developed a new appraisal system and plans to evaluate regularly the workforce's views about the new system and how it is being used. The force has talent management, direct entry and fast track schemes, which the workforce consider to be accessible and fair. Its new leadership framework aims to produce leaders with diverse styles and backgrounds.

Area for improvement

- The force should ensure that all allegations which meet the mandatory criteria for referral to the IPCC are so referred

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.[5]

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,[6] their awareness of effective communication skills[7] in all

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[5] *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

[6] 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.

[7] 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).[8]

Understanding the importance of treating people with fairness and respect

Leaders at all levels within Derbyshire Constabulary demonstrate a strong commitment to treating all people with fairness and respect. We saw and heard how all staff within the force are driven by a set of values that places respect for others at the heart of everything they do; 'Just Think' is a long-established programme, providing the force with a set of core values: integrity, respect, performance, responsibility and innovation. Generally, staff in a range of roles and hierarchical levels described these values as being second nature, and as something that binds them together and remains in the forefront of their minds while they do their jobs.

All members of the workforce learn how to use the Just Think values during induction courses and leadership training. Examples of the practical application of the values, based on real incidents, are also available on the intranet. Frontline staff told HMICFRS that their training, the importance applied to Just Think by supervisors and the online resources also available to them had equipped them with the knowledge and skills they needed to treat the public with fairness and respect.

Officers and staff feel encouraged and supported by their managers. Inspectors found that the positive relationship between staff and leaders, along with the values-driven approach, has resulted in staff feeling confident to use their discretion when dealing with members of the public, prioritising their needs ahead of those of the force.

For example, neighbourhood officers have taken time to build trust with victims of domestic abuse who previously lacked the confidence to report incidents. Those officers recalled seeking the best outcomes for the victims and acting sensitively to ensure they received the correct support – not focusing solely on the criminal justice process.

Understanding of unconscious bias

We found that while some staff understand the concept of unconscious bias, this understanding is inconsistent across the force, although training planned for later in 2017 should rectify that.

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[8] *Authorised Professional Practice on Stop and Search*, College of Policing, February 2017. Available from: 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; and *College of Policing and National Police Chiefs' Council, Personal safety manual*, 2016. 2016. Available from: http://library.college.police.uk/docs/college-of-policing/PSM/PSM-MOD-01-INTRODUCTION.pdf

Speaking to frontline officers and staff, we found that not all of them were familiar with the term although, referring to their own core values, they could articulate occasions when they had acted to overcome potential bias. Similarly, they were quick to state how they aspire to behave without bias, and saw it as part of acting with integrity and respect for others.

Senior leaders in the force had already recognised the variable levels of knowledge across the workforce prior to our fieldwork, and had commissioned a bespoke training package to be carried out later this year. All officers and staff, including volunteers, will receive this training. Previously, unconscious bias has only featured as an element of officer safety training – which prepares frontline staff to deal with conflict and with the use of their protective equipment. It is encouraging that the force recognises that all staff need to understand the effects of unconscious bias and that the planned training will not be linked solely to dealing with conflict.

Communication skills

Staff at all levels across the force fully understand that effective communication is central to dealing well with the public and colleagues. Officers and staff described using effective communication skills in a variety of different situations. The force achieved the accreditation of a Quality Mark by the Deaf Association in 2016, following an extensive internal review of practices to improve the way it interacts with deaf people. We were informed of further examples of officers and staff dealing with vulnerable people sensitively and achieving positive outcomes for them in terms of their welfare, as well as through the criminal justice system.

The force is developing its use of social media to make its staff and services more accessible. All neighbourhood staff are encouraged to use social media profiles and have received training on the new devices supplied through the mobile office programme. This is intended to reflect the increased use of social media in society as a primary means of communication and as a source of information. Through this innovative action, it will be easier for the public to reach the staff, and they will be able to spread information more quickly in response to concerns or incidents.

Use of coercive powers

Through our discussions with frontline staff, we found they have a good understanding of how to use coercive powers fairly and respectfully. Training about coercive powers is provided to staff across a variety of frontline roles and in several locations of the force. Officers and staff described how correct use of coercive powers is discussed during officer safety training, and that this includes application of the National Decision Model[9]. However, in practice, the predominant reference points for frontline staff are the core values, and they cite 'Just Think' as defining

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

their approach to use of these powers. Those staff told us that, when using coercive powers, they consider how they themselves would like or expect to be treated, and what impression their actions give of the 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[10] 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,[11] 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

We found that information about the use of force shows that Derbyshire Constabulary complies with the national recording standards. Staff responsible for training on the use of protective equipment and self-defence scrutinise all reports submitted about the use of force. Data are also gathered to identify trends that are then discussed at the force's confidence and ethics board (see below). The depth of detail and wider context about incidents leading to the use of force are improving. For example, staff now complete reports about the use of force via their mobile devices, which are automatically linked to information held on force computer systems; these include exact location, time of day, people involved and circumstances, as known to the staff dealing with the incident at the time.

All frontline staff use body-worn video cameras sets with the clear expectation that recording is activated whenever coercive powers are used or when attending incidents likely to involve confrontation. Footage captured of incidents resulting in the

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[10] 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%20 Home%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/

[11] *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

use of force is digitally stored and available for review at local and force level, if complaints are received.

The force seeks to understand and learn from instances of force being used. The confidence and ethics board, led by the deputy chief constable (DCC), meets quarterly and has a standing agenda item relating to the use of force. Data are presented about trends in use, ethnicity of staff and members of the public involved, and about all incidents involving use of force towards children. Changes to policies and operational practice have taken place following the reviews at this board and the learning the lessons group, also led by the DCC. Examples of such changes include improved safety measures to prevent injury inside vehicles used for transporting detained people and the introduction of spit-hoods,[12] to be used by officers in prescribed situations. The latter example followed the review of body-worn video footage, which clearly showed a detained person repeatedly spitting at an officer who was working alone.

The force reports that the number of occasions on which members of staff have used force has declined consistently over the last four years. For example, the use of Taser has fallen since 2015, when over 600 deployments occurred, down to 450 per year. It should be noted that deployments include a range of escalating actions, from simply drawing the device, which is the most common action, through to it being "discharged".

Data that the force supplied during fieldwork showed a decline in the number of public complaints about how officers and staff use force. There were 40 public complaints in assault categories (excluding sexual assault) made against officers and staff (including PCSOs) in the 10 months from 1 April 2016 to 31 January 2017. This compares to 62 complaints in the same categories in the 10 months from 1 April 2015 to 31 January 2016.

External scrutiny to improve treatment

Derbyshire Constabulary is very good at seeking external scrutiny of its services. It works hard to support the very effective independent advisory group (IAG) and seeks feedback directly from minority groups that may be less likely to take part in traditional ways of scrutinising the force's work.

A single IAG, led by an independent chair, provides the force with comprehensive, thorough and constructive challenge when necessary, and provides feedback on a range of policing areas. HMICFRS observed meetings and spoke with members of the IAG, finding them well-informed, trained to perform their role effectively and, in a number of cases, vetted so as to be able to give independent oversight in sensitive areas of force activity. The IAG contains representation from several ethnic minority

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[12] Equipment used to prevent a person from spitting or biting. Spit-hoods are only permitted to be used in custody or on a detained person in a vehicle being transported to custody.

groups, different faiths, the rural community, youth groups and student bodies, along with people attending on behalf of other protected characteristic groups. The force's website hosts information about the IAG, including a straightforward form for people to register an interest in taking part. Contact is regular between the IAG and senior leaders in the force at chief officer and superintendent level. The improved computer systems, brought in during 2016, have increased the array of data that is shared with the IAG. Specifically, more detail is now available about the demographic and ethnic backgrounds of people involved in incidents in which coercive powers are used.

The IAG is dynamic, meets frequently and is confident in providing challenge to the force. There are also a number of subject specific sub-groups, including: stop and search steering and scrutiny groups (see below), hate crime steering and scrutiny groups, a rape scrutiny group, and one for out-of-court disposals. Recently, a group was formed to monitor Taser use; members of that group attended specific training events on how to review incidents and understand trends in data linked to Taser use.

The force is open to other forms of scrutiny and feedback. Members of the public can supply comments about the service they have received via the force's website. A letter seeking feedback on treatment is sent to victims of crime who disclose that they are from a BAME background. Similarly, via local faith groups, the force has sought to understand the disproportionality it has noted in the lack of complaints from minority groups about stop searches. During April this year, senior members of the professional standards department held a presentation to increase awareness among partner organisations dealing with vulnerable people on how to recognise and respond to inappropriate behaviour by police officers. This was part of the force's continued efforts to identify potential cases of abuse of authority by police officers for sexual gain, similar to the cases that have been reported nationally. A progressive approach has also been taken to working with academia when bids to support research are received; the force is using the findings of a study into the effects on victims and witnesses following the exercise of police powers during investigations into modern slavery and human trafficking.

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.[13]

HMICFRS has assessed the police's use of its stop and search powers on a number of occasions.[14] Our 2015 legitimacy inspection[15] 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.[16] Also, we assessed how the forces scrutinise use of these powers.

Understanding of national guidance

The application of national guidance for the use of stop and search powers by Derbyshire Constabulary requires improvement, and action has been taken to make sure this happens. All new recruits, including special constables, receive training on the powers to stop and search. As of summer of 2017, the force will launch a programme requiring all officers to complete a mandatory online training package about stop and search. That training will make the threshold of what constitutes reasonable grounds to stop and search a person explicit, including when the smell of cannabis is an element of those grounds. In addition, a new training package has been commissioned in line with material supplied by the College of Policing, to reflect national guidance. This training will be classroom-based and makes use of the existing training days in staff work patterns. A series of methods have also been designed to assess participants' understanding and subsequent compliance with guidance. These periodic assessments will enable judgments to be made on the long-term behavioural benefits of such training.

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.

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[13] *Authorised Professional Practice on Stop and Search*, College of Policing, February 2017. Available from: www.app.college.police.uk/app-content/stop-and-search/

[14] *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/ 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/

[15] *Police legitimacy 2015 – a national overview*, HMIC, February 2016. Available from: www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/

[16] See annex A for more information about the methodology for our review of stop and search records.

In the 12 months to 31 March 2016 in the local population of Derbyshire Constabulary, black, Asian and minority ethnic (BAME) people were 2.4 times more likely to be stopped and searched than white people. Black people were 3.5 times more likely to be stopped and searched than white people, which is the greatest difference in any ethnic group in the force area when looking at the likelihood of being stopped and searched compared with white people, while Asian people were 2.8 times more likely, and people with mixed ethnicity 2.0 times more likely, to be stopped and searched than white people.

In light of the disproportionality between the likelihood of white and BAME people being stopped and searched, the force has undertaken analysis to understand the reasons for the disproportionate number of stops on BAME people; it found no evidence of discrimination. Further, no concerns have been raised via the scrutiny processes that exist about potential unfairness or the inappropriate use of powers in stop and searches involving BAME people. However, the force has identified that BAME people stopped and searched were more frequently in company with others whilst all occupants of one car. The force should consider doing some further analysis in this area to reassure itself that stop and search is justified in each case.

Figure 1: Likelihood of black, Asian and minority ethnic (BAME) people being stopped and searched (under section 1, PACE)[17] compared with white people in the local population of Derbyshire Constabulary in the 12 months to 31 March 2016
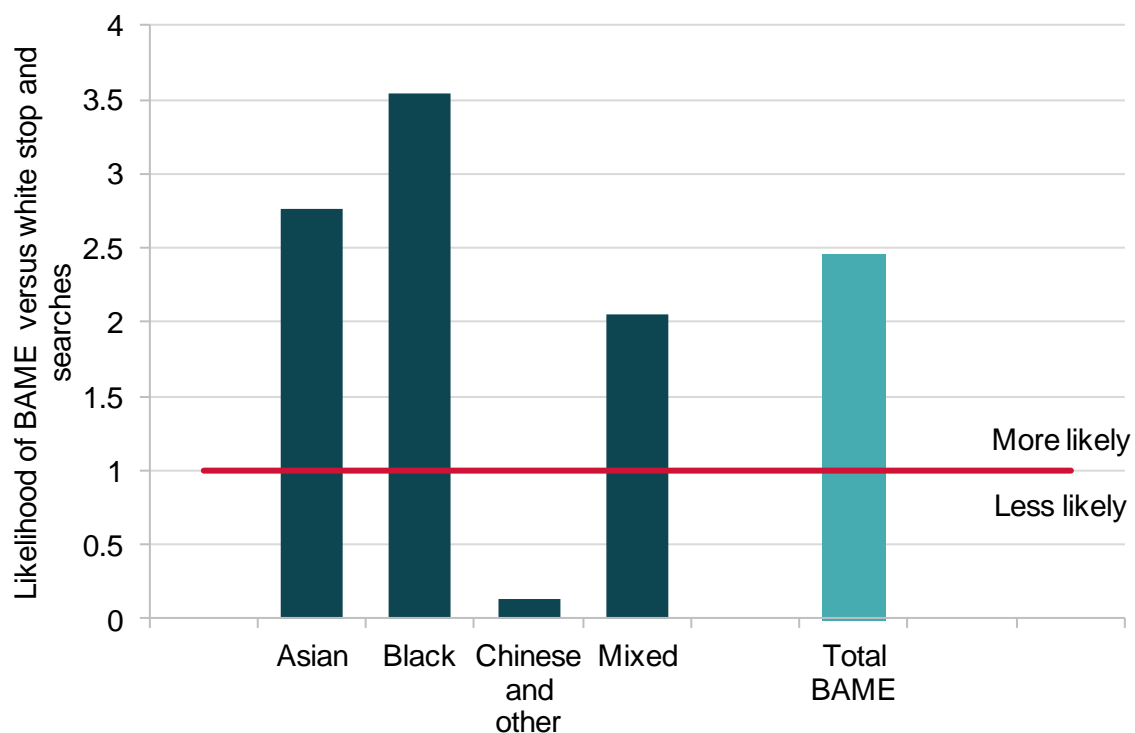
Source: Home Office 2016

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[17] Police and Criminal Evidence Act 1984. Available at: www.legislation.gov.uk/ukpga/1984/60/section/1

Monitoring and scrutiny of the use of stop and search powers is improving. Until recently, the force did not have all the necessary arrangements in place to fully check the way powers were being used. In 2015, the force was assessed against the requirements of the Best Use of Stop Search Scheme, and was found to be one of 32 that did not comply. When forces were revisited in late 2016, Derbyshire was the only force still unable to comply, which was due to its inability to publish data showing the connection between stop and search outcomes and the original reason for the search. The force was, and remains, suspended from the scheme. However, following an upgrade to the local computer systems, the force is now able to publish the relevant information in order to show the required link.

A comprehensive presentation of data relating to the use of stop and search powers is given at each meeting of the force's confidence and ethics board. The data are categorised in several ways, including by age, ethnicity and gender of the person searched, as well as the outcome and location.

The introduction of new computer systems in 2016 and the recent distribution of mobile devices to frontline staff initially led to gaps in line managers' abilities to scrutinise the methods of stop and searches. The computer system was effectively by-passing line managers, meaning that early opportunities to correct poor records and improve weak practice were being missed. By extension, this reduced supervisors' awareness of stop and search records; the system has been modified and now notifies supervisors to check each record, which in turn allows their work to be monitored.

Each month, senior officers in each area of the force dip sample ten randomly selected stop and search records. Body-worn video footage is reviewed in conjunction with records that form part of the dip-sampling process, alongside full details of the incident and people involved. If unfairness is detected, poor grasp of best practice is demonstrated, or if defects are found in records, feedback is given to the relevant officer. Similarly, if problems are identified relating to systems or processes, they are referred to the 'learning the lessons' group to make organisational improvements, for example when supervisors' checks are inadvertently by-passed.

HMICFRS reviewed 200 stop search records, 123 of which were for drugs. Of those searches, 21 were carried out on suspicion that drugs were being supplied or trafficked. This is in line with the force priorities to tackle such offences. However, 102 were for possession of drugs. The force should reassure itself that the levels of stopping and searching people for possession of drugs is in line with its force and local priorities.

External scrutiny of stop and search powers to improve treatment

Scrutiny of the use of stop and search powers by the IAG is rigorous, well informed and regular. Members of the IAG attend the confidence and ethics board, to gain oversight of the situation across the force on the use of stop and search powers. A sub-group of the main IAG meets every other month to review ten randomly selected records, and is supplied with the body-worn video footage and details about the people involved; this process has increased in depth since the computer system was upgraded recently. The IAG sub-group has sought and received training on the legal grounds for, and limitations of, stop and search powers. This acquired knowledge of the sub-group was recently enhanced a detailed presentation from a senior officer about the practical implications of using the various different stop and search powers, the historic context of the use of such powers, and an explanation of officer behaviour as recorded on specific body-worn video footage.

The sub-group is confident in providing feedback to the force, and then in seeking updates in response to its feedback. Learning points have been drawn from the group's reviews of searches. A recent example of such change to practice is that officers are required now to consider carrying out field impairment tests[18] for drivers, following searches based on the ground that drugs are thought to have been used in a car.

The force is committed to seeking public opinion and scrutiny about use of stop and search powers. In summer 2017, it plans to introduce 'reasonable grounds panels', comprising representatives from minority and other groups such as young people, to build greater confidence in the legitimacy of the police among relevant communities. The force also intends to launch a Twitter account solely relating to stop and search; providing links to online material and videos about how and why searches are carried out, as well as asking for feedback from people involved in them.

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.[19]

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[18] Field impairment tests are a way for officers to determine whether a person is fit to drive a car when drug use is suspected.

[19] Police and Criminal Evidence Act 1984. Available from:
www.legislation.gov.uk/ukpga/1984/60/contents

In our 2013 inspection into the use of stop and search powers by the police,[20] we were concerned to see that of the 8,783 stop and search records we examined across all forces in England and Wales, 27 percent did not include sufficient reasonable grounds to justify the lawful use of the power. For Derbyshire Constabulary, the 2013 inspection showed that 46 of 200 records reviewed did not have grounds recorded that were considered reasonable. In 2015, as part of our PEEL legitimacy inspection, we carried out a further review of the recorded grounds in a sample of stop and search records;[21] in 12 of the 92 records that HMICFRS reviewed, the recorded grounds were not considered reasonable.

During our 2017 inspection of Derbyshire Constabulary, we reviewed 200 stop and search records and found that 27 did not contain reasonable grounds. While our review may not be representative of the practice of all officers and supervisors relating to stop and search, our findings indicate that some officers and supervisors either do not understand the reasonable grounds, or how to record them properly.

It is important to note that a lack of reasonable grounds on the stop and search record does not necessarily mean that the stop and such was conducted in the absence of reasonable grounds.

As an immediate reaction to the findings of this review, before our fieldwork took place, the force's lead officer for stop and search circulated a presentation for all frontline staff containing the latest guidance on use of stop and search powers; it made clear that use of body-worn video cameras and thorough recording of the grounds for each search are vital. As described above, all officers will undergo a comprehensive training programme about stop and search in the autumn of 2017.

In our review of those records, the force was not able to show a connection between the outcome and the object searched for in all cases. Nor could it show in how many instances 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. In only seven of the 200 records we reviewed was it clear that the item searched for had been found.

As described above, subsequent changes to computer systems mean that the force can now show the connection between the outcome of a search and items searched for.

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[20] *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/

[21] *PEEL: Police legitimacy 2015* HMIC 2016 Available from: www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/

The table below summarises the findings in relation to our reviews of stop and search records in the last three inspections.

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

	2013	2015	2017
Records not containing reasonable grounds	46 of 200	12 of 92	27 of 200
Item searched for found	-	-	7 of 200

Summary of findings

 Good

Derbyshire Constabulary is committed to treating people fairly and with respect, which is an important part of the force's values. The workforce understand the force's values-driven approach and receive relevant training through induction courses, leadership training and online resources. They also understand the importance of effective communication skills and those we spoke with could demonstrate using them in a variety of different situations. The force is taking innovative action to develop its use of social media, to make its workforce and services more accessible.

The force is very good at seeking external scrutiny of its services and at changing its practices when necessary. The independent advisory group represents a wide cross-section of the local community and meets regularly. The group is confident in providing comprehensive, thorough and constructive challenge to senior leaders in the force. The force also seeks feedback directly from minority groups that may be less likely to take part in traditional ways of scrutinising the force's work.

Frontline officers and staff have a good understanding of how to use coercive powers fairly and respectfully. The force has recognised that there is some inconsistency in the workforce's understanding of unconscious bias and is introducing training to remedy this.

Derbyshire Constabulary seeks to understand and learn from instances of force being used. The force's ability to monitor the use of stop and search powers is improving, following the introduction of a new computer system. It can now provide data showing the connection between stop and search outcomes and the original reason for the search. It is introducing new training for all officers that is based on national best practice and that reaffirms what constitutes reasonable grounds for the use of stop and search powers.

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,[22] as opposed to last year's focus on how well forces are guarding against corruption. [23]

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.[24] Police leaders need to promote ethical principles and behaviour and act as role models, in line with the Code of Ethics.[25] 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.[26]

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[22] *Police legitimacy 2015 – a national overview*, HMIC, February 2016. Available from: www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/

[23] 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/

[24] *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
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

[25] 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; *Literature review – Police integrity and corruption*, HMIC, January 2015. Available from: www.justiceinspectorates.gov.uk/hmicfrs/publications/integrity-matters/

[26] 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 was

Leaders as ethical role models

Leaders within Derbyshire Constabulary are fully committed to ethical decision making and act as role models for their staff. All of the staff that we spoke to were convinced that their behaviour is informed by strong values. We saw how senior leaders are working hard to maintain an environment that supports learning, promotes innovation and welcomes feedback. As such, staff we spoke with at different levels of the force were consistently confident that, if they make mistakes but have acted with the best of intentions and in line with the force's values, they will not be punished. This approach is mirrored by the establishment of a confidence and ethics board and a 'learning the lessons' group, both chaired by the deputy chief constable.

The confidence and ethics board discusses ethical challenges presented to the force, such as use of social media by staff, and attendees are reflective of the whole workforce and include a member of the IAG, to provide an external perspective. Conclusions reached by the board regarding ethical dilemmas are published for the workforce and incorporated into training material. The learning the lessons group is a forum to bring about improvement through ideas suggested by staff, through reflection following adverse events or as a result of feedback to the force from other professional bodies. Through this forum, significant improvements were made to the way special constables are trained and supported, following the review of a misconduct enquiry. Both the confidence and ethics board and the learning the lessons group demonstrate that the force is open to challenge, willing to listen, wants to learn and endeavours to operate ethically and in line with its own values. Communication to staff via the intranet of the decisions, learning points and important information from both groups, supports the force's approach to openness and accountability. This is further reflected in the publication of chief officers' gifts, hospitality and expenses on the Derbyshire Constabulary website.

Ethical decision making

The force has good arrangements in place to train staff in ethical decision making, and provides ongoing advice and refresher training when needed. All staff joining the force receive induction training that covers its core values under the Just Think programme and the ethical implications of working for the police. For staff members in certain roles, this is re-visited during officer safety training and via courses for those moving in to leadership or detective roles. Training for new recruits and transferee officers provides detailed information about a range of ethical subjects: force values, the Code of Ethics, policing by consent, the minimum use of force, human rights and now also unconscious bias – making use of ethical dilemmas experienced by local officers wherever possible. We spoke to officers relatively new

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replaced in October 2017 by the Vetting Code of Practice and Vetting Authorised Professional Practice. Available at: www.app.college.police.uk/app-content/professional-standards/vetting/

in service who all expressed a clear understanding of what ethical decision making is, and felt able to make their own decisions as such. The force has institutionalised this approach by adapting performance and promotion assessments to focus on how staff demonstrate their adherence to the force's values in reaching ethical decisions. In addition, the force has withdrawn around half of its policies, such as for dress code and appearance, on the grounds that they are unnecessary in a values-based organisation. The force does not want its staff to be motivated solely by the need to meet policies, but to make decisions and behave with professional integrity; this approach has been supported by staff representative groups.

Contrary to what is otherwise a very open and accessible organisation, we found that more detail could be communicated within the workforce about misconduct cases. There have been two recent high-profile cases that some staff felt contradicted the non-punitive approach the force aspires to take. Better explanation of the rationale for using a misconduct panel for such cases, and why the final outcomes were reached, would help staff to understand the context of the decisions and be clearer on the boundaries of acceptable behaviour.

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.[27] 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

Derbyshire Constabulary publicises how complaints can be made on its website and information is also on display in police stations. Members of the public can submit feedback and complete all the necessary forms to make a complaint online; there is also a series of frequently asked questions available for user reference. This information is easily found through the "contact us" link at the top of the website's

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[27] 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 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

homepage. The page could be improved by either a translation function for people whose first language is not English or by having translated material readily online.

Details about the role of the IPCC and a link to its website, plus a video explaining the complaint system using British Sign Language, are prominent on the webpage. The force might consider including examples on its website of when complaints or compliments have led to changes in force policy or practice, to encourage others to supply feedback.

We found information on display in police station enquiry offices about how to make a complaint, and were pleased to see that a station in an area of notable ethnic diversity had information on display in several languages.

The force offers assistance to specific sections of the community to help them understand when and how to make a complaint, as part of its programme to identify whether officers and staff are abusing their authority for sexual gain. The force works with groups representing people affected by domestic abuse, describing what constitutes inappropriate behaviour by any member of its workforce. It has also set up confidential methods for victims, or their representatives, to contact the professional standards department. A similar system is in operation specifically for people working in the sex industry who might otherwise be reluctant to approach the police about their concerns.

As part of our inspection, we reviewed a number of complaints against the force, including two in which the complainants needed additional support. Complainants who may need additional assistance could include people with learning difficulties, mental ill health, disabilities and other communication limitations, in addition to young people and people whose first language is not English. Those complainants, and their particular needs, should be identifiable to the force, who should accordingly make the necessary procedural adjustments, perhaps through the use of third-party support or face-to-face meetings. Of HMICFRS's file review of 20 public complaints, there were two cases in which complainants needed additional support. The records of those files did not indicate whether that support had been provided in either case. As described below, processes to record contact with complainants have now been improved.

Keeping complainants updated

When forces record public complaints, the Police Reform Act 2002 and Police (Complaints and Misconduct) Regulations 2012 requires 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 that they should be advised of who will be dealing with their complaint (including contact details). In our inspection of Derbyshire Constabulary, we found that, out of 20 complaint files, 19 showed clearly that all of these legal requirements had been complied with.

Once a public complaint investigation has started, the force has a statutory duty to keep the complainant informed of its progress; the first update should be provided promptly and within 28 calendar days of the start of the investigation, and subsequent updates must be provided at least every 28 days thereafter. Updates should be sufficient so as to make them meaningful. They should include, for example, information about the stage reached in the investigation, what has been done, what remains to be done and, where applicable, a summary of any significant evidence obtained. Updates should also include the likely timescale for completing the investigation, and any revisions to this. In our review, we found that 13 of the 20 complaint cases recorded regular updates to complainants, and that only ten of these were found to be sufficiently informative. We immediately advised the force of our findings, which led to a swift improvement in the way contact with complainants is carried out and, specifically, how it is recorded. The force had used two separate computer systems to record and manage complaints, which in some cases led to mistakes in how contact with and support given to complainants was recorded, a practice that has now ceased. During our fieldwork, three months after the file review, we sampled a small number of investigations and saw the revised practice was in place; more informative updates were being given, contact was in line with the statutory requirements, and, there was a simplified recording of contact with the complainant.

When public complaints are finalised, the force is required to provide the complainant with the findings of the investigation, its own determinations and the information on the complainant's right of appeal. We found that, out of 20 complaint files, 19 contained evidence that all of these legal requirements had been complied with. However, we did note that in some cases the language used in the force's letters to complainants lacked empathy and was blunt and officious. This was also brought to the attention of the force, which has improved the language it uses in such correspondence. A subsequent review of ten cases during fieldwork showed that letters had been drafted using a more sensitive in style and language.

Not all public complaints result in an investigation; some are dealt with via Local Resolution,[28] which is used only when no criminal or disciplinary proceedings are likely to be taken. This process offers a quicker remedy for the complainant with a local officer, usually of inspector rank, taking appropriate steps to rectify the matter and inform the complainant. Based upon the small sample reviewed, we found that Derbyshire Constabulary makes good use of the local resolution process, with

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[28] Local resolution is a process which allows forces to work with complainants to take the necessary action to resolve complaints. Local resolution cannot be used for more serious cases that contain allegations that the conduct complained about may have infringed a person's rights under Article 2 or 3 of the European Convention on Human Rights (right to life, and freedom from torture and inhuman or degrading treatment), or would be so serious that the conduct would justify the bringing of misconduct proceedings if it were proved. In those more serious cases, forces have to conduct a formal 'local investigation', which might result in disciplinary or criminal sanctions.

appropriate level complaints resolved quickly and effectively, in most cases to the satisfaction of the complainant. There was also evidence of an open and honest approach from those officers at the centre of such complaints, which greatly assisted in achieving resolution.

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.[29]

Identifying and responding to potential discrimination

The workforce in Derbyshire Constabulary can recognise discriminatory behaviour and are confident about challenging any examples they witness. We spoke to staff at several locations and heard that instances of discriminatory behaviour are very rare, but that colleagues and supervisors are quick to react whenever potentially discriminatory comments were heard. Staff representative groups confirmed to us that the working environment is intolerant of discrimination. The groups are also encouraged to provide feedback to senior officers about the consequences of policy changes for members of the workforce that have protected characteristics or are from minority groups.

A police force must be able to demonstrate that it provides a good service to the people it serves, including those with protected characteristics. For a variety of reasons, people with protected characteristics – particularly young people and people from BAME communities – may be reluctant to complain about poor service, and so it is important for police forces to correctly identify and respond appropriately to potential discrimination. As such, we assessed 11 complaints that the force had identified as containing an allegation of discrimination, and nine that we considered might contain unidentified allegations of discrimination; we did not find any additional cases that the force had failed to identify. Further, we assessed three internal misconduct cases that the force had identified as containing an allegation of

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[29] 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

discrimination, and 13 that we considered might contain unidentified allegations of discrimination; we did not find any additional cases that the force had failed to identify.

The Police (Complaints and Misconduct) Regulations 2012 requires forces to refer more serious matters to the IPCC if they are aggravated because it is alleged that discrimination was a reason for the behaviour. We investigated cases alleging discrimination, and found that three complaint cases that the force had identified as containing an allegation of discrimination met the IPCC referral criteria, but none had been referred to the IPCC. We also found three internal misconduct cases that the force had identified as containing an allegation of discrimination, which met the IPCC referral criteria; two of these cases had been referred to the IPCC.

Consequently, our review of complaint, misconduct and grievance files found that while discrimination was correctly identified in all relevant cases, only two out of six were correctly referred to the IPCC. The force should take action to ensure that all relevant cases are referred.

Investigating allegations of discrimination

We reviewed 11 public complaint cases that the force had recorded as containing an allegation of discrimination. These investigations were properly carried out, although some were affected by the now rectified administrative issues described earlier. Four investigations fully met IPCC guidelines in their entirety. In one case it was not clear whether the part of a complaint suggesting discrimination was fully resolved. The others were adversely affected by poor recording of contact with the complainant or by the tone of language used in letters, as opposed to the conduct of the investigation itself.

We also considered whether overall, the complainant making an allegation of discrimination received a good service from the force. We found that all but eight complainants received a good service from the force.

Summary of findings

 Good

Derbyshire Constabulary is good at ensuring that its workforce behaves ethically and lawfully. Last year, we assessed it as outstanding, based on its excellent work to prevent corruption and abuse of authority for sexual gain. We have examined different areas of legitimacy this year.

The force continues to have a strong values-driven culture. Leaders at all levels understand their responsibility to be role models and routinely consider the ethical implications of their decisions. Senior officers have worked hard to maintain an

environment that supports learning, promotes innovation and welcomes feedback. The workforce have a clear understanding of making decisions on an ethical basis. The confidence and ethics board and the learning the lessons group demonstrate that the force is open to challenge, willing to listen, wants to learn and endeavours to operate ethically and in line with its own values. This could be improved by the force providing the workforce with more information on the context for the decisions it makes in misconduct cases.

Information about how to make a complaint is available on the force's website, which includes links to the IPCC and a video for deaf people, but no information tailored for people whose first language is not English. Police station enquiry offices display information on making a complaint, and some provide information in different languages. The force undertakes targeted activity to encourage vulnerable people to come forward with complaints, such as those affected by domestic abuse. Derbyshire Constabulary is good at identifying potential discrimination. The workforce can recognise discriminatory behaviour and are quick to challenge it. However, not all complainants receive a good service and we found problems in the way it records contact with complainants and in the language it uses in letters sent at the end of investigations. The force has reacted quickly to deal with those matters. Additionally, investigations into potential discrimination are not always referred to the IPCC when they should be.

Area for improvement

- The force should ensure that all allegations which meet the mandatory criteria for referral to the IPCC are so referred.

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.[30] 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.[31] HMICFRS assessed how well force leaders seek feedback from their workforces and use this, alongside other data and information – including that on grievances[32] – to identify, understand, prioritise and resolve their workforces'

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[30] *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 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

[31] *Ibid.*

[32] 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.[33]

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.[34] 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.[35]

Leaders seeking feedback and challenge from the workforce

Seeking and reacting to feedback is a consistent, positive theme across the workforce of Derbyshire Constabulary. Recent developments to the promotion process for police officers include an assessment by the candidate's supervisor about how they demonstrated the forces values. That assessment took the form of a series of questions, such as how the candidate listens to the team, encourages innovation amongst them and displays a good sense of self-awareness by the way they treat staff.

Staff see leaders at all levels of the force as open to ideas and as always willing to listen. Chief officer roadshows are held regularly around the force, in which staff are encouraged to ask questions or discuss problems affecting them in their work. We were informed that senior officers heading up divisions and departments hold informal sessions for staff to share feedback or discuss concerns with them, face to face. Staff reported that they feel encouraged to express their views and are more included in decision making as a result. This is supported by staff representative groups, who witness the relationships between staff and leaders at all levels across the force – that leaders are fair and considerate when proposing changes that affect staff and listen to advice. Staff are also able to question force procedures through

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[33] *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. 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

[34] 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

[35] 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/

the 'Challenge' intranet site, which received 120 posts during 2016. The force is exploring ways to evolve this process to adopt changes and assess their effects more quickly. Recent changes based on feedback from officers and staff include reducing the number of radio channels used by frontline staff, to allow teams greater awareness of incidents occurring nearby, and the introduction of spit-guards as described above.

Identifying and resolving workforce concerns

We found that the force frequently uses a range of information, in particular feedback from the workforce – to identify concerns or problems, and the effect of changes it has made in response to them.

In May 2017, a force-wide survey of all staff and volunteers was carried out, but results were not available to HMICFRS at the time of writing. The survey comprised similar content to the last survey, in 2015, specifically to help measure the effect of changes made in response to that survey. The survey was also designed to capture information from the workforce about how the significant organisational changes that took place in 2016 had affected them. Improvements following the 2015 survey included: a wide range of free or discounted health-screening tests organised for officers and staff; new learning and development opportunities (such as assessments arranged with a local academic body to help staff achieve NVQs[36] alongside their role in the force); revisions to in-house leadership training programmes to elevate skills in managing wellbeing of staff; better access to wellbeing support; and the adoption of a cycle-to-work scheme. Results from the 2017 survey will be interpreted by an external specialist, and will feature as a standing item for chief officer meetings until all outstanding matters are resolved.

In November 2016, an entirely new operating model for frontline policing was launched, with implications for the vast majority of the workforce, and which serves as an example of the force seeking feedback from its workforce. The new model introduced a series of changes, including staff working arrangements, and followed the introduction of new computer systems that affected nearly all operational activity. Senior leaders recognised the pressure this placed on staff, and how the force's resilience to change would be tested; therefore, each change was carefully sequenced to avoid overwhelming the workforce. Throughout 2016, the chief constable led consultation events and provided regular briefings, in person and online, about progress. In the months since these changes took place, chief officers have regularly sought information about their consequences; immediate operating difficulties were brought to their attention for rapid resolution, and staff associations have helped to collate feedback from the workforce over a longer period. It is a positive reflection on the force that adaptations to the operating model have been made quickly to meet workforce concerns and to provide the best service possible to

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[36] NVQ: National Vocational Qualification

the public. Changes to the new operating model have included the relocation of teams to reduce the time taken to respond to emergencies, the increased provision of Taser for more frontline officers who mostly work alone and at a distance from colleagues, a reduction in the numbers of radio channels to allow more staff to hear about incidents in their area, and, after the review of body-worn video footage of a particular incident, a decision to allow the use of spit-hoods in carefully prescribed circumstances. In addition, the force has commissioned an independent company to carry out a review of the distribution of frontline staff, compared to the amount of demand in each area, which will have implications for staff.

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. Figure 2 below shows that Derbyshire Constabulary had 1.7 grievances raised per 1,000 workforce. This is lower than the England and Wales average of 4.9 grievances raised per 1,000 workforce.

Figure 3 shows that the number of grievances raised by officers in Derbyshire Constabulary was 1.7 grievances per 1,000 officers, and the England and Wales average of 4.1 grievances per 1,000 officers. In the same period PCSOs raised no grievances, and the England and Wales average was 4.4 grievances per 1,000 PCSOs. Police staff raised 1.8 grievances per 1,000 staff in the same period; and the England and Wales average was 6.2 grievances per 1,000 staff.

Figure 2: Grievances raised per 1,000 workforce, in Derbyshire Constabulary in the ten months from 1 April 2016 to 31 January 2017
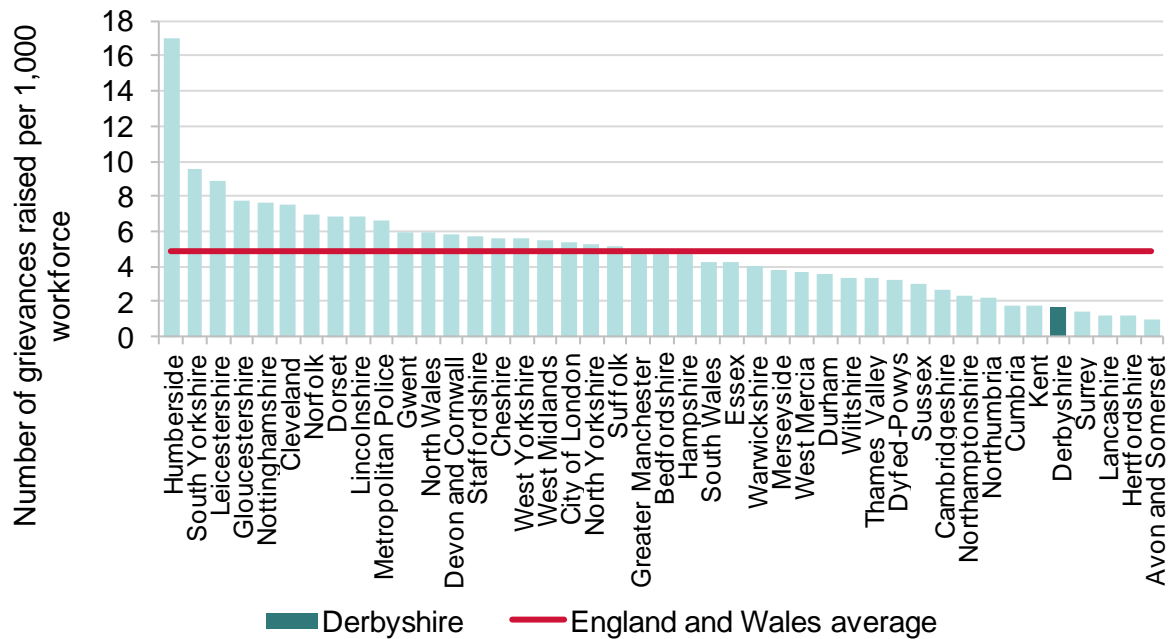
Source: HMICFRS Legitimacy data collection

Figure 3: Grievances raised by officers, PCSOs and staff (per 1,000 officers, PCSOs and staff), in Derbyshire Constabulary in the ten months from 1 April 2016 to 31 January 2017
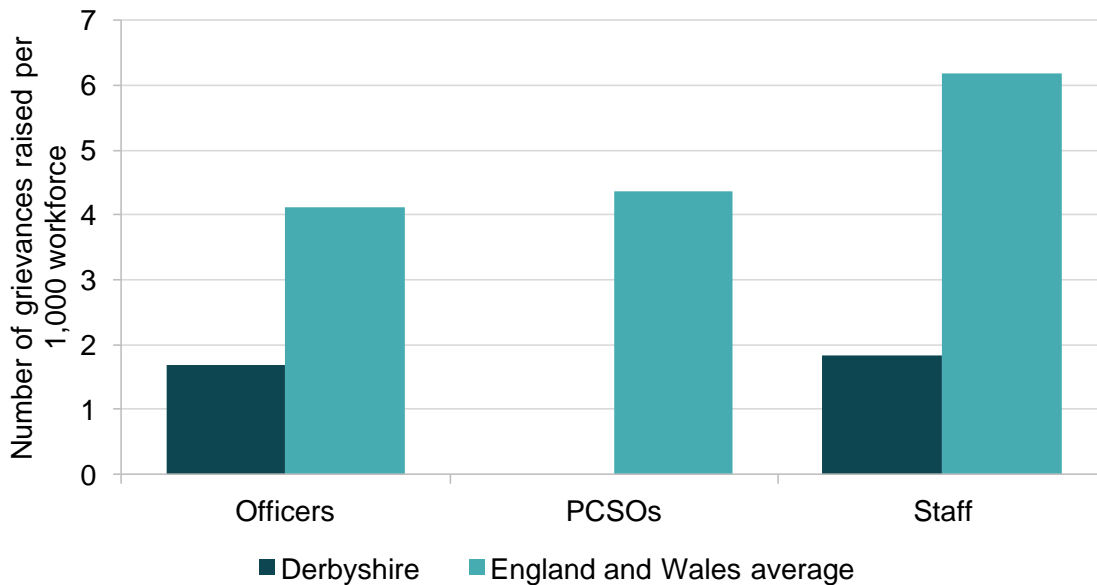
Source: HMICFRS Legitimacy data collection

It is very important that members of the workforce have the confidence to raise grievances or voice other workplace concerns, and to know that the force will listen, respond appropriately and support those people involved throughout the process.

Staff and representative groups of Derbyshire Constabulary described a culture of leaders seeking to resolve issues quickly and fairly, with few matters ever progressing to formal stages of dispute resolution.

We reviewed six workforce grievance files, assessing: (i) what arrangements the force had put in place to support all of the people involved in the grievance, including any witnesses and (ii) overall, whether the force had properly identified, investigated and resolved the grievance in line with the Acas Code of Practice and guidance. In each of the six cases reviewed, there was evidence that matters raised had been expeditiously and effectively managed. The force makes use of a specific resolution template, but that form was not present in all cases that we reviewed, which could suggest a variance in approach or knowledge among supervisors. The force might also consider a revision of that form to request information relating to the protected characteristics[37] of those involved, in order to acquire data on grievances that can be analysed for trends or evidence of disproportionality. Of the six cases we reviewed, five showed a record of appropriate arrangements having been put in place to support the employee or witnesses throughout the process. We also found that in all six cases, the force had properly identified, investigated and resolved the grievance in line with the Acas Code of Practice and guidance.

Creating a more representative workforce

In 2017, Derbyshire Constabulary plans to address the under-representation of BAME police officers through a targeted recruitment campaign, following a review of its previous recruitment process, in which two particularly disadvantageous stages have been amended. A direct and constructive approach is being adopted to increase the amount of BAME people making applications to join; the five areas in the force with the most ethnically diverse local population will see staff from the neighbourhood teams carry out a targeted marketing campaign. Those staff will use their network of community contacts to tell them about the recruitment programme, run awareness events at accessible venues in local communities and distribute printed information in different languages. People showing an interest in applying will be offered a mentor from the force to help explain the process, give insight in to the force and the career opportunities available.

The force seeks to ensure that all policies and processes are fair and equitable; groups representing staff with protected characteristics have a strong voice in the organisation and are routinely consulted on a range of subjects. These groups described a positive and harmonious atmosphere to HMICFRS in which difference is recognised and discrimination is not tolerated. This was exemplified by the support

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[37] 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

and encouragement the force has given the LGBT[38] network to review or develop new policies and practices in line with good practice identified from other employers. Consequently, all staff representative groups we spoke with feel that the force strives for best practice in all activity linked to removing disproportionally and promoting equality.

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 Derbyshire Constabulary, the 2011 census indicates that BAME people made up 6.7 percent of the local population. In the 12 months to 31 March 2017, in Derbyshire Constabulary, 3.5 percent of officers were BAME (see figure 4). In relation to officers, 6.7 percent of those joining the force, 7.0 percent of those in senior ranks and 3.8 percent of those who had served over 20 years were BAME.

Figure 4: Percentage of officer joiners, officers in post, officers in senior roles and officers serving over 20 years who are black, Asian and minority ethnic (BAME) in Derbyshire Constabulary in 2016/17, compared with the percentage of BAME people in the local population
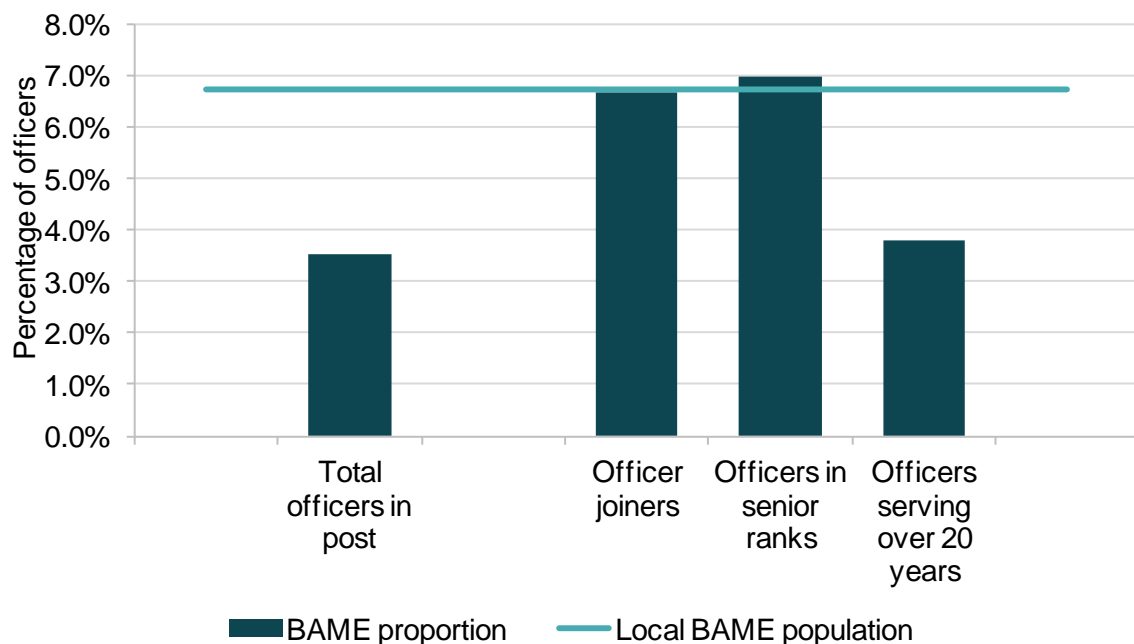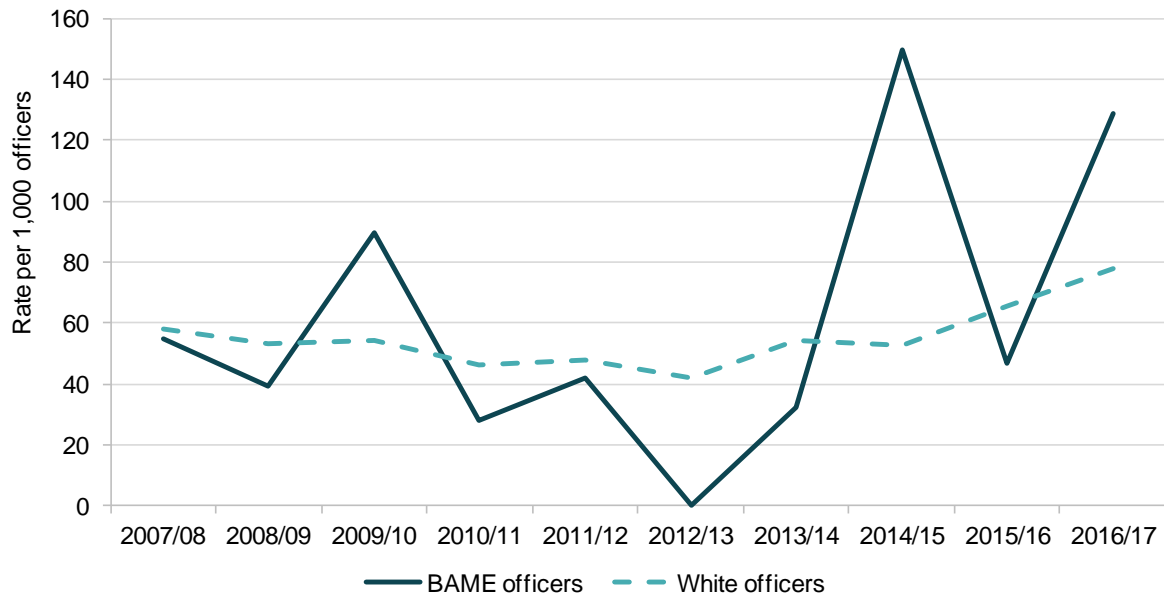

Source: Home Office Annual Data Requirement
Note: High percentages may be due to low overall numbers. The figure above represents officers where an ethnicity was stated

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[38] Lesbian, gay, bisexual and transgender

In the 12 months to 31 March 2017, in Derbyshire Constabulary, 129 BAME officers per 1,000 BAME officers left the force (see figure 5), compared with 78 white officers per 1,000 white officers. Fluctuations in the BAME officer leaver rate may be due to low numbers of BAME officers in the force.
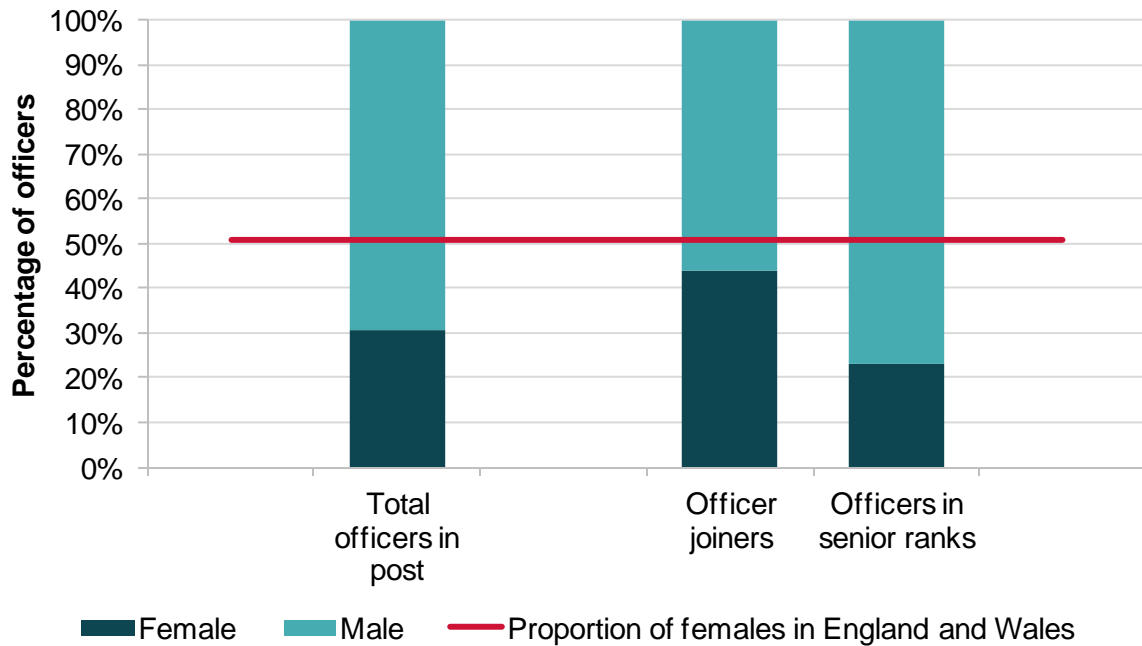
Figure 5: Comparison of officer leaving rates between white and black, Asian and minority ethnic (BAME) officers (per 1,000 white or BAME officers), in Derbyshire Constabulary from 2007/08 to 2016/17

The proportion of female officers is lower than the proportion of females in the general population (51 percent) at 31 percent. In the 12 months to 31 March 2017 in Derbyshire Constabulary, 44 percent of those joining the force and 23 percent of those in senior ranks were female (see figure 6).

Figure 6: Percentage of officer joiners, officers in post and officers in senior ranks, by gender, in Derbyshire Constabulary in 2016/17 compared with the percentage of women in the England and Wales population

In the 12 months to 31 March 2017 in Derbyshire Constabulary 58 female officers per 1,000 female officers left the force, compared with 89 male officers per 1,000 male officers (see figure 7).

Figure 7: Comparison of officer leaving rates between male and female officers (per 1,000 male or female officers) in Derbyshire Constabulary from 2007/08 to 2016/17
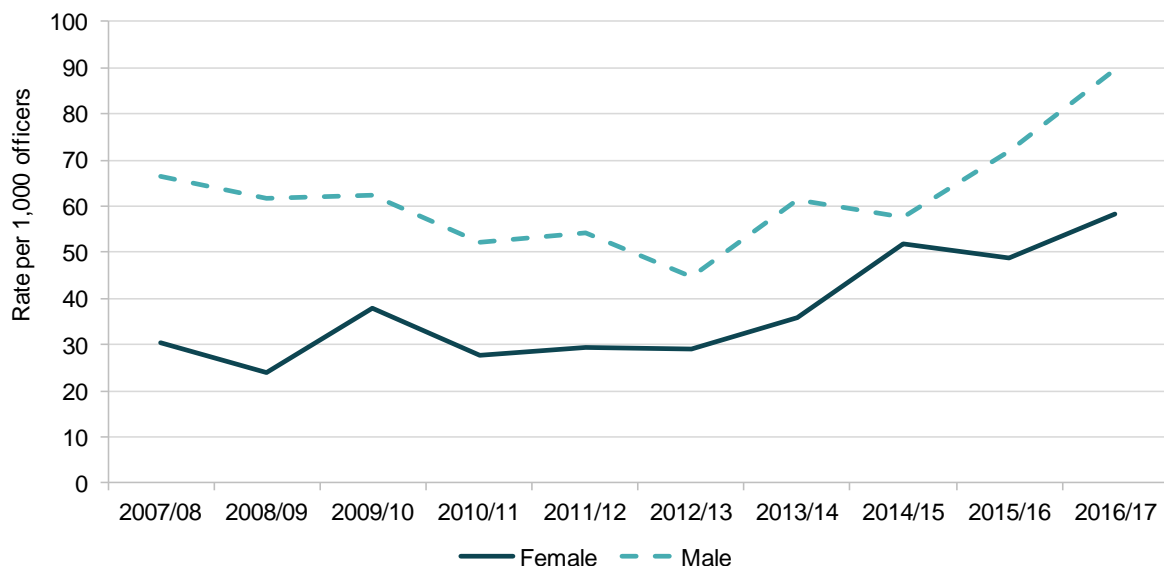
How well does the force support the wellbeing of its workforce?

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.[39] 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

Derbyshire Constabulary continues to demonstrate a strong commitment to the health and wellbeing of the workforce by supporting staff when sick or in times of need, equipping leaders to meet their wellbeing responsibilities and increasing the range of support available to the whole workforce. The force's wellbeing strategy is overseen by the deputy chief constable, who leads quarterly meetings of the health and wellbeing group, which senior managers and staff representative groups also attend. Leadership training now includes understanding the role and effects of emotional and mental health, as well as helping staff to access occupational health services and other forms of employee support, such as counselling. Staff believe this indicates that wellbeing has been a priority in the last year, and that there is a less oppressive approach to sickness-monitoring; managers now provide support to their staff to help them back into work and deal with any related problems at the earliest opportunity. Staff informed us of a change in the behaviour and language that managers use when staff are sick; we heard examples from staff of the support they received during bereavement, illness and family problems, indicating that they feel that their wellbeing has been prioritised.

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.

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[39] *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/

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 Derbyshire Constabulary, 2.0 percent of officers were on short or medium-term sick leave. The England and Wales average was 2.5 percent. The latest year for which data is available was 2017 which saw an increase of 0.5 percentage points from the previous year, which is in line with changes in the last ten year period (see figure 8).

Figure 8: Percentage of officers on short or medium-term sick leave in Derbyshire Constabulary, compared with the England and Wales average, on the 31 March from 2008 to 2017
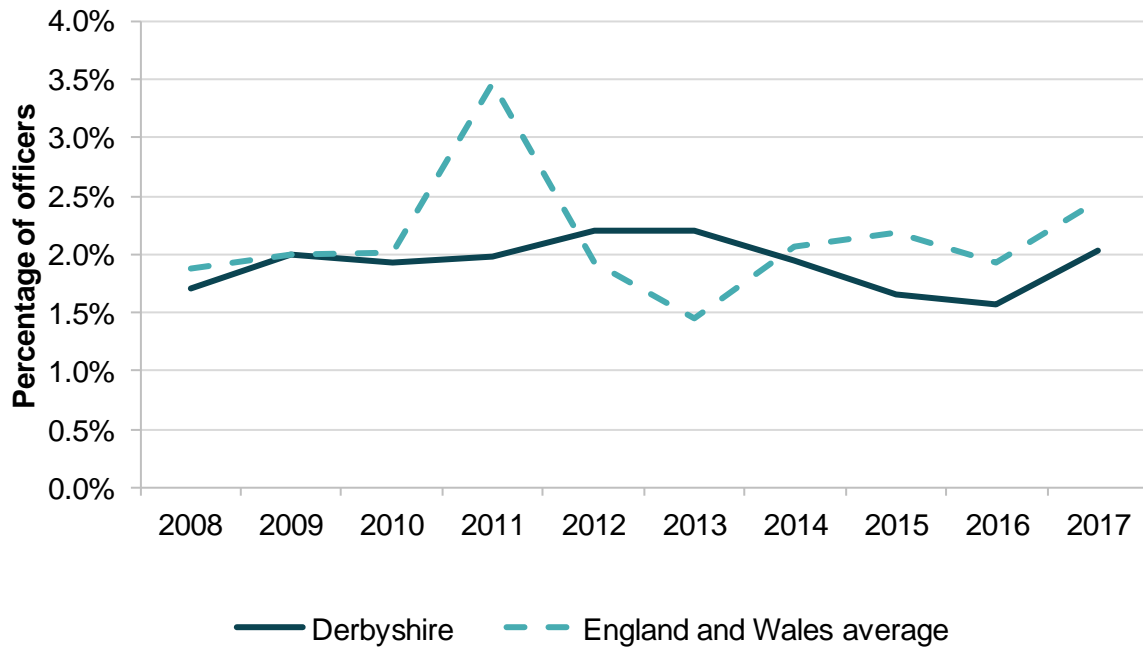
Source: Home Office Annual Data Requirement

On 31 March 2017, the proportion of officers in Derbyshire Constabulary on long-term sick leave was 1.7 percent and the England and Wales average was 1.9 percent (see figure 9). The latest year for which data were available is 2017 which saw a decrease of 0.8 percentage points from the previous year; this is a notably larger decrease than in the previous ten-year period.

Figure 9: Percentage of officers on long-term sick leave in Derbyshire Constabulary, compared to the England and Wales average, as at 31 March from 2008 to 2017
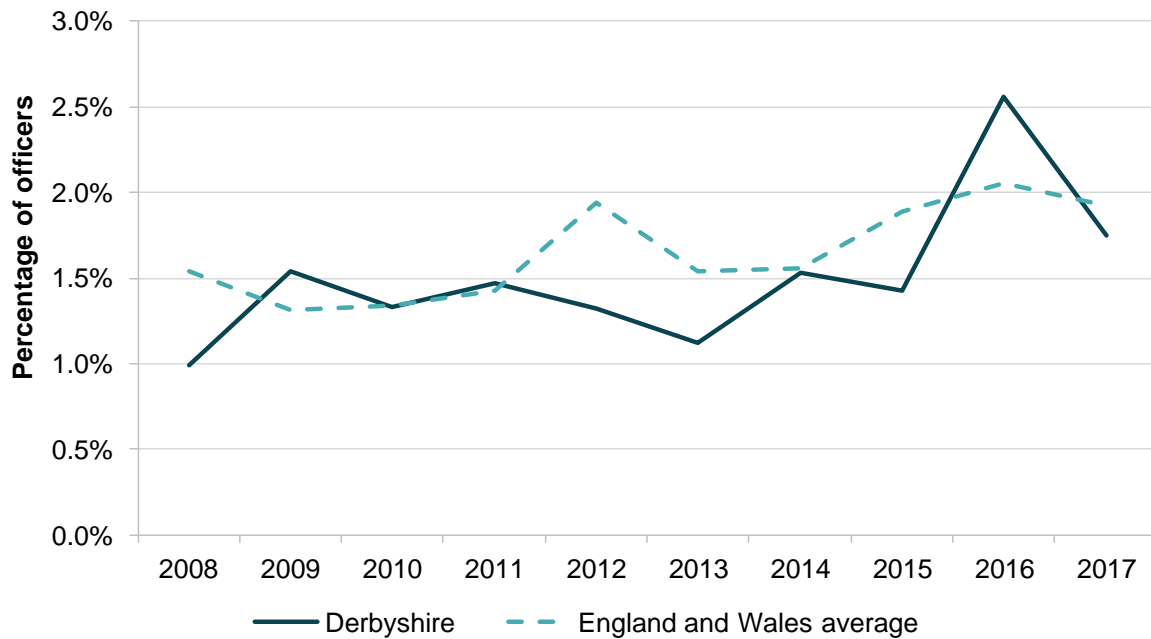
Source: Home Office Annual Data Requirement

The force monitors and responds to a range of information linked to the general welfare and wellbeing needs of the workforce, including sickness rates and trends, occupational health referrals and use of physical and mental health services. Drawing on responses to the 2015 force-wide staff survey, health-screening checks were made available to the workforce, an offer taken up by 420 staff. Checks included tests for cholesterol, blood pressure and glucose levels, bone mass and heart condition. The launch of a cycle-to-work scheme attracted 220 staff, and vouchers for discounted eyesight tests were also distributed. Further, a robust process is in operation to identify staff not using their leave entitlement or building up excessive volumes of lost rest days[40] or time off in lieu. Data are sent to senior officers each month showing the status of each member of staff and, if triggers are reached (such as 40 hours of time off in lieu and an accrual of five lost rest days), supervisors intervene and set a plan for restoring the staff member's leave-entitlement position to an acceptable level.

Through the force's recognition of the importance of mental and emotional health, mindfulness champions have recently been introduced amongst the workforce. A total of 25 members of staff are now trained to practise mindfulness sessions in the workplace for the benefit of their colleagues. A further aspect to their role is directing colleagues who exhibit signs of, or seek help with, potential mental health problems

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[40] Lost rest days are days worked to meet operational needs, despite being scheduled as non-working, or rest days, in the person shift pattern.

towards the appropriate services. The force paid for the training, and has made a long-term commitment to this new service by funding further training, and allowing time in the working day for staff to sustain their skills.

Taking preventative and early action to improve workforce wellbeing

The force has a growing range of preventative measures in place to improve workforce wellbeing. Staff told us that they found it straightforward to access help when it is needed, and also described a supportive culture amongst colleagues and supervisors. In March 2017, the force adopted the Blue Light Programme, operated by the mental health charity, Mind. The programme offers support and guidance tailored specifically to emergency service personnel. In addition, the force provides wellbeing sessions and operates awareness campaigns; an external health provider holds clinics and offers flu vaccinations for officers and staff. National health campaigns are promoted to the workforce, with menopause and prostate cancer awareness programmes run recently.

The force should formalise its expectations about the role of supervisors after traumatic incidents. We found that, while it does check the welfare of staff directly afterwards, a more systematic approach to detecting signs of potential post-traumatic stress disorder by trained staff, such as the trauma risk management system (known as TRiM), would prevent potentially affected staff from being neglected.

The force has good processes to supply the welfare needs of staff that are subject to, or involved in, misconduct and disciplinary procedures. A detailed risk assessment process commences immediately from first contact between the investigator and member of staff subject to the complaint. Information obtained via that risk assessment is excluded from the investigation, and the officer or staff member is given absolute assurance to that effect. Briefing material for the appointed welfare officer in the investigation gives guidance on how to sustain and record all contact, facilitate access to health and wellbeing support, and manage potential ethical dilemmas.

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.[41] 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 from the College of Policing.[42] 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

In May 2017, following the conclusion of HMICFRS' inspection fieldwork, Derbyshire Constabulary launched a completely revised method for performance assessment and staff development. The previous annual performance development review (PDR) process had lost validity in the eyes of the workforce; staff considered it as necessary but not valuable. In our legitimacy inspection of 2016, we found that PDRs were not linked to a system to analyse performance or identify training needs across the workforce. The new system is designed to meet the needs of the individual; it is built around the force's values, but also meets the requirements of the national Police Performance Framework and work-based assessment promotion programmes. Staff will meet informally, or "check in" with their supervisor at agreed intervals and set plans to meet development goals over the following three months. The workforce are optimistic about the new process, and the force has plans to make regular evaluations of how it is being used and to seek staff opinions. This approach is more dynamic than the last one, and encourages self-development. It supports the force's priority of professional development, as does the training for newly-promoted sergeants and equivalent police staff, which is conducted on a modular basis, allowing participants to compound their learning back in the

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[41] *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.

[42] 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
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

workplace between classroom events, with assessments carried out by peers. Similarly, senior members of the force, chief inspector or equivalent police staff and above, have discretion over how they use five days per year for professional development, with five more available under certain conditions. Role-specific training to achieve operational competence is also still provided. However, this more creative approach uses self-awareness as the basis for all professional development.

The force has a process for managing unsatisfactory performance that is used for protracted or significant under-performance. Superintendents and human resource specialists monitor such cases as a matter of necessity, proportionality and fairness. In cases of disagreement about performance, and before a formal process is commenced, specifically trained staff are available to help negotiate and arbitrate, using a process called 'workplace dispute resolution'.

Identifying potential senior leaders

The force continually seeks new staff or existing members of the workforce that can demonstrate the skills and capabilities required to become a senior leader. Comprehensive, accessible and well-publicised talent management systems are in place across the force for cohorts of up to ten staff to join each one. The schemes are not directly associated with promotion, but are rather opportunities for participants to carry out research that benefits them and the force; applicants are selected on the merit of their proposed research project. However, participation in the scheme allows staff to exhibit their potential for senior leadership. Projects generally relate to complex issues with wide-reaching implications that can lead to change across the whole force when researched and presented successfully to chief officers. All members of the scheme receive mentoring and coaching, access to extra funds if necessary and psychometric tests, such as 360-degree feedback and personality type-testing. We spoke to staff across the force; they were familiar with the schemes and perceived no barriers to applying to join, or partiality in the selection process. Recent feedback confirms that this perception applies to all developmental opportunities, promotion and talent management. Access is deliberately open to all staff, as senior leaders are alert to the imbalance in opportunities for development generally amongst police staff, compared to officers.

For the first time, the force is currently seeking direct-entry officers at the rank of inspector. Considerable interest was received from potential applicants, and this was sifted down to 43 candidates, with one to be appointed later in the year. In parallel, the force encourages constables to consider taking part in the 'fast track to inspector' programme each year. Of the four most recent candidates, one was successful and the other three have been offered support to further develop their skills through project work and access to a mentor from academia.

Selecting leaders

A comprehensive revision to the force's method of identifying, developing and supporting leaders is beginning to take effect. Recently, the strategic leadership board has been formed, and a new senior member of staff brought in to oversee all aspects of leadership, talent management and promotion assessment processes. The result is a wide-ranging, creative and contemporary leadership framework, which is based on force values and outlines how leaders will be identified, selected and developed. The force will draw on best practice from other industries to promote diversity in the styles and backgrounds amongst the force's leaders. The new approach is in line with current thinking, and prioritises the candidate's attributes as a leader over time served or personal recommendation.

A review of the most recent constable to sergeant promotion process showed a disparity in the success rates between male and female candidates. While that review found no evidence of gender discrimination, the force has taken swift action to explore other possible reasons for the disparity. The equality team, staff networks and lead officers for gender issues have been asked to ascertain if barriers to success do exist and, if so, what steps are needed to bridge this gap.

Senior officers are alive to the need for more ways to develop the careers for police staff and are taking an objective view on which leadership roles held by officers could be carried out by a police staff member. The intention is to improve promotion opportunities and retain the best police staff, developing their leadership skills as they move through the organisation.

Summary of findings

Good

Derbyshire Constabulary is good at treating its workforce fairly and with respect. Leaders at all levels are seen by the workforce as being inclusive, open to ideas and willing to listen. The workforce can give feedback or discuss concerns at informal sessions held with senior officers and by using the force intranet; the force makes changes as a result. The force has conducted a workforce survey in 2017 and intends to work to resolve any problems that this survey raises.

The force seeks to ensure that all its policies and processes are fair and equitable. It plans to address under-representation of minority groups in its workforce through a targeted recruitment campaign that encourages applications and offers the support of a mentor.

Derbyshire Constabulary continues to demonstrate a strong commitment to the health and wellbeing of its workforce. Leaders are trained to understand emotional and mental health and to help provide access to occupational health services and other forms of employee support, such as counselling. The range of support that the force provides continues to grow, including preventative action to improve wellbeing. However, the force should adopt a more systematic approach to detecting signs of potential post-traumatic stress disorder.

The force has introduced a new appraisal system designed to meet the needs of the individual, which the workforce has welcomed. It is based on the force's values but also meets the requirements of the national Police Performance Framework and work-based assessment promotion programmes. The force plans regularly to evaluate how it is being used and to seek the workforce's views about the new system.

Derbyshire Constabulary has comprehensive, accessible and well-publicised talent management schemes to identify and develop individuals with senior leadership potential. It has also introduced direct entry in addition to its fast-track scheme. The force's new leadership framework will help it to draw on best practice from other industries and produce a leadership with a wide diversity of backgrounds and styles.

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), or the Home Office police workforce open data tables (available from 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[43]. 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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[43] See sections 38 and 39 of the Police Reform Act 2002. Available at: 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). 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 Derbyshire Constabulary 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). 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: Grievances raised per 1,000 workforce, in Derbyshire Constabulary in the ten months from 1 April 2016 to 31 January 2017

Figure 3: Grievances raised by officers, PCSOs and staff (per 1,000 officers, PCSOs and staff), in Derbyshire Constabulary 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 4: 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 Derbyshire Constabulary 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 5: Comparison of officer leaving rates between white and black, Asian or minority ethnic (BAME) officers (per 1,000 white or BAME officers), in Derbyshire Constabulary 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 6: Percentage of officer joiners, officers in post and officers in senior ranks, by gender, in Derbyshire Constabulary 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 7: Comparison of officer leaving rates between male and female officers (per 1,000 male or female officers), in Derbyshire Constabulary from 2007/08 to 2016/17

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

Figure 8: Percentage of officers on short or medium-term sick leave, in Derbyshire Constabulary 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).

Figure 9: Percentage of officers on long-term sick leave, in Derbyshire Constabulary 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). 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.[44] 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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[44] 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[45] 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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[45] 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.