

# PEEL: Police legitimacy (including leadership) 2017

An inspection of Kent Police



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# Introduction

As part of its annual inspections into police effectiveness, efficiency and legitimacy (PEEL), HM Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS)<sup>1</sup> assesses the legitimacy and leadership of police forces across England and Wales.

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

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

To achieve this support – or ‘consent’ – the public needs to believe that the police will treat them with respect and make fair decisions (while taking the time to explain why they are making those decisions), as well as being friendly and approachable.<sup>2</sup> This is often referred to as ‘procedural justice’. Police actions that are perceived to be unfair or disrespectful can have an extremely negative effect on police legitimacy in the eyes of the public.

Police officers and staff are more likely to treat the public with fairness and respect if they feel that they are being treated fairly and respectfully, particularly by their own police force. Therefore, it is important that the decisions made by their force about matters that affect them are perceived to be fair.<sup>3</sup> This principle is described as

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

<sup>2</sup> *It's a fair cop? Police legitimacy, public cooperation, and crime reduction*, National Policing Improvement Agency, September 2011. Available at:  
[http://whatworks.college.police.uk/Research/Documents/Fair\\_cop\\_Full\\_Report.pdf](http://whatworks.college.police.uk/Research/Documents/Fair_cop_Full_Report.pdf)

<sup>3</sup> *Fair cop 2: Organisational justice, behaviour and ethical policing*, College of Policing, 2015. Available at:  
[http://whatworks.college.police.uk/Research/Documents/150317\\_Fair\\_cop%20FINAL\\_REPORT.pdf](http://whatworks.college.police.uk/Research/Documents/150317_Fair_cop%20FINAL_REPORT.pdf)

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

One of the most important areas in which internal organisational justice and external procedural justice principles come together is the way in which police forces ensure that their workforce behaves ethically and lawfully. In HMICFRS' 2017 legitimacy inspection, we continued our assessment of how well forces develop and maintain an ethical culture and we re-examined how forces deal with public complaints against the police. How this is done needs to be seen to be fair and legitimate in the eyes of both the police workforce and the general public.

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

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

A separate report on the force's efficiency inspection findings is available on our website ([www.justiceinspectorates.gov.uk/hmicfrs/peel-assessments/peel-2017/kent/efficiency/](http://www.justiceinspectorates.gov.uk/hmicfrs/peel-assessments/peel-2017/kent/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/kent/](http://www.justiceinspectorates.gov.uk/hmicfrs/peel-assessments/peel-2016/kent/).

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

## Force in numbers



### Workforce

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

**5,583**

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

| officers     | staff (including section 38) | PCSOs      |
|--------------|------------------------------|------------|
| <b>3,259</b> | <b>2,037</b>                 | <b>287</b> |



### Ethnic diversity

Percentage of BAME in workforce 31 March 2017

overall workforce

**2.8%**

officers

**3.0%**

staff

**2.5%**

PCSOs

**1.3%**

Percentage of BAME in local population, 2011 Census

**6.9%**



### Gender diversity

Percentage of females in overall workforce 31 March 2017

**41%**

England and Wales population, 2015 estimate

**51%**

Percentage of females by role 31 March 2017

**28%**

Kent Police

officers

**63%**

staff

PCSOs

**50%**



## Grievances

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



## Stop and search

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

**7,965**

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



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

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

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



**Outstanding**

Kent Police is judged to be outstanding at how legitimately it keeps people safe and reduces crime. For the areas of legitimacy we looked at this year, our overall judgment is the same as last year. The force is judged to be outstanding 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 outstanding at treating its workforce with fairness and respect.

## Overall summary

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



**Outstanding**

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?



**Outstanding**

Kent Police has clear values that emphasise the importance of treating people with fairness and respect and it is outstanding at keeping people safe and reducing crime. The workforce receives extensive training on ethical decision-making that covers unconscious bias, effective communication skills and the use of coercive powers such as stop and search. The force monitors the use of stop and search and has carried out research to understand any identified disproportionate use. Independent advisory groups provide effective external scrutiny and feedback. Governance of the use of force is clear and lessons learned are communicated with the workforce. However, the force should ensure that all officers and supervisors understand what constitutes reasonable grounds for stop and search and record them correctly.

Force leaders continue to demonstrate an extremely positive and ethical approach to policing. Officers and staff receive continuing advice and extensive training on ethical

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

decision-making and have an excellent understanding of ethical policing. The force's website and police front counters provide the public with information on how to make a complaint. However, the force could improve the information it provides complainants when they first make a complaint and ensures it provides informative updates at the required intervals.

In 2016, we found that the force was outstanding at treating its workforce with fairness and respect, and this remains the case. The force has had some success in addressing the disproportionality in its workforce by increasing officer recruitment from black, Asian and minority ethnic communities. The force maintains a comprehensive range of effective and sometimes innovative preventative measures to improve workforce wellbeing, including initiatives to reduce the stigma attached to mental health issues and has applied for an excellence award under the Workforce Wellbeing Charter. It has schemes to develop talent and bring skills into the force. The workforce sees the police officer promotion process as fair and candidates report receiving objective feedback.

#### **Area for improvement**

- The force should improve its compliance with IPCC statutory guidance, including the way in which it keeps complainants updated as to the progress of their complaint.



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

College of Policing research suggests that, in the eyes of the public, police legitimacy stems primarily from the concept of ‘procedural justice’: the expectation that officers will treat the public respectfully and make fair decisions (explaining their reasons openly and clearly), while being consistently friendly and approachable.<sup>5</sup>

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

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

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

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<sup>5</sup> *It’s a fair cop? Police legitimacy, public cooperation, and crime reduction*, National Policing Improvement Agency, September 2011. Available at: [http://whatworks.college.police.uk/Research/Documents/Fair\\_cop\\_Full\\_Report.pdf](http://whatworks.college.police.uk/Research/Documents/Fair_cop_Full_Report.pdf)

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

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

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

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

Kent Police leaders have a clear understanding of procedural justice. They can explain what it means in plain English and can give examples of treating people with fairness and respect, such as when officers make decisions at public order events and investigate crime. The force's policies and strategies give its leaders clear messages. For example, the Essex Police and Kent Police leadership strategy states that leaders must "show impartiality in all dealings with colleagues and members of the public by being fair, consistent and objective, considering all information and options, without favouring a person or group over another and not allowing personal feelings to influence our actions".

Staff spoke of chief officers' clear commitment to treating people, including the workforce, with fairness and respect. The chief constable consistently reinforces to the workforce his expectations about treating staff and the public with fairness and respect. The police and crime commissioner (PCC) emphasises his 'Safer in Kent' plan<sup>9</sup> and his expectations about ethical policing when he speaks at leadership events, as well as to all new officers and police community support officers (PCSOs). The force clearly defines its values in its one page pictorial representation of its priorities. Force policies similarly reflect the need to treat people fairly and with respect, and the force has given the workforce extensive training on how to achieve this. We found that the workforce was receptive to this training and they gave us examples to illustrate their knowledge. In our 2016 legitimacy inspection, we found that the force had a clear and well-established vision and values built on, and in line with, the Code of Ethics,<sup>10</sup> as well as an exceptionally strong ethical culture that emphasised its understanding of the code and the importance of fair and respectful treatment. This remains the case.

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

<sup>9</sup> The PCC must produce a police and crime plan that sets out his vision and priorities for policing and community safety, as well as the objectives and ambitions that Kent Police will be held to account on. The PCC in Kent has called his plan 'Safer in Kent'.

<sup>10</sup> *Code of Ethics: A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales*, College of Policing, 2014. Available at: [www.college.police.uk/What-we-do/Ethics/Documents/Code\\_of\\_Ethics.pdf](http://www.college.police.uk/What-we-do/Ethics/Documents/Code_of_Ethics.pdf)

## **Understanding of unconscious bias**

Most officers and staff have received recent training and guidance on unconscious bias. This includes a test of their knowledge and understanding at the end of the training. Officers, including supervisors, are able to confirm their understanding and give examples of unconscious bias, including how they have overcome it to ensure fair decision making. All were able to direct HMICFRS to training already completed, and frontline officers spoke of refresher training being part of the National Decision Model (NDM)<sup>11</sup> element of the mandatory annual personal safety training. The force trains police staff on the Code of Ethics and unconscious bias as part of a two-day induction course. It gives control room staff specific unconscious bias training as part of their development and, in particular, in relation to THRIVE.<sup>12</sup> The chief constable and human resources specialists also cover unconscious bias when briefing panel members on promotion boards on the fairness, openness and consistency of the processes of promotion and progression.

## **Communication skills**

Kent Police includes communication skills in its broader annual personal safety training for officers. The emphasis is on de-escalation techniques and the importance of showing empathy when working with vulnerable people. The force also covers communication in the initial training it gives to police staff. Sometimes, this forms part of continuing developmental training for specific roles. This is the case with control room staff.

Kent Police bases its communication training on the LEAPS mnemonic (Listen, Empathise, Ask, Paraphrase and Summarise). This approach encourages a structured format for the benefit of all parties. The force gives all local policing teams a two-hour training session on dealing with people with mental health problems. This includes language and methods of communication that should be avoided when describing people with mental health problems. Officers, including supervisors, confirmed that they have received comprehensive training and guidance, and are able to discuss practical and hypothetical examples of graduated response. These show how communication skills offer a tactical way to de-escalate a situation without using physical force. The force's intranet has a helpful 'lessons learned' page that reminds officers to apply emotional intelligence in how they speak to members of the public. A training package gives all supervisors the skills which they can use to have

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<sup>11</sup> *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](http://www.app.college.police.uk/app-content/national-decision-model/?s)

<sup>12</sup> THRIVE is a structured risk assessment tool used by police forces to inform decisions on the most appropriate response needed. Based on the threat, harm, investigative opportunities, vulnerability of those involved and opportunities to engage.

difficult conversations with staff and the public. The force expects these supervisors to pass their knowledge onto their staff, and in our inspection we found evidence that this is happening.

### **Use of coercive powers**

Kent Police has policies and procedures in place regarding the use of force. These set out its approach to the use of force and the need for it to be used in a way that is lawful, proportionate and reasonable in the circumstances. They emphasise that officers must always consider the use of force in relation to the NDM and the Code of Ethics. Training is comprehensive and covers legal powers and effective communication as well as the NDM and the Code of Ethics. Officers understand the need to submit the appropriate national form when force is used, including lower levels of force such as compliant handcuffing. Leaders are using team briefings to consolidate the corporate messages and training. They give officers training in Code G of PACE<sup>13</sup> and ask them to carry a crib card with details of the requirements of the code. Officers expect to be questioned on this in the custody suite when they have arrested a person. They know that other options are available, such as restorative justice, and consider these when applicable.

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

HMICFRS continues to examine the extent to which forces work to identify and understand what affects people's perceptions of fair and respectful treatment. This year we re-assessed a specific aspect of fair and respectful treatment that we examined in PEEL 2015: the use of force<sup>14</sup> and stop and search powers. Specifically, we inspected the extent to which forces record data and how well they scrutinise data and other information, including through external scrutiny,<sup>15</sup> to understand and improve the use of these powers. In the case of stop and search, the next section

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<sup>13</sup> Code G of the Police and Criminal Evidence Act 1984 includes guidance to officers on the circumstances when an arrest is not necessary.

<sup>14</sup> In 2015 HMICFRS found a generally positive picture of force oversight arrangements for use of Taser. However, in 2016, we found that many forces did not have similar levels of oversight for other types of use of force. As a result of a review undertaken by the National Police Chiefs' Council, all forces have been required to collect a minimum data set in respect of use of force since April 2017. The review is available at: [www.npcc.police.uk/documents/uniformed/2016/Use%20of%20Force%20Data%20Report%20to%20Home%20Sec.pdf](http://www.npcc.police.uk/documents/uniformed/2016/Use%20of%20Force%20Data%20Report%20to%20Home%20Sec.pdf). Also see *Authorised Professional Practice on Use of Force*, College of Policing, October 2013. Available from: [www.app.college.police.uk/app-content/public-order/core-principles-and-legislation/police-use-of-force/](http://www.app.college.police.uk/app-content/public-order/core-principles-and-legislation/police-use-of-force/)

<sup>15</sup> *Independent Advisory Groups: considerations and advice for the police service on the recruitment, role and value of IAGs*, College of Policing, 2015. Available at: [www.college.police.uk/What-we-do/Support/Equality/Documents/Independent\\_advisory\\_groups\\_advice\\_2015.pdf](http://www.college.police.uk/What-we-do/Support/Equality/Documents/Independent_advisory_groups_advice_2015.pdf)

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**

Kent Police maintains a force database in which it stores information extracted from the Home Office 'National use of force' form. The force records data in compliance with the National Police Chiefs' Council's minimum recording standards. These data include the type of force that was used, the ethnicity, gender and age of the person who was subject to the use of force, and the time and location of the incident. Kent Police has made its officers and staff aware of the recent mandatory changes in recording the use of force accurately and consistently. It has done this through briefings and training, and by articles and guidance published on its intranet. It uses information from the database to identify trends and gather quantitative information. The bi-monthly force performance grading meetings, which are chaired by the deputy chief constable, monitor and assess this information. The data also help the force to review and amend its policy on the use of personal protective equipment, and to identify those officers and staff who are most likely to need protective body armour and at what times of day. The professional standards department (PSD) publishes lessons learned on the intranet, and includes reminders to officers and staff about submitting use of force forms.

In our 2015 legitimacy inspection, we judged that Kent Police ensured that its Taser-trained officers were trained to the correct standard with good knowledge of the NDM and the Code of Ethics, and that the force's use of Taser was fair and appropriate. This is still the case. Now the force, together with the independent police advisory group (IPAG), is developing a public Taser scrutiny board in order to maintain the support and confidence of the public, and to continue to use Taser in an open and understandable way. This board, which is yet to sit, will review all Taser training and deployments, and publish good practice and lessons learned.

### **External scrutiny to improve treatment**

The force has asked the strategic independent advisory group (SIAG)<sup>16</sup> and its local independent police advisory groups (IPAGs) to provide external scrutiny of its activities. These groups are well established and senior officers, including the chief constable, work regularly with them and attend their annual forum meeting. These groups have independent chairs and a diverse and well-trained membership, which includes young people and students from local universities. Members are given a handbook that includes a code of conduct declaration and membership terms and conditions that they must sign. IPAG chairs have observed training in protecting vulnerable people, and IPAG members receive training from the force's

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<sup>16</sup> The SIAG is a focus group that brings together, at quarterly meetings, people from across Kent, of all ages and all strands of diversity, who provide their knowledge and experience to help Kent Police to police its communities.

own trainers across a range of issues including domestic abuse, stalking and harassment, so-called honour-based violence, modern-day slavery and child sexual exploitation. The force regularly reviews membership of these groups, and its community liaison officers actively seek new members at community events. The force's website includes a link to the IPAG webpage, which explains the clear and accessible application process if people want to become involved. The IPAGs have helped the force in external thematic inspections, including a review of the effectiveness of vulnerability training and hate crime surveys. District IPAGs are currently leading a survey of officers and staff on types of vulnerability, and how officers and staff identify and understand these.

Kent Police continues to interview, by telephone, some victims of household burglary, vehicle crime and violence, as mandated by the Home Office's annual data requirement. The force also telephones some victims and witnesses of anti-social behaviour. It began to research small numbers of domestic abuse victims in August 2016, with 174 surveyed to date. The bi-monthly force performance grading meetings, chaired by the deputy chief constable, monitor the results of these surveys. The hate crime forum also surveys victims of hate crime who have withdrawn their support for police action. The forum discusses the findings and feeds back the lessons learned to officers and staff. The Office of the Police and Crime Commissioner (OPCC) conducts a monthly review of complaints which include an element of discrimination. It discusses matters raised with the PSD, whose staff further review the findings and report back to the OPCC. Earlier in 2017, the force contacted over 700 victims of crime who did not support further police action in order to establish why this was the case and to seek their views as to how the officers had treated them. The review aimed to establish whether the victims had received the right level of service, why they had withdrawn their support for further police action, and what actions Kent Police might take to prevent victims doing so in the future.

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

The purpose of stop and search powers is to enable officers to eliminate or confirm suspicions that individuals may be in possession of stolen or prohibited items, without exercising their power of arrest. Except in exceptional circumstances, an officer must have reasonable grounds for carrying out such a search. While this can be valuable in the fight against crime when based on genuinely objective reasonable grounds, the powers to stop and search people are some of the most intrusive available to the police. Their disproportionate use in respect of black, Asian and minority ethnic communities threatens to undermine police legitimacy. As such, it is crucial that all forces use these powers fairly, and demonstrate to the public that they are doing this.<sup>17</sup>

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<sup>17</sup> *Authorised Professional Practice on Stop and Search*, College of Policing, February 2017. Available from: [www.app.college.police.uk/app-content/stop-and-search/](http://www.app.college.police.uk/app-content/stop-and-search/)



HMICFRS has assessed the police's use of its stop and search powers on a number of occasions.<sup>18</sup> Our 2015 legitimacy inspection<sup>19</sup> found that too many forces were not always recording reasonable grounds on their stop and search records. In 2017, we reviewed the reasonableness of the grounds again to assess how fairly forces are using stop and search in line with national guidance.<sup>20</sup> Also, we assessed how the forces scrutinise use of these powers.

### **Understanding of national guidance**

Stop and search training material is comprehensive. It covers unconscious bias and procedural law, and is heavily focused on the College of Policing's authorised professional practice (APP) on stop and search. Officers have a thorough understanding of how to use stop and search powers fairly and respectfully, and in line with the NDM and the Code of Ethics.

The force has issued all officers with stop and search notes and new 'How to complain cards' that explain how people can make a complaint.

Kent Police provides stop and search training to all frontline officers during their annual personal safety training, and it gives all new officers training about powers of arrest, including Code G, and stop and search with scenario-based examples. Since January 2017, the force has also been giving new recruits a structured two-day training session, one day focused on stop and search, and the second on mental health problems. Unconscious bias and ethics elements run through all the force's training including that for specialist roles such as firearms. Managers are responsible for ensuring that the ethical messages are reinforced with their staff.

From June 2017, it will give all frontline staff this training. From the same date, it will provide supervisors with an enhanced course which will also cover disproportionality, fairness, reasonable grounds, dip testing and quality assurance responsibility, and recognising, preventing and reporting misuse of powers.

The force's mobile device project is due to launch a new stop and search application in December 2017. This is expected to include prompts and reminders around reasonable grounds, which will help officers to record enough information to justify their actions.

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<sup>18</sup> *Stop and Search Powers – are the police using them effectively and fairly?* HMIC, July 2013. Available at: [www.justiceinspectorates.gov.uk/hmicfrs/publications/stop-and-search-powers-20130709/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/stop-and-search-powers-20130709/) and *Best Use of Stop and Search revisits*, HMIC, September 2016. Available from: [www.justiceinspectorates.gov.uk/hmicfrs/publications/best-use-of-stop-and-search-revisits/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/best-use-of-stop-and-search-revisits/)

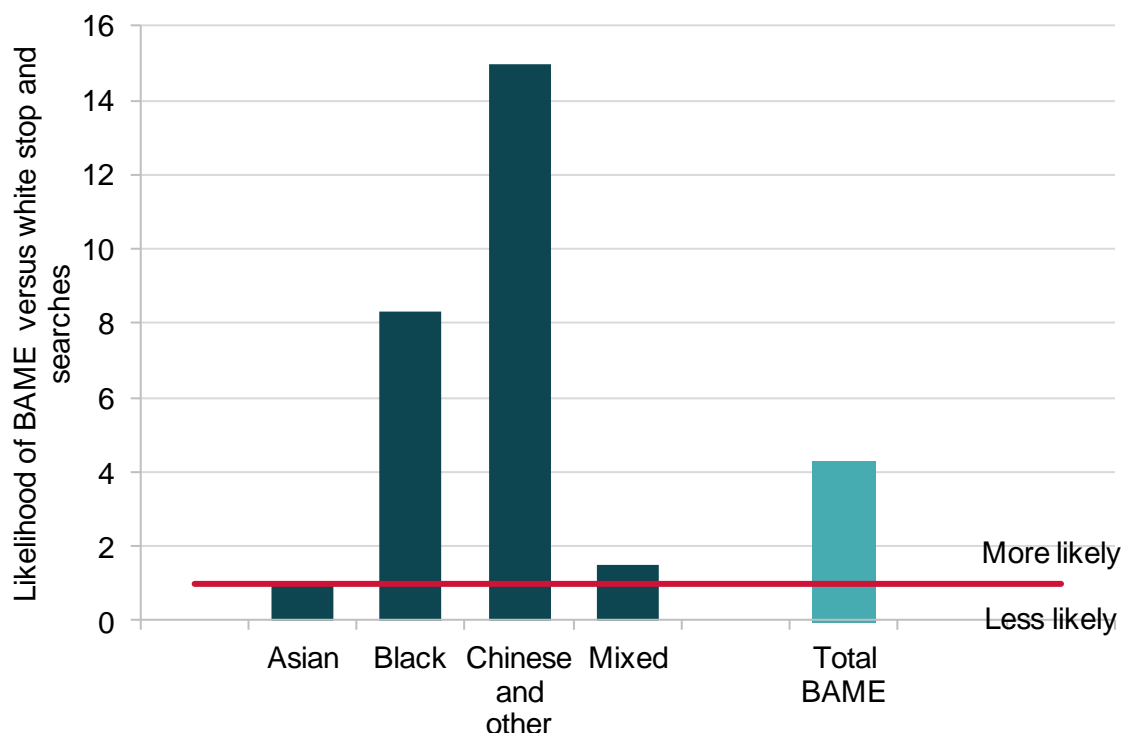
<sup>19</sup> *Police legitimacy 2015 – a national overview*, HMIC, February 2016. Available from: [www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/)

<sup>20</sup> See annex A for more information about the methodology for our review of stop and search records.

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

In order to monitor the use of stop and search powers effectively, forces should use a range of data to help them understand how the powers are being used and the subsequent effect on crime, disorder and perceptions in the community. In particular, forces should consider whether the use of stop and search powers is disproportionately affecting one group compared with another. In 2015/16 in the local population of Kent Police, black, Asian and minority ethnic (BAME) people were 4.3 times more likely to be stopped and searched as white people. Chinese people and those from other ethnic groups were 15.0 times more likely to be stopped and searched than white people - the greatest difference in any ethnic group when looking at the likelihood of stop and search compared with white people.

**Figure 1: Likelihood of black, Asian and minority ethnic (BAME) people being stopped and searched (under section 1, PACE)<sup>21</sup> compared with white people, in the local population of Kent Police in the 12 months to 31 March 2016**



Source: Home Office 2016

Kent Police has an effective process for scrutinising comprehensive stop and search data regularly and frequently. These data include age and ethnicity, and other information such as the number of searches conducted, the outcomes, how often an item searched for was found, whether the grounds of the search were reasonable, and the effectiveness of the use of the power. The force's analysts conduct this work and produce a monthly performance report for circulation across the force and

<sup>21</sup> Police and Criminal Evidence Act 1984. Available at: [www.legislation.gov.uk/ukpga/1984/60/section/1](http://www.legislation.gov.uk/ukpga/1984/60/section/1)



presentation to chief officers at the force performance meeting. Also, each month, the force's lead for stop and search dip checks 100 records to assess evidence of reasonable grounds. They then feed back the results to the force and, if required, direct to the individual officer and his or her supervisor.

The force has reviewed the reasons why black people are eight times more likely to be stopped and searched than white people (Figure 1) and assessed that the force's activity to disrupt criminal gangs coming into the county from London is affecting the data. However, it cannot provide unequivocal evidence to support this view. Consequently, it is intending to improve its recording of stop and searches linked to gang disruption to enable it to understand the disparity more effectively. The data also show that Chinese people are 15 times more likely to be stop and searched than white people, but this was found to be incorrect because of the way in which the force had been recording and collating the data. The force reviewed the 16 stop and searches recorded for May 2017 as being of Chinese people. It found that these had all been wrongly coded and that the searches should have been recorded as being of white, black or Asian people. The force has now changed the way it categorises ethnicity, and this should resolve any further concerns of this nature.

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

The force's SIAG and IPAGs provide external scrutiny of the use of stop and search. The force provides a detailed data pack on stop and search for the IPAGs which is as detailed as that used by the force in its own performance meetings. This highlights any disproportionality and the factors that might have had an impact on the data. Local officers attend IPAG meetings in their area to provide background and local knowledge to enhance the data – for example, when operations take place that result in an increased use of stop and search. At these local IPAG meetings, randomly chosen body-worn video footage of a stop and search is reviewed and any feedback is sent to the officer in question, his or her supervisor and the divisional stop and search lead officer for force-wide learning. In addition, there is a force-wide body-worn video panel made up of independent external volunteers recruited by the OPCC. This group meets quarterly to view five examples of body-worn video footage which have been selected at random. The feedback from this panel is taken to the IPAG stop and search scrutiny panel, which sits every three months. An assistant chief constable attends these panels to represent the force. The panels feed back their findings to the force performance board, and to the frontline officers and their supervisors. Updates on action taken and responses from individual officers are taken back to the scrutiny panels. Although the force does not have a bespoke youth scrutiny panel, young people are involved in the scrutiny panels and have included police cadets, young people brought along by adult panel members, and students from local universities. Membership of the scrutiny panels changes regularly and the application process is clear and accessible on the IPAG webpage on the force's website.

The force publishes detailed data on its stop and search activity on its website. The reports are easy to find and those areas of concern, including disproportionality in the search of BAME individuals, are clear to see. The website also explains the rights of individuals subject to stop and search, and it has links and advice on how to make a complaint. The PSD analyses complaints relating to the use of force and stop and search, and it includes relevant data in its monthly report to the OPCC. Information is shared across the force via the intranet and reports to appropriate force boards.

In our 2015 legitimacy inspection, we found that the force was not complying fully with the Best Use of Stop and Search (BUSS) scheme in two respects. First, reporting and publishing outcomes, including showing the connection between outcomes and objects searched for, and secondly, providing opportunities for the public to observe the use of stop and search powers. The force has responded to these matters. It is now recording the full range of outcomes and identifying whether there is a connection between the outcome and the object of the search. In addition, it now gives members of the public opportunities to go on 'ride-alongs' with officers. To date, 18 people have been on a ride-along, and another five are on the waiting list. Volunteers for the scheme are found and organised by the OPCC.

### **Reasonable grounds for use of stop and search**

The Police and Criminal Evidence Act 1984 requires that, to stop and search a person, the grounds to suspect that person of being in possession of a stolen or prohibited article must be reasonable and that the grounds must be recorded on the stop and search record.<sup>22</sup>

In our 2013 inspection into the police use of stop and search powers,<sup>23</sup> 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 Kent Police, the 2013 inspection showed that 64 of 200 records reviewed did not have grounds recorded that were considered reasonable. In 2015, as part of our PEEL legitimacy inspection,<sup>24</sup> we carried out a further review of the recorded grounds in a sample of stop and search records. In that inspection, our review of 100 records found that 13 did not have reasonable grounds recorded.

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<sup>22</sup> Police and Criminal Evidence Act 1984. Available at: [www.legislation.gov.uk/ukpga/1984/60/contents](http://www.legislation.gov.uk/ukpga/1984/60/contents)

<sup>23</sup> *Stop and Search Powers: Are the police Using Them Effectively and Fairly?* HMIC, 2013. Available at: [www.justiceinspectorates.gov.uk/HMICFRS/publications/stop-and-search-powers-20130709/](http://www.justiceinspectorates.gov.uk/HMICFRS/publications/stop-and-search-powers-20130709/)

<sup>24</sup> *PEEL: Police Legitimacy 2015*, HMIC, 2016. Available at: [www.justiceinspectorates.gov.uk/HMICFRS/publications/police-legitimacy-2015/](http://www.justiceinspectorates.gov.uk/HMICFRS/publications/police-legitimacy-2015/)

During our 2017 inspection, we reviewed 200 stop and search records. Five records did not have grounds recorded that we considered reasonable. It is important to note that a lack of reasonable grounds on the stop and search record does not necessarily mean that reasonable grounds did not exist in reality at the time of the stop and search.

In 77 of the 200 records we reviewed, the item searched for was found. This is an important measure - confirming or allaying an officer's suspicions is the primary purpose of the powers. Finding the item searched for is one of the best indications that the grounds for the suspicions are likely to have been strong.

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

|   | <b>2013</b> | <b>2015</b> | <b>2017</b> |
|---|-------------|-------------|-------------|
| Records not containing reasonable grounds | 64 of 200   | 14 of 100   | 5 of 200    |
| Item searched for found                   | –           | –           | 77 of 200   |

## Summary of findings



**Outstanding**

Kent Police is outstanding at treating the people it serves with fairness and respect. The force's vision and values emphasise the importance of fair and respectful treatment and are understood by the whole workforce. The workforce receives effective training that covers unconscious bias, communication skills and the use of coercive powers such as stop and search. Officers are able to demonstrate their understanding of these issues.

The force monitors the use of stop and search and has carried out research to understand its disproportionate use. It considers that disproportionality in the use of stop and search among the black, Asian and minority ethnic (BAME) communities is due to its activities to disrupt gangs coming into the county from London. The force intends to improve how it records stop and searches linked to gang disruption so that it can understand disproportionality better. Independent advisory groups with a diverse membership that includes young people provide effective external scrutiny and feedback. Governance of the use of force is clear and lessons learned are communicated with the workforce. However, the force needs to ensure that all officers and supervisors understand what constitutes reasonable grounds for stop and search and record them correctly.

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

In HMICFRS' 2017 legitimacy inspection, we continued to focus on the extent to which forces develop and maintain an ethical culture to reduce unacceptable types of behaviour among their workforces. We also returned to look at how well forces are handling complaints and misconduct cases,<sup>25</sup> as opposed to last year's focus on how well forces are guarding against corruption.<sup>26</sup>

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

Research tells us that the best way to prevent wrongdoing is to promote an ethical working environment or culture.<sup>27</sup> Police leaders need to promote ethical principles and behaviour and act as role models, in line with the Code of Ethics.<sup>28</sup> Officers and staff should feel confident that they can apply these principles to their decision-making. This year, we focused on the way that the leaders of forces demonstrate ethical behaviour and the way that forces approach ethical decision-making across the entire workforce. In addition, where forces had failed to comply with all aspects of the national vetting standards in 2016, we assessed whether their plans are credible and are likely to be compliant by December 2018.<sup>29</sup>

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<sup>25</sup> *Police legitimacy 2015 – a national overview*, HMIC, February 2016. Available from: [www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/)

<sup>26</sup> We did, however, undertake a review of forces' plans in response to our PEEL legitimacy 2016 national report recommendation. The report of our findings is available here: [www.justiceinspectorates.gov.uk/hmicfrs/publications/peel-police-legitimacy-2016/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/peel-police-legitimacy-2016/)

<sup>27</sup> *Promoting ethical behaviour and preventing wrongdoing in organisations*, College of Policing, 2015. Available at: [http://whatworks.college.police.uk/Research/Documents/150317\\_Integrity\\_REA\\_FINAL\\_REPORT.pdf](http://whatworks.college.police.uk/Research/Documents/150317_Integrity_REA_FINAL_REPORT.pdf)  
*The role of leadership in promoting ethical police behaviour*, College of Policing, 2015. Available at: [http://whatworks.college.police.uk/Research/Documents/150317\\_Ethical\\_leadership\\_FINAL\\_REPORT.pdf](http://whatworks.college.police.uk/Research/Documents/150317_Ethical_leadership_FINAL_REPORT.pdf)

<sup>28</sup> *Code of Ethics: A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales*, College of Policing, 2014. Available from: [www.college.police.uk/What-we-do/Ethics/Pages/Code-of-Ethics.aspx](http://www.college.police.uk/What-we-do/Ethics/Pages/Code-of-Ethics.aspx); *Literature review – Police integrity and corruption*, HMIC, January 2015. Available from: [www.justiceinspectorates.gov.uk/hmicfrs/publications/integrity-matters/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/integrity-matters/)

<sup>29</sup> HMICFRS' recommendation in December 2016 was that (i) Within six months, all forces not already complying with current national vetting policy should have started to implement a sufficient plan to do so and (ii) Within two years, all members of the police workforce should have received at least the lowest level of vetting clearance for their roles. The ACPO/ACPOS National Vetting Policy as

## **Leaders as ethical role models**

The leadership of the force continues to provide an extremely positive ethical approach to policing. The Essex Police and Kent Police leadership strategy sets out very clearly the expectations of all leaders in the forces. Kent Police's leadership training and development are directly linked to this document. The force has provided further development opportunities for its leaders, holding seminars on subjects such as personal responsibility, resilience and managing vulnerability, with notable external speakers such as Terry Waite and Sir Bernard Hogan-Howe, who, at the time, was the Commissioner of the Metropolitan Police Service. The culture and ethics boards remain active and involved, with excellent attendance from a broad range of staff. Topics that have come under scrutiny include the setting of personal development objectives, with the chief constable giving very clear guidance that these must be personal to the individual. Another subject of debate has been the interpretation of the force's dress code about tattoos, with staff seeking a standard application of the policy across the force. This has been supported, and it means that staff have a clear understanding of how the dress code will be applied across all areas of the force. The ethics board has discussed and agreed numerous policies, including the overtime policy and the dress code. Officers continue to be highly supportive and enthused by the force's ethical approach to policing and we found that they are willing to challenge unethical behaviour, whether it is by their peers or by officers who are more senior. Leaders are aware of the importance of acting effectively as role models and they often do so by working alongside officers or visibly promoting their activities in this area. The chief officers regularly clarify and reinforce acceptable and unacceptable behaviours, and the chief constable raises such issues in his regular 'Ask the chief' blog.

The force's website publishes full details of chief officers' pay and expenses, and these are easily found under the leadership area of the site. They include explanations for some figures which appear strange but which result from collaboration between forces – for example, Kent Police and Essex Police share the cost of several roles and the information reflects this. The website also includes information on gifts and hospitality and expenses of chief officers and other senior officers, and there is a full list of secondary business interests which details all those held by any staff member in the force.

## Ethical decision making

Kent Police has policies and procedures that comply with its equality duty and reflect the Code of Ethics. These are available from the force's website. All new policies and existing policy updates are sent out for consultation to a range of internal departments including the PSD, human resources, the equality and diversity department and staffing associations. Many are also reviewed by the ethics board and external partners – for example, the IPAG and critical incident advisers<sup>30</sup> consulting on the force's policies on so-called honour-based abuse, forced marriage and female genital mutilation. The force's security and integrity committee sits every three months and is chaired by the director of corporate services. It considers a range of ethical and integrity issues including gifts and hospitality, drug and alcohol misuse, and disclosure of information. The committee seeks to ensure that the force is operating within an ethical framework that promotes, reinforces and supports the highest professional standards. The PSD regularly publishes areas of concern highlighted by the public and the workforce, as well as lessons learned. In our 2016 legitimacy report, we stated that the force did not have an anti-corruption control strategy but instead an 'integrity model', which was in line with the National Crime Agency's counter-corruption strategic assessment. This year, the force has developed an anti-corruption control strategy that identifies the most important areas for the force, and it has prioritised eight principal areas that have been fully developed. However, the strategy was only completed during the period of our inspection. It is therefore very new, and it is not yet possible to assess how well officers working in the anti-corruption field understand it or how they will use it to direct their work.

The force has provided, and continues to provide, extensive training on ethical decision making to the entire workforce. This includes ethical scenarios based on examples from Kent Police. The student police officer course for all new officer recruits covers ethical decision making in a session on the NDM and a two-hour session on the Code of Ethics, both with supporting scenarios. Training for new police staff members also includes training on the code. The PSD provides a bespoke session to all new recruits, officers and police staff. This session explains, among other ethical issues, what constitutes misconduct and gross misconduct, and includes a discussion on common complaints made by the public. Leadership development courses for inspectors, sergeants and police staff equivalents include sessions on ethics and fairness that comply with the National Occupational Standards (NOS). We found that officers and staff have an excellent understanding of ethical policing, and that all are willing to challenge unethical behaviour wherever they may find it, whether it is by their peers or by more senior officers. The force has

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<sup>30</sup> Independent critical incident advisers (ICIAs) are generally people who are members of the force's IPAG, staff from diversity support associations and other people from volunteer groups, public services, professional bodies, individual networks and community groups. ICIAs will offer independent critical advice during the ongoing management of a live or potential critical incident.

sought to establish an ethical and learning culture as opposed to a blame culture. The effectiveness of this can be seen in the vibrant culture present in the force, and other forces are visiting Kent to gain an understanding of how the force has succeeded in this area.

## **Vetting**

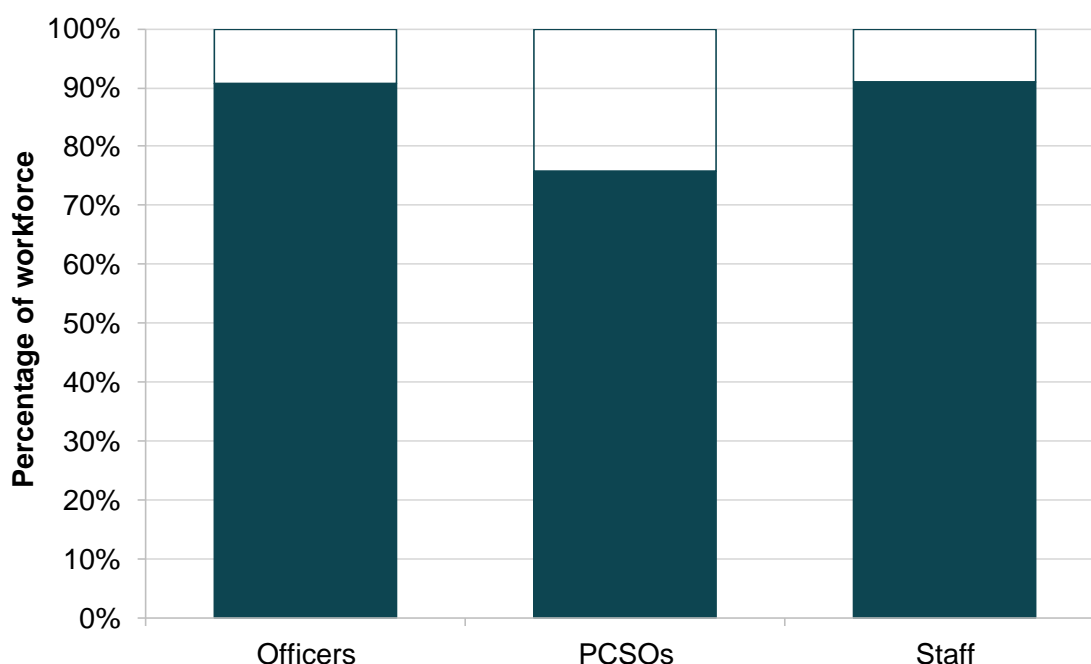
During our 2016 legitimacy inspection we considered the extent to which the force was ensuring that it was developing and maintaining an ethical culture through effective vetting. We found that Kent Police was not complying with all aspects of the national vetting standards. It was not reviewing open source information such as that found on the internet – for example, via search engines and social networking sites.<sup>31</sup> During this year's inspection we assessed the force's plan for addressing these matters, and found that it is now reviewing open source information for all new recruits and will extend this to its re-vetting procedure for current staff. We also found that the force is actively reducing its current backlog of about 400 staff awaiting re-vetting. The force's plans to resolve these matters are well developed and credible.

It is important that re-vetting takes place regularly, and before an officer or member of staff is promoted or posted to a high-risk unit. During this year's inspection we asked Kent Police to provide us with data on the percentage of its workforce which had up-to-date security clearance. The data we received showed that on 31 January 2017, 91 percent of officers, 76 percent of PCSOs, and 91 percent of staff had up-to-date security clearance, as illustrated in figure 2.

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<sup>31</sup> HMICFRS' recommendation in December 2016 was that (i) Within six months, all forces not already complying with current national vetting policy should have started to implement a sufficient plan to do so and (ii) Within two years, all members of the police workforce should have received at least the lowest level of vetting clearance for their roles. The ACPO/ACPOS National Vetting Policy was 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/](http://www.app.college.police.uk/app-content/professional-standards/vetting/)

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



Source: HMICFRS Legitimacy data collection

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

An accessible complaints system is crucial to building public confidence in the police and to a force's ability to improve the extent to which its workforce acts ethically and lawfully. As such, we assessed how easy it is for the public to make a complaint – including how well forces support those people that may require additional help to gain access to the complaints process.<sup>32</sup> Also, we used a review of case files to assess the level of information provided to complainants and looked at how well forces keep complainants updated about the progress of their complaints.

### Ease of making a complaint

Kent Police provides clear, useful and accessible information on its website about how to make a complaint. This is easy to find under the services section of the site or by searching for 'complaint'. It also explains what happens once a complaint has been made, and suggests ways to raise a complaint other than via the force itself.

<sup>32</sup> These could include people with learning difficulties, mental health issues, young people or people whose first language is not English. *IPCC Statutory Guidance to the police service on the handling of complaints*, IPCC, May 2015. Available at: [www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/2015\\_statutory\\_guidance\\_english.pdf](http://www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/2015_statutory_guidance_english.pdf) and *Access to the police complaints system*, IPCC, September 2015. Available at: [www.ipcc.gov.uk/sites/default/files/Documents/research\\_stats/Access\\_to\\_the\\_police\\_complaints\\_system.pdf](http://www.ipcc.gov.uk/sites/default/files/Documents/research_stats/Access_to_the_police_complaints_system.pdf)



The stop and search area of the website also advises people who have been subject to stop and search and may wish to make a complaint how to do so – for example, in writing, online or by calling a bespoke number. We found information on how to make a complaint in most, but not all, front counter areas of police stations we visited. The force's community liaison officers are expected to distribute posters, which provide information about how to make a complaint, to village halls, doctors' surgeries, community centres and places of worship. This provision of printed information and posters will help people from communities which have less confidence in the police, and might be less likely to complain.

There are customer service staff within the control room who have received additional training on dealing with complaints, and indeed compliments, that they receive. This offers the public a quick and easy method to raise concerns, and in some cases to have these concerns dealt with without the need for them to make a formal complaint. The force uses Facebook and Twitter to advertise the complaint process, and it works with the Maidstone advocacy service to offer support to complainants with mental health problems who might otherwise struggle with the process. We carried out a file review of 25 public complaints, and found one case where the complainant had needed additional support but this was not provided.

### **Keeping complainants updated**

All complaints received by the force are reviewed by the PSD prior to allocation. Most are sent to local officers in the policing areas for investigation. When forces record public complaints, the Police Reform Act 2002 and the Police (Complaints and Misconduct) Regulations 2012 require them to provide the complainant with a copy of the complaint record. The IPCC statutory guidance extends this by stating that complainants should receive an explanation of the possible ways the complaint may be dealt with, and advised who will be dealing with the complaint, (including contact details).

We found that out of 25 complaint files recorded by Kent Police, only ten contained evidence that all these legal requirements had been complied with.

Once a public complaint investigation has started, forces have a statutory duty to keep complainants informed of its progress every 28 days. Updates should contain enough information to make them meaningful – including, 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 give the likely timescale for completing the investigation and any revisions to this. It is clear from evidence provided by the force that officers who are allocated complaints for investigation are made aware of these requirements. The legislative requirement to update the complainant regularly is included in the form which officers use to document their investigation. It has also been published on the intranet and raised by the PSD in discussions with officers, including at local culture board meetings. Despite this, we found that only seven of the 25 complaint

cases we reviewed recorded regular updates to complainants, but that these seven were found to be sufficiently informative. This means that even though the force may be handling complaints well, complainant satisfaction is likely to be lower because the force does not appear to be providing complainants with the information which the law entitles them to, or keeping them updated.

When public complaints are finalised, the force is required to give the complainant the findings of the report, its own determinations and information on the complainant's right of appeal. We found that 23 of the 25 complaint files contained evidence that all these legal requirements had been complied with. In order to improve investigations being dealt with by officers based in the local policing commands, the force has recently introduced three complaint managers whose role is to work with investigating officers and to track investigations to ensure that updates are provided correctly. They also provide input and some training to investigating officers in local policing areas.

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

For the public to have confidence in the police and the police complaints system, it is vital that allegations of discrimination arising from police complaints, conduct matters, and death and serious injury investigations are handled fairly and appropriately. We reviewed complaint, misconduct and grievance files to assess the extent to which forces identify and respond to discrimination appropriately and at the earliest opportunity (including referrals to the IPCC), and the extent to which these allegations are investigated in accordance with the IPCC guidelines for handling allegations of discrimination.<sup>33</sup>

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

The workforce has a good understanding of what discrimination is and the effect it has, and it generally identifies and responds to initial reports appropriately. Training given to the workforce includes sessions on equality, the nature of the nine protected characteristics<sup>34</sup> and the difference between the types of discrimination (direct, indirect, by association, by perception). The equality and diversity board provides oversight of the force's response to its legal responsibilities to protect people who

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<sup>33</sup> See annex A for more information about our case file review. *IPCC guidelines for handling allegations of discrimination*, IPCC, September 2015. Available at: [www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/Guidelines\\_for\\_handling\\_allegations\\_of\\_discrimination.pdf](http://www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/Guidelines_for_handling_allegations_of_discrimination.pdf)

<sup>34</sup> The Equality Act 2010 defines the following characteristics as protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation. Available from: [www.legislation.gov.uk/ukpga/2010/15/section/4](http://www.legislation.gov.uk/ukpga/2010/15/section/4)

share a protected characteristic from any form of discrimination. The board highlights the work of staff support groups and co-ordinates activity to improve any areas of concern, including supporting improvements in the recruitment, retention and progression of officers and staff from diverse backgrounds and under-represented groups.

During our case file review, we looked at ten complaints and four internal misconduct cases that the force had identified as containing an allegation of discrimination. We also looked at an additional 15 complaints and ten misconduct cases which we considered might contain unidentified allegations of discrimination. We found that the force had failed to identify one complaint and two internal misconduct cases which contained allegations of discrimination.

To provide external scrutiny, the Police (Complaints and Misconduct) Regulations 2012 require 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 identified that five of the force's complaints and one of the force's internal misconduct cases which we reviewed met the referral criteria. We were pleased to see that the force had correctly referred all of these. However, two of the misconduct cases we identified which the force had failed to identify also met the referral criteria, but had not been referred. They have since been referred.

The PSD conducts audits to search for trends and comparators and to identify knowledge that can be shared across the force. In addition, the Office of the Police and Crime Commissioner carries out a monthly audit of complaint reports that includes the review of all cases involving discrimination. If they assess that a complaint could have been investigated more effectively, recommendations are made and referred back to the PSD, the officer concerned, and his or her supervisor.

### **Investigating allegations of discrimination**

Officers and staff who investigate allegations of discrimination have a good understanding of equality and diversity issues and apply the IPCC discrimination guidelines to most cases. We looked at ten public complaint cases that the force had recorded as containing an allegation of discrimination. We considered whether these allegations had been investigated satisfactorily in accordance with the IPCC guidelines for handling allegations of discrimination, and we assessed that all these cases had been investigated satisfactorily. We also considered whether, overall, the complainant making an allegation of discrimination had received a good service from the force. We found that all complainants had received a good service. The PSD provides oversight and guidance to discrimination investigations with face-to-face meetings held between PSD staff and the investigating officer to provide continuing support and advice. If an investigation is the subject of an appeal by the complainant, the appeal findings are shared with the investigating officer for his or her information and future reference.

## Summary of findings



**Good**

Kent Police is good at ensuring that its workforce behaves ethically and lawfully. The force's policies and procedures comply with the Code of Ethics. Leaders are aware of the importance of an ethical approach and act as ethical role models. Officers and staff receive continuing advice and extensive training on ethical decision-making and have an excellent understanding of ethical policing. The force does not meet national vetting standards, but has an achievable plan to address this.

The force provides clear information on its website about how to make a complaint, and we found this information in most front counter areas of police stations we visited. The force should ensure it provides all complainants with the correct information when they first make a complaint and informative updates at the required intervals. The workforce has a good understanding of discrimination and generally identifies and responds to initial reports appropriately. The investigations we assessed were conducted well and complainants received a good service. The force needs to ensure it always refers internal misconduct cases involving allegations of discrimination to the IPCC.

### **Area for improvement**

- The force should improve its compliance with IPCC statutory guidance, including the way in which it keeps complainants updated as to the progress of their complaint.

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

A workforce that feels it is treated fairly and with respect by its employers is more likely to identify with the organisation, and treat the public in a similarly fair and respectful way. Conversely, perceived unfairness within police organisations can have a detrimental effect on officer and staff attitudes and types of behaviour.<sup>35</sup> As such, this concept of ‘organisational justice’, and its potential effect on ‘procedural justice’ forms an important part of HMICFRS’ assessment of police legitimacy and leadership. As no comparative data exist on how fairly officers and staff perceive forces have treated them, we continue to focus our assessment on how well forces identify individual and organisational concerns within their workforces and act on these findings.

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

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

Research suggests that forces that involve officers and staff in decision-making processes, listen to their concerns, act on them, and are open about how and why decisions were reached, may improve workforce perceptions of fair and respectful treatment.<sup>36</sup> HMICFRS assessed how well force leaders seek feedback from their workforces and use this, alongside other data and information – including that on grievances<sup>37</sup> – to identify, understand, prioritise and resolve their workforces’

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<sup>35</sup> *Fair cop 2: Organisational justice, behaviour and ethical policing*, College of Policing, 2015.

Available at:

[http://whatworks.college.police.uk/Research/Documents/150317\\_Fair\\_cop%202\\_FINAL\\_REPORT.pdf](http://whatworks.college.police.uk/Research/Documents/150317_Fair_cop%202_FINAL_REPORT.pdf) and *Organisational justice: Implications for police and emergency service leadership*, Herrington, C. and Roberts, K. AIPM Research Focus, Issue 2, 2013. Available at: [www.aipm.gov.au/wp-content/uploads/2013/08/Org-Justice-Final.pdf](http://www.aipm.gov.au/wp-content/uploads/2013/08/Org-Justice-Final.pdf)

<sup>36</sup> *Ibid.*

<sup>37</sup> Grievances are concerns, problems or complaints that a member of staff raises formally with an employer, so data on numbers and types of grievances can provide forces with useful information about matters of concern to their workforces.

concerns. Part of our assessment involved reviewing a small number of grievance cases to assess if these adhere to Acas guidance and the Code of Practice.<sup>38</sup>

Unfairness, or perceived unfairness in recruitment processes, opportunities and limited career progression can lead to good officers and staff leaving the service prematurely and fewer women and people from black, Asian and minority ethnic (BAME) communities wanting to join the police in the first place. As such, we re-examined how well forces address disproportional workforce representation in a variety of areas – including recruitment, retention and progression for those people with protected characteristics.<sup>39</sup> We looked at the treatment of BAME officers and staff subject to allegations of misconduct – to improve fairness at work and to make forces more representative of the communities they serve.<sup>40</sup>

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

In 2016, we found that Kent Police was outstanding at treating its workforce with fairness and respect, and we have consequently not actively sought evidence on this matter again this year. We are, however, reporting on further efforts that we have become aware of during our inspection of the force.

The culture and ethics boards remain effective and are very well supported by the workforce. Documentary evidence shows that the force continues to understand fully concerns about fairness, including grievances, complaints and misconduct matters. Data and information on these areas are reviewed by the human resources department and any problems are taken to the appropriate executive board. This means that the force is able to respond quickly to identified problems.

Grievances for both officer and police staff are dealt with by the human resources department. We found that all the nine grievance cases we reviewed showed excellent decision making, a clear audit trail and regular contact with the parties involved.

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<sup>38</sup> *Code of Practice on Disciplinary and Grievance Procedures*. Acas 2015. Available from [www.acas.org.uk/media/pdf/f/m/Acas-Code-of-Practice-1-on-disciplinary-and-grievance-procedures.pdf](http://www.acas.org.uk/media/pdf/f/m/Acas-Code-of-Practice-1-on-disciplinary-and-grievance-procedures.pdf). Also *Discipline and grievances at work: The Acas guide*, Acas, August 2017. Available from: [www.acas.org.uk/media/pdf/9/g/Discipline-and-grievances-Acas-guide.pdf](http://www.acas.org.uk/media/pdf/9/g/Discipline-and-grievances-Acas-guide.pdf)

<sup>39</sup> The Equality Act 2010 defines the following characteristics as protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation. Available from: [www.legislation.gov.uk/ukpga/2010/15/section/4](http://www.legislation.gov.uk/ukpga/2010/15/section/4)

<sup>40</sup> We last examined these issues as part of our 2015 PEEL legitimacy inspection. See *Police legitimacy 2015 – a national overview*, HMIC, February 2016. Available from: [www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/](http://www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/)

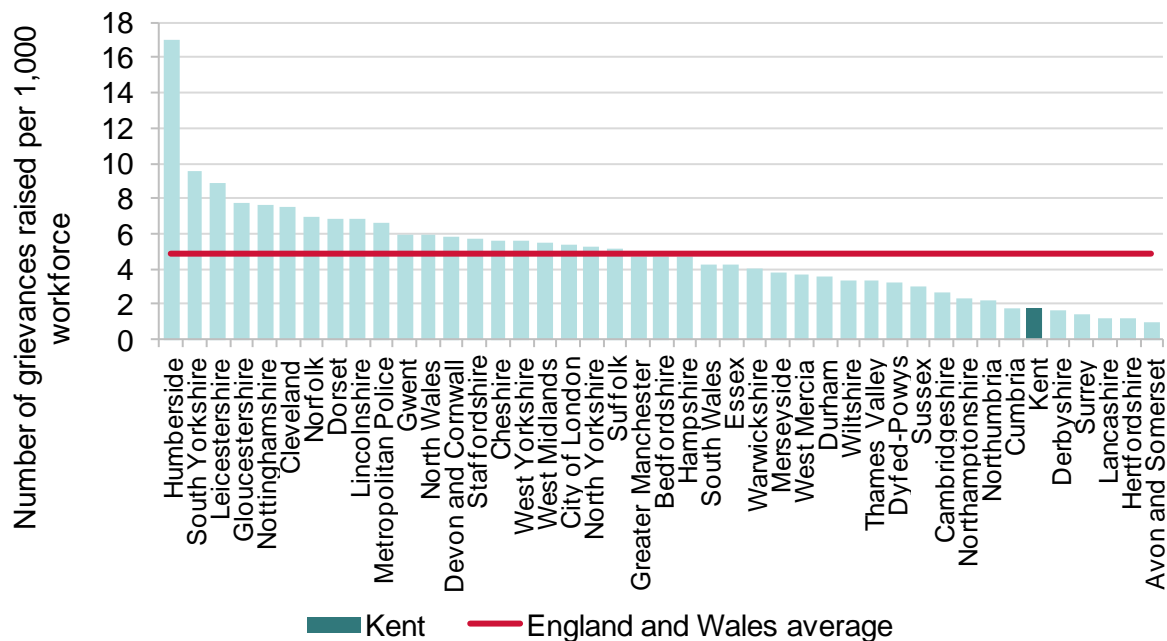
## Identifying and resolving workforce concerns

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

All forces have grievance procedures but the number of grievances in each force differs widely across England and Wales. We requested data for the ten months from 1 April 2016 to 31 January 2017 on the number of grievances raised by the workforce. Figure 3 below shows that Kent Police 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.

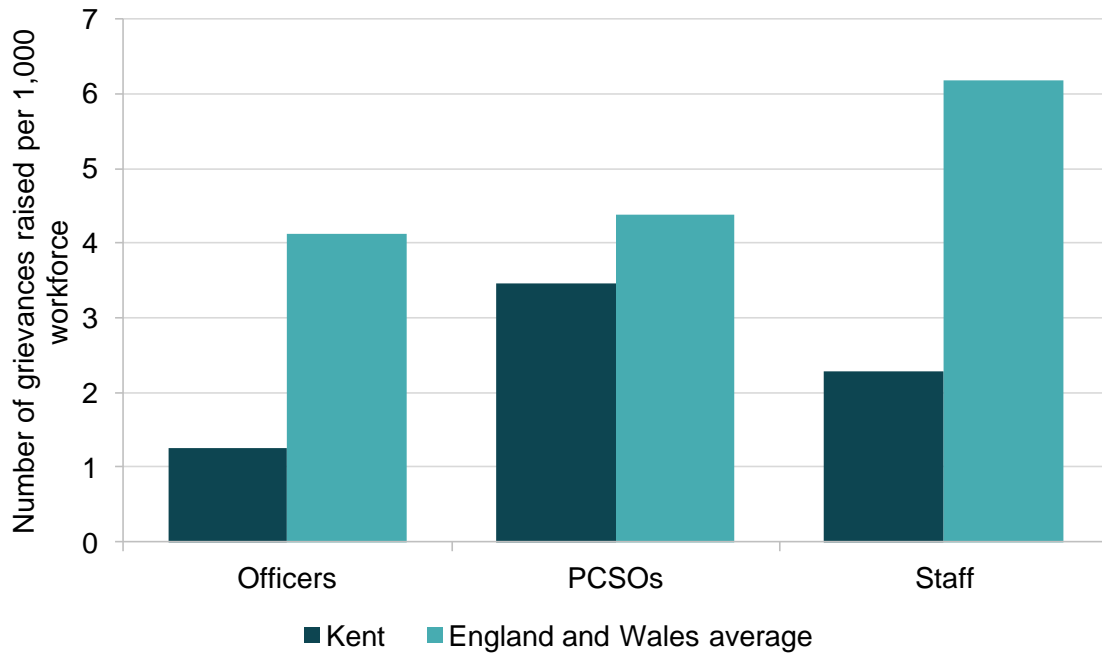
Figure 4 shows that the number of grievances raised by officers in Kent Police was 1.3 grievances per 1,000 officers, and the England and Wales average of 4.1 grievances per 1,000 officers. In the same period PCSOs raised 3.5 grievances per 1,000 PCSOs, and the England and Wales average was 4.4 grievances per 1,000 PCSOs. Police staff raised 2.3 grievances per 1,000 staff in the same period; and the England and Wales average was 6.2 grievances per 1,000 staff.

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



Source: HMICFRS Legitimacy data collection

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



Source: HMICFRS Legitimacy data collection

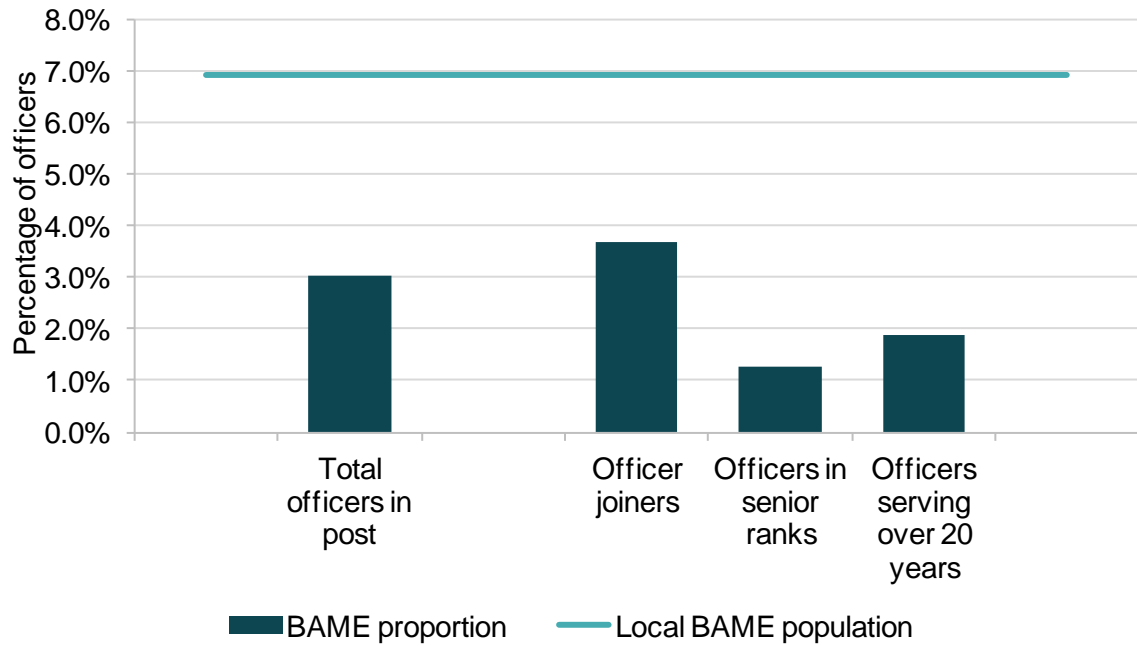
### Creating a more representative workforce

To assess how well the force reflects the local population, we considered data on the number of women and people from black, Asian and minority ethnic (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 Kent Police, the 2011 census indicates that BAME people made up 6.9 percent of the local population. In 2016/17, in Kent Police 3.0 percent of officers were BAME (see figure 5). In relation to officers, 3.7 percent of those joining the force, 1.3 percent of those in senior ranks and 1.9 percent of those who had served over 20 years were BAME.



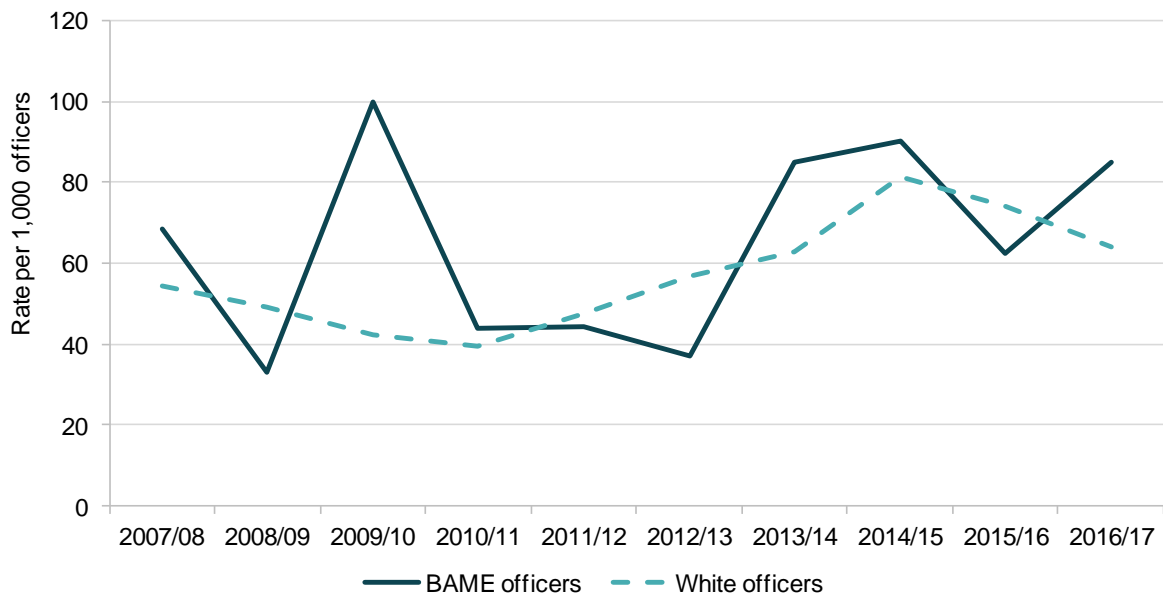
**Figure 5: Percentage of officer joiners, officers in post, officers in senior roles and officers serving over 20 years who are black, Asian and minority ethnic (BAME), in Kent Police in 2016/17, compared with the percentage of BAME people in the local population**



Source: Home Office Annual Data Requirement

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

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

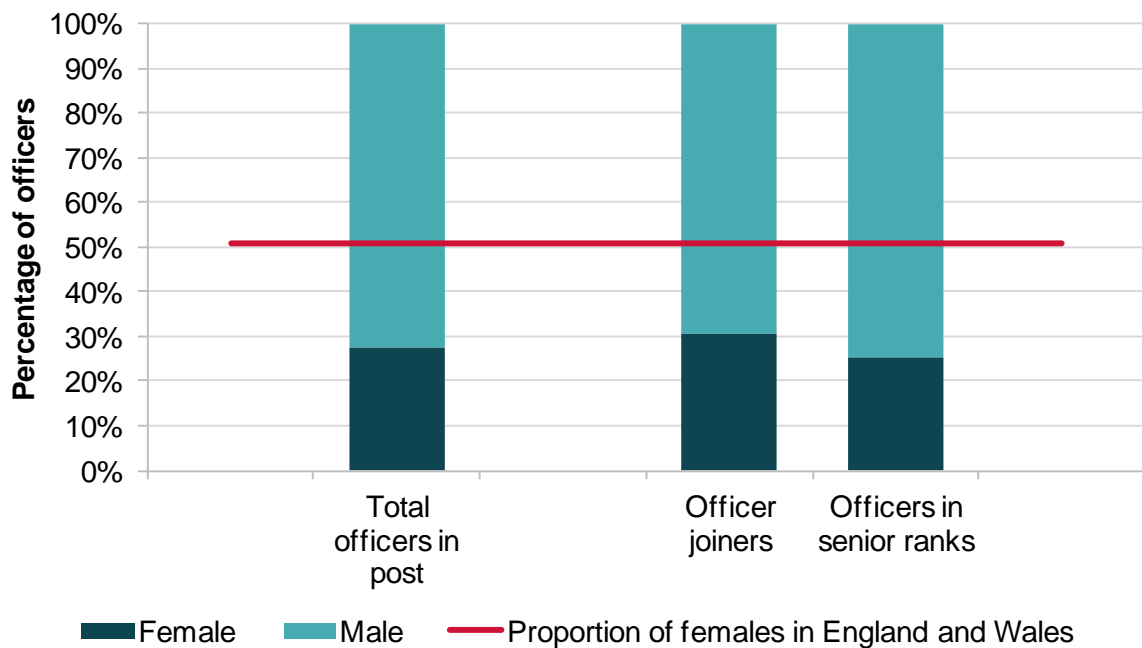


Source: Home Office Annual Data Requirement

In 2016/17 in Kent Police for the equivalent of every 1,000 BAME officers, 85 left the force (see figure 6), while for every 1,000 white officers 64 left. Fluctuations in the BAME officer leaver rate may be due to low numbers of BAME officers in the force.

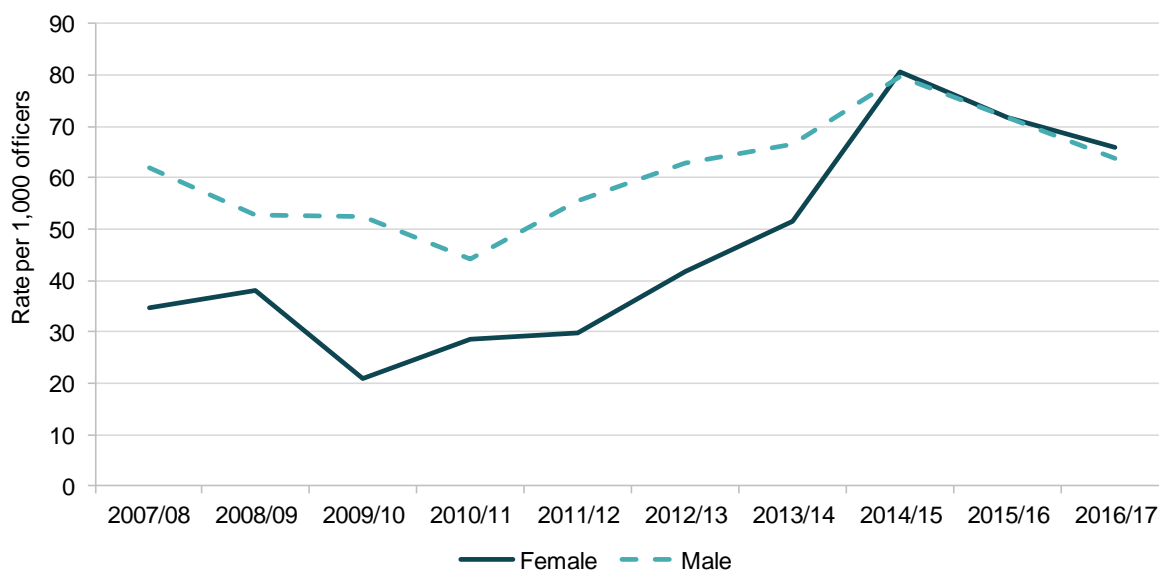
The proportion of female officers is lower than the proportion of females in the general population (51 percent) at 28 percent. In the 12 months to 31 March 2017 in Kent Police, 31 percent of those joining the force and 25 percent of those in senior ranks were female (see figure 7).

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



Source: Home Office Annual Data Requirement

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



**Source: Home Office Annual Data Requirement**

In 2016/17 in Kent Police 66 female officers per 1,000 officers left the force, compared with 64 male officers per 1,000 officers. The force understands the importance of addressing potential disproportionality in the recruitment, retention, progression, complaint and misconduct allegations, and – more widely – for officers and staff with protected characteristics.<sup>41</sup> It has made concerted efforts to increase officer recruitment from BAME communities and, of the number of applications submitted to date in June 2017, 7.5 percent of applications were from BAME candidates, which is higher than the county population profile of 6.9 percent.

There is a positive action inspector who supports the force’s aim to have a workforce that is representative of the local population, with a particular focus on improving representation from BAME communities. There is also a BAME recruitment action group in place that includes members of the IPAG. This group has overseen a variety of ways to increase BAME candidates, including targeted radio advertisements, recruiting presentations to academic institutions, and recruitment staff at fairs. It also has a buddy scheme that is aimed at providing constructive support to people with protected characteristics who might lack confidence in tackling the police selection process. A suitable buddy will become a point of contact for a candidate, ensuring that he or she has the support they need to keep them involved with the process.

<sup>41</sup> The Equality Act 2010 defines the following characteristics as protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation. Available from: [www.legislation.gov.uk/ukpga/2010/15/section/4](http://www.legislation.gov.uk/ukpga/2010/15/section/4)

The BAME staff lead told us that they and the BAME staff they represent are content with the opportunities available to them, and also of their desire not to be singled out for what might look like preferential treatment. That aside, the force may wish to see if any expertise or advice from the Kent network of women (KNOW) scheme, which has become a fundamental and positive part of Kent culture, might offer a way forward. We note the force's use of BAME officers to review the promotion process, and the chief constable's personal work with BAME staff to get a better understanding of any barriers to their progression and how to remove them.

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

Police forces need to understand the benefits of having a healthier workforce – a happy and healthy workforce is likely to be a more productive one, as a result of people taking fewer sick days and being more invested in what they do.<sup>42</sup> HMICFRS assessed how well force leaders understand and promote these benefits by developing a culture that fosters workforce wellbeing, and how well forces use data and information – including feedback from the workforce – to identify and understand their wellbeing. Also, we assessed how well forces use this information to take preventative and early action to support workforce wellbeing at both an individual and organisational level.

### **Understanding and promoting wellbeing**

In March 2017, Kent Police and Essex Police jointly held a health and wellbeing conference to encourage further improvements. A number of senior officers and members of staff from both forces spoke at the event, as well as the national lead for wellbeing, Deputy Chief Constable Andy Rhodes from Lancashire Constabulary.

KNOW recently carried out a female staff survey that has generated numerous improvements including the establishment of a menopause action group to assess how best to support female members of staff. This led to the involvement of an external company called Laughology at leadership events later in the year to inform supervisors of the effects of menopause in the workplace and how they can support staff.

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<sup>42</sup> *Well-being and engagement in policing: the key to unlocking discretionary effort*, Ian Hesketh, Cary Cooper and Jonathan Ivy, 2016, Policing. pp. 1–12. Available from: <https://oscarkilo.org.uk/wellbeing-and-engagement-in-policing-the-key-to-unlocking-discretionary-effort/> Also see <https://fitforwork.org/employer/benefits-of-a-healthy-workforce/>

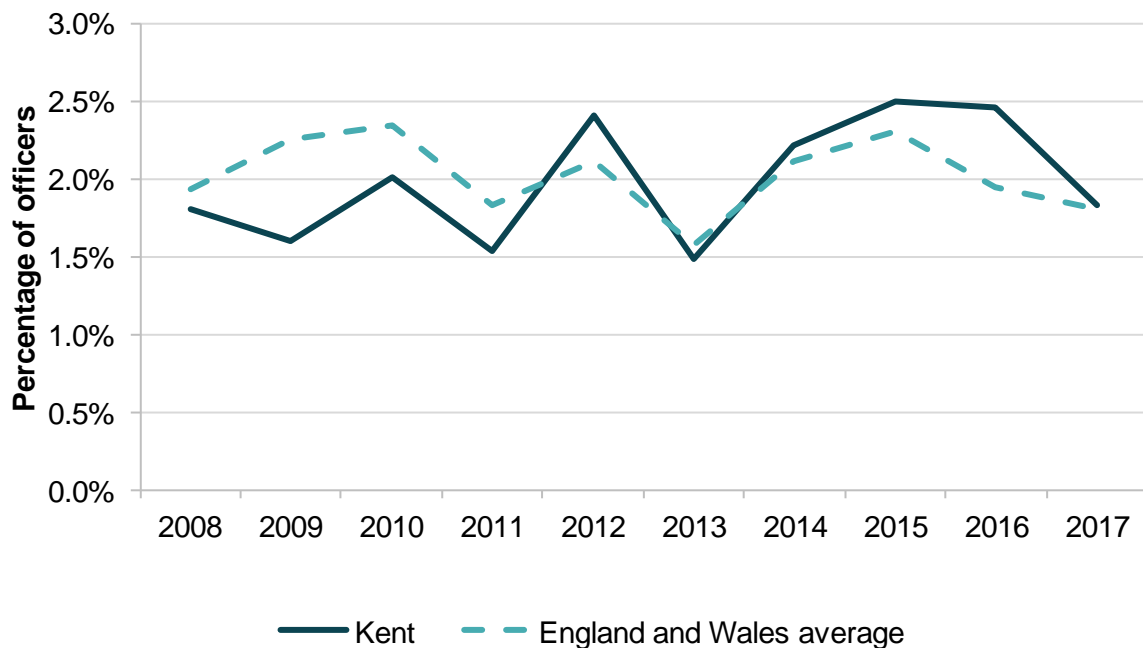
A sign of the force’s determination and intent to succeed in this area is its recent application for formal accreditation for an excellence award under the Workplace Wellbeing Charter.<sup>43</sup>

### 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, in order to help them prevent sickness and manage it when it occurs.

We compared force data on the percentage of police officers, PCSOs and police staff on long-term and short/medium-term sickness absence. On 31 March 2017 in Kent Police, 1.8 percent of officers were on short or medium-term sick leave. The England and Wales average was 1.8 percent. The latest year for which data is available was 2017 which saw a decrease of 0.6 percentage points from the previous year, which is in line with changes in the last ten-year period (see figure 9).

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

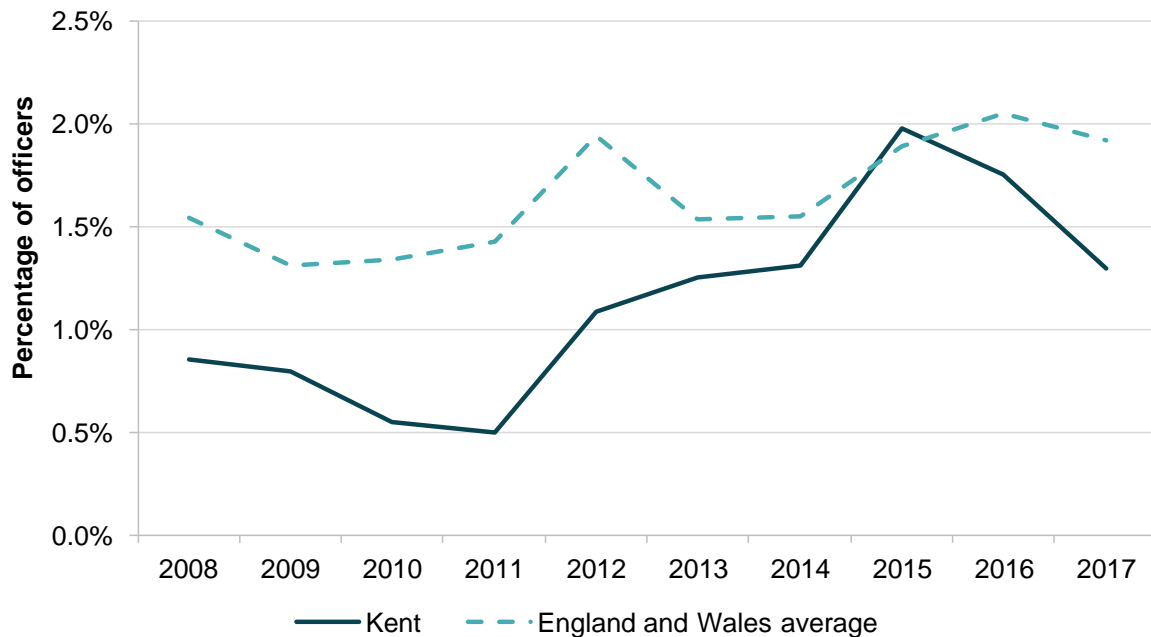


**Source: Home Office Annual Data Requirement**

<sup>43</sup> The Workplace Wellbeing Charter is a voluntary, self-assessment scheme open to all public, private and voluntary sector organisations based in England. The charter lays out standards for businesses to work towards. The independent standards of the charter provide a robust evidence-based process for developing organisational strategy and formal accreditation. The charter focuses on three main areas for development: leadership, culture and communication. There are three levels of award: commitment, achievement and excellence.

On 31 March 2017 the proportion of officers in Kent Police on long-term sick leave was 1.3 percent and the England and Wales average was 1.9 percent. The latest year for which data were available is 2017 which saw a decrease of 0.5 percentage points from the previous year, which is a notably larger decrease than in the previous ten-year period.

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



**Source: Home Office Annual Data Requirement**

Kent Police continues to maintain a comprehensive range of effective and sometimes innovative preventative measures to improve workforce wellbeing. The force has signed up to the Blue Light Time to Change pledge through MIND,<sup>44</sup> the mental health charity. It is using events and promotions of the Time to Change campaign and initiatives to reduce the stigma attached to mental health issues and to support the wellbeing of the force. In the summer of 2016, an anti-stigma poster and film campaign was launched named 'Breaking down barriers'. The film emphasised the central theme of looking after your mental health using the strapline, 'We all have mental health. Are you looking after yours?' The chief and deputy chief constable appeared in the film alongside members of staff. The workforce welcomes the approach taken.

<sup>44</sup> Mind administers the Blue Light programme to provide mental health support for emergency services staff and volunteers from ambulance, fire, police, and search and rescue services across England and Wales.

The performance improvement unit continues to offer a 'one-stop shop' for performance and attendance issues across the force for both officers and staff. The unit offers advice, guidance and support to supervisors and managers confronted with performance and attendance issues.

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

Kent Police holds a monthly force support forum to identify the people within the organisation who might be vulnerable for reasons such as debt, domestic problems, mental and physical illness, suicidal tendencies, stress-related matters and various other causes of concern. The forum offers guidance and advice for managers and real-time help for those in need of support.

Being the subject or a witness of a public complaint or an internal misconduct allegation can be very stressful for members of the workforce, and can affect their wellbeing. Forces should recognise this and should be prepared to provide extra support if required. Unless internal misconduct allegations are referred to the IPCC, forces have full control over the way that they handle them. We reviewed 14 such cases to see whether witnesses and people subject to the allegations received a satisfactory service from the force from initial allegation through to final assessment. We found that in general terms all of those involved received a satisfactory service. However, in only one of these cases did we find regular updates to witnesses and the people who were the subject of allegations.

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

College of Policing research on organisational justice suggests that the process for promoting people and failure to deal with poor performance may have an adverse affect on workforce perceptions of fairness, and this in turn may lead to negative attitudes and types of behaviour in the workplace.<sup>45</sup> In addition, effective performance management and development mitigate risks to the force and ensure continuous improvement. HMICFRS assessed how fairly and effectively forces manage the performance of individual officers and staff, including the value that forces place on continuing professional development (CPD), in line with guidance from the College of Policing.<sup>46</sup> Also, we looked at how fairly forces identify and select

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<sup>45</sup> *Fair cop 2: Organisational justice, behaviour and ethical policing*, College of Policing, 2015.

Available at:

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

<sup>46</sup> College of Policing guidance on the police performance development review (PDR) process is available from [www.college.police.uk/What-we-do/Support/Reviewing-performance/Pages/PDR.aspx](http://www.college.police.uk/What-we-do/Support/Reviewing-performance/Pages/PDR.aspx). See also the College of Policing's competency and values framework. Available from:

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**

Kent Police continues to develop its already very good personal development review (PDR) processes, which now include a feature for both individuals and managers to identify career preferences and plot their current development position. Included within this is a guidance document for managers and staff, offering practical tips for carrying out career progression meetings.

In the 18 months from 1 August 2015 to 31 January 2017, 99 percent of the workforce undertook an annual performance review. Officers and staff we spoke to are supportive of the PDR and of the regular face-to-face review meetings that form part of the process in Kent.

### **Identifying potential senior leaders**

Kent Police has a number of schemes to develop talent and import skills at various levels, and there are very clear succession and talent identification and management processes in place. The police staff leadership pathway (PSLP), a collaborative scheme with Essex Police, has been in place for two years and 12 staff members have enrolled across the two forces. Five staff members have completed the programme and there are seven people currently on the programme. The scheme was subject to an internal review in June 2016 to identify any potential barriers, and recommendations were made and implemented to improve the process. Kent Police, led by the head of human resources and the chief officer team, holds regular 'checkpoint' days to invest time in developing effective succession plans for officers and staff members at the level of inspector and above across the force. It is planned to introduce the same process for sergeants and equivalent police staff grades during 2017/18. The force's intranet describes the process of applying for these internal schemes, which are open for all officers and staff to consider. The force has also held briefings for both the fast-track scheme and the PSLP for interested parties. Officers and staff already on these schemes attended these briefings to answer questions and help people to identify whether a scheme was right for them. The workforce generally values these arrangements and perceives them to be fair. The sound PDR processes within Kent Police actively support the fair development of the workforce.

### **Selecting leaders**

The workforce sees the force's police officer promotion process as being increasingly fair. Before the procedure begins, the chief constable briefs all officers



who are seeking promotion and makes clear his expectations about visible, inspirational and charismatic leadership. The ethics board has discussed workforce concerns about the promotion process, with the results published across the force. Although at the most recent selection process for new assistant chief constables, the chief executive officer of Dover District Council sat on the panel, there is no visible external scrutiny of these processes below the level of chief officer selection.

The force surveys all candidates who have been through the promotion boards to obtain views on the process from application through to post-board feedback. These surveys concluded that feedback to candidates needed to be brought closer to the interview process, and this has been accepted. During the fieldwork phase of our inspection, we spoke to several officers who had been through recent promotion processes, some successfully and some not. All recounted the fairness of the process, and said that they had received bespoke and objective feedback at its conclusion from the deputy chief constable.

## Summary of findings



### Outstanding

In 2016, we found that Kent Police was outstanding at treating its workforce with fairness and respect. This year we have not actively sought further evidence on this aspect, but report on additional activities we identified during our inspection.

The culture and ethics boards continue to be effective and are well supported by the workforce. The force continues to have a good understanding of workforce concerns relating to fairness, including grievances, complaints and misconduct matters.

The force is increasing officer recruitment from black, Asian and ethnic minority (BAME) communities and is continuing its work with its BAME officers and staff to better understand and remove any barriers to their progression.

Kent Police held a joint health and wellbeing conference with Essex Police to encourage further improvements in workforce wellbeing. The force maintains a comprehensive range of effective and sometimes innovative preventative measures to improve workforce wellbeing, including initiatives to reduce the stigma attached to mental health problems.

The force continues to develop its good personal development review processes. These now enable both individuals and managers to identify career preferences and plot their current development position. The force has schemes to develop talent and skills at various levels, including the police staff leadership pathway. The workforce sees the police officer promotion process as fair and candidates report receiving objective feedback.

## Next steps

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

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

## **Annex A – About the data**

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

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

### **Methodology**

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

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

For some datasets, the report states whether the force's value is 'lower', 'higher' or 'broadly in line with' the England and Wales average. This is calculated by using the difference from the mean average, as a proportion, for all forces. After standardising this distribution, forces that are more than 0.675 standard deviations from the mean average are determined to be above or below the average, with all other forces being broadly in line.

In practice this means that approximately a quarter of forces are lower, a quarter are higher, and the remaining half are in line with the England and Wales average for each measure. For this reason, the distance from the average required to make a force's value above or below the average is different for each measure so may not appear to be consistent.

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

#### **Statistical significance**

When commenting on statistical differences, a significance level of 5 percent is used.

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

#### **Population**

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

## **Note on workforce figures**

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

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

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

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

## **Force in numbers**

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

Data may have been updated since the publication. Workforce includes Section 38-designated investigation, detention or escort officers, but does not include Section 39-designated detention or escort staff<sup>47</sup>. The data are the actual full-time equivalent (FTE) and data for 2016/17 are as at 31 March 2017.

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

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

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

### **Grievances**

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

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<sup>47</sup> See sections 38 and 39 of the Police Reform Act 2002. Available at: [www.legislation.gov.uk/ukpga/2002/30/section/38](http://www.legislation.gov.uk/ukpga/2002/30/section/38)

## Stop and search

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

## Figures throughout the report

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HMICFRS was commissioned by the Home Office to conduct a further assessment of reasonable grounds, building on the assessments we carried out in 2013 and 2015 so that we could demonstrate any changes over time. We used a similar methodology to do this: forces provided details of stop and search records by working back in time from 7 January 2017 until a total of 200 was reached.<sup>48</sup> This amounted to a total of 8,574 records – some records provided were not actually records of stop and search encounters, and these were excluded. As part of our assessment, we gave forces the opportunity to review our findings and make representations.

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

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

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

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

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

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<sup>48</sup> City of London Police was unable to provide records up to 7 January 2017 but instead provided 200 records from 4 October 2016 to 26 November 2016.

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

We assessed these case files against the relevant legislation, guidance and code of practice<sup>49</sup> to answer the following questions:

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

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<sup>49</sup> Relevant police complaints and misconduct legislation, IPCC statutory guidance, IPCC guidelines for handling allegations of discrimination, Acas code of practice on disciplinary and grievance procedures and Acas discipline and grievance guide.